

MAINE STATE LEGISLATURE

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Journal and Legislative Record
House of Representatives
One Hundred and Twenty-Eighth Legislature
State of Maine

Daily Edition

First Regular Session
beginning December 7, 2016

pages 1 -

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
56th Legislative Day
Thursday, June 15, 2017

Representative HERBIG of Belfast assumed the Chair.

The House met according to adjournment and was called to order by the Speaker Pro Tem.

Prayer by Reverend Annette Mott, Woodford's Congregational Church, Portland.

Pledge of Allegiance.

Doctor of the day, Mary Becker, M.D., Yarmouth.

The Journal of yesterday was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Promote Workforce Development and Provide an Economic Stimulus for Maine-based Filmmakers and Supporting Businesses"

(S.P. 501) (L.D. 1450)

Minority (2) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on June 12, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (11) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-228)** in **NON-CONCURRENCE**.

Representative BICKFORD of Auburn moved that the House **RECEDE AND CONCUR**.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker Pro Tem, members of the House, as you know this is the third film bill before you in as many sessions. The bill was drafted with the assistance of Biddeford's economic director and movie producer. The bill makes Maine's film program competitive with other states' film programs. In fact, the director of the Maine Film Office has already started receiving calls about making movies here just because we're considering this bill. The bill received very positive votes in Taxation and in the other body. The Ought to Pass as Amended passed in committee 11-2. This is a good and fair bill. The cap on reimbursement of wage stays at the current level of \$50,000, but this bill strengthens current law by requiring visual media production companies to pay all their bills and provide evidence of that to the Maine Film Office, and gives the Maine Film Office oversight and verification authority in this regard. Let's give this bill a shot. If it's not working, the Taxation Committee will find out in the annual report and be able to take action on it at that time. Thank you, Madam Speaker Pro Tem.

Representative **GOLDEN** of Lewiston **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker Pro Tem. Ladies and Gentlemen of the House, I just wanted to share part of the message from Biddeford's Economic Development Office that stated, "As an economic development practitioner in Maine, I can assert that LD 1450 could play a

critical role in Biddeford's ongoing economic development efforts here and likely in other Maine communities. Biddeford is experiencing significant economic growth due to sound urban planning principles and strategic investment practices. The filmmaking industry would capitalize on the public and private investments already made here in Biddeford." I hope you will consider the Recede and Concur motion.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I would say I concur with the Representative from Auburn that they did -- a lot of work was put into this bill, and it did receive a positive vote in committee, but that does not necessarily mean it was a great bill. There are a lot of things we try and put into tax credits now that we hadn't in the past that make them better bills: a sunset, making sure there's a positive action in these bodies to renew it if it's working. That was not put in this bill. It is a lot better than the original bill, but it is still a 25% reimbursement for costs. If you came to this building looking for a film credit; congratulations, we already have one. It's already on the books, it already costs half a million dollars per biennium. This is going well beyond that, and reimbursing direct costs for an industry. So I hope you stick with the vote we took two days ago, reject this motion so we can move on towards an Insist.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Cape Elizabeth, Representative Monaghan.

Representative **MONAGHAN**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I'll just be very brief. I've been in the workforce of tourism and economic development, and bringing people to Maine to convince them to hold a lot of large-group events here, and sometimes it does involve filmmaking as well. I think one of the things I don't think that was addressed quite a bit during this hearing was the fact that a lot of this activity and negotiations already takes place, and I don't believe it was brought up during these committee hearings; such as negotiating free public safety, negotiating reduced rates on hotels, in addition to throwing in another 20-25 rooms, and sometimes this can occur during the height of tourism season, reduced rates on catering companies. They come in with a lot of expectations, so when you add on this reimbursement and then these already somewhat backroom negotiating deals, it's quite a bargain for a lot of these companies. I'm all for having more presence of filmmakers in Maine, but I really think that this is a little too much. Perhaps if it was a little bit lower I would support it, but at this time, I can't support this, so thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Medway, Representative Stanley.

Representative **STANLEY**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I urge you to support the pending motion, and the reason is, it's time for us to take a good, hard look at what's going on in rural Maine. Rural Maine needs all the help that it can possibly get. This is a step where we're going to have people come into the area and spend money. We have small businesses in our area, in the rural parts of this state. Also, it encourages development in the urban areas, for the architects and the city life that movie people like to do. What mostly makes it all is the beauty of our state. We have a very beautiful state, from the coast, to the potato fields up in the County, to the Millinocket region with the mountain, over to western Maine, and in our cities, so we have a lot of opportunity here to take advantage of something, and if

we don't start doing something economically pretty quick, where Maine is very low right now on the totem pole of where businesses want to be, because we tax everybody to death, and we're also doing a lot of other things that don't encourage business growth in this state. So it's about time that I think this state should have to take a more proactive role in the economy in this state, because everybody sitting in this room has two things on their pamphlet, I bet. One was to create jobs and the economy, and the other one was to lower taxes, and I'll tell you what, here's an opportunity. We got to do something, people, because I tell you, this state is not in the state that everybody thinks it's in. Because you come up to where I live and see what life is like, and I'll tell you what, I'm just one part of the whole state, because I'll tell you, this whole state, once you get out in the rural area of this state, it's a different world out there. People are struggling every day to make a living, and this has an opportunity to bring new dollars in, help the businesses that are there. It's not long-term, I know, I understand that, but the thing that I do know is I have businesses there, and an influx of money in that business would help them. Because when you go to the coast, you go to Bar Harbor, most of them people out on the coast, they only work for tourist season and they have the rest of the year off; and here we are up in rural areas, you know, four seasons, and we're barely surviving. So I think it's time that we as a state start taking a look, and this is one area that we could do to help the rural areas of the state because, as I said, because of the beauty that we have here, and if people want to come here to see and visit and to shoot movies. So with that, thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Madam Speaker. I also rise in support of the pending motion, and I think the Representative from Medway hit it square, right on the head. I think this is about economic development for rural Maine. I know, and Representative Alley, the Representative from Beals, may be able to attest to this, but recently we had one of the Home & Garden TV channels filming in the Jonesport area. I know Washington County and the scenic beauty down there, that's marketable, and films ought to be able to happen down there, and with films come business, with business comes shopping at our restaurants and shops and only a strengthened economy, and I've got to say with some of the bad news we've heard in Washington County recently, this might be a positive thing. So I will be supporting the pending motion. Thank you.

Under suspension of the rules, members were allowed to remove their jackets.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFELD**: Thank you, Madam Speaker. I rise to support this as well. My good friend, Representative Stanley, from Medway, I think once again said it quite well. Where we are up in rural Maine, Franklin County area has some beautiful scenery. There's a young lady from up in that neck of the woods who has gone into the film industry and has been quite successful, and would like to do more in her home area, the State of Maine, and this would enable her to be able to do that. The ripple effect of film production in our state, I don't believe is even be able to calculate the benefit for all of that. I think it's incalculable. The other part of this thing I find

is quite fascinating is that, if this doesn't work out in a couple of years, we'll repeal it. I think it's a good chance to give it a chance, to see how it works, and if it doesn't work, we can undo this whole thing in very short order. But I suspect that it's a risk worth taking and I think it will prove to be very beneficial to our state, especially to the rural areas. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Madam Speaker Pro Tem, Ladies and Gentlemen of the House. Yes, Hollywood is attractive. It's really slick; it's really fun to think about all these wonderful movies that are going to be made in Maine and all the wonderful jobs that are going to be created. But like many things in Tinsel Town, this one is a promise that's going to be very costly for the Maine taxpayer. Let me just leave you with a figure, based on some data from other states: \$100,000 a job. Ladies and gentlemen, I'm willing to bet there are some small businesses in Maine that would love \$100,000 a year to create jobs in Maine. Let's support the ones that are here. I don't think Hollywood is coming to rural Maine, and if they do, the jobs they create are going to be here today and gone tomorrow. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dedham, Representative Ward.

Representative **WARD**: Thank you, Madam Speaker. I do rise in support of the pending motion. I so often see partisanship and rancor in folks that are not willing to work together and listen together, and what encouraged me about this process with this particular bill was just the opposite, Madam Speaker. Initially, when the bill came before us, there was an awful lot of skepticism, and there were some clear issues and problems, and there might have even been some overreach with this. The Senator who sponsored the bill was willing to work with the Maine Film Office and concerned members of the Committee, not through just one work session, but through two. A tremendous amount of effort went into this, and significant watering down and scaling back of the initial request was the result. We heard about movies that are going elsewhere. We even heard about a Stephen King movie going elsewhere. We did hear about the tremendous spinoff economic activity that could come from this, but what really tipped my vote in Committee, in favor of this bill, was when we heard from the Maine Film Office. Initially the representative from the Maine Film Office, which is a branch of the State Government, testified neither for nor against, but boy, if you didn't know any better, she was not in favor of the bill. After the significant work was put into the bill, the question was put before the representative, "Would you support this bill as written?" and the answer came back in the affirmative. This bill is an example of all that we hope to have come out of Committee. It's why we have committees. It makes us relevant. And what I believe has been put out has been a good piece of legislation. I'll be supporting the pending motion and I urge my colleagues to follow my light. Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair will notify members that there are six people in the queue. The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Thank you, Madam Speaker. I apologize to the body for rising a second time. I didn't realize we would be having this debate again. I just want to make sure people are aware of the bill they are voting on. This is not a tax credit, this is not something that would just be a reduction on revenue that would otherwise come into the state; this is a direct reimbursement of up to 25% -- equal to 25% of certified

production wages paid with respect to an individual who is a resident of Maine or - and this is one of the parts of the bill that I especially disagree with - 20% of the wages to a person who is not a Maine resident. At this point, we're literally reimbursing a company, a private individual, to pay someone from out of state. I believe that this would create film jobs in Maine, I believe it would create film production in Maine, just like I believe if the state took upon itself to reimburse any industry for 20 or 25% of production expenses, of employee wages, that we would have that industry in Maine. I just do not think that, especially at this time, with what we're going through in terms of looking at all the credits we have on the books, that adding a direct reimbursement of out-of-state wages is in the state's best interest. I would also just remind people -- or, remind you, Madam Speaker, as I'm not addressing everyone, just you: "The net economic impact resulting from combined impacts from the tax credit are initially positive;" says the Maryland Film Production Activity Tax Credit Report, "however, the positive benefits are short-lived, with total employment decreasing. Not only are the gains short-lived, but the state is actually worse off in the latter years, as there are fewer jobs compared to if there was no credit. The state essentially continues to pay for this credit after the production activity has ceased." We already have done the math on this, a number of states, a wide number of states, and if you want, I can go through all the reports that are on my desk, a number of states have looked into whether or not this is a good deal, and currently we are seeing a number of states move away from this. I think this is a bad place for the state to go, but I don't think I need to say that again, I think everyone in this room is aware of my opinion, so thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Madam Speaker. Men and Women of the House, this is a bill that I'm very familiar with. In fact, I have sponsored this bill in the prior two sessions, and it's frankly one of my top priorities over those four years. During that time, I studied the specific structure of the film tax incentives in every state in the country, which changed over those two years. I watched the trends, watched how things changed, watched what the different structures were in terms of wages and spend, minimum budget, all the different factors going into film tax incentives, and presented bills in prior sessions with what I thought was a sensible structure where we brought a minimum spend up to a point where the production companies are actually creating jobs. The minimum spend in this motion would be a \$75,000 production. I've worked personally on films with a \$1 million budget. Films of \$1 million budget and below in the industry are called no-budget films; not low, no-budget films, as I found out when I was paid literally in cookies. That's a \$1 million minimum budget. So a film production with a \$75,000 budget, they're not creating jobs. They're not making an impact on the economy. They're not getting us the desired bang for the buck that we would need in order to invest that money as taxpayers. That being said, if we did have a higher minimum spend and we were creating jobs, absolutely. Every state in the country that has a robust, aggressive film tax incentive program like the one laid out with the 25% refundable tax credit in this bill, every one of those states has a robust industry that is hiring people, that has TV shows coming to the state, that has film productions coming to the state, that has commercials and catalogs and everything that you would hope to see. All of those states have that with this tax structure. You get people who typically wouldn't be in the industry, for example out-of-

work construction workers can join the IATSE film union, they can become part of the production crew, they can transfer their construction skills and now be building sets and they're employable. Absolutely this would be a job creator, absolutely it would be a boon for our economy if it had the desired effect; but, again, productions with a spend, a budget that is below \$1 million will not have an impact on the economy, and that's why I will be voting against this motion. Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. I apologize for rising a second time, but I want to point out, how many millions of dollars do we spend on the tourism industry in Maine? On Maine tourism, to advertise Maine as a place to come visit. If we have films being done in Maine, we're not only advertising for a very small amount of money, the beauty of Maine, but we're encouraging people to move to Maine. Not only visit Maine but let's get them move to Maine, because they like what they see. They like the farmlands, they like the lakes, they like the fact that you can ski the same day as you can fish. Maine has a lot to offer, and with the millions of dollars we spend on tourism to attract tourists, let's start spending a little bit of money to attract people to move to Maine, instead of our population declining. Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I stuck this bill in a few years ago for the very reason that the Representative from Weld mentioned and if you go and google where the movie "Tumbledown" was filmed, which was written about Maine and that region, only two of the set locations were in Maine. The rest were Vancouver, Massachusetts, and a variety of other states. There's been a sea change in the film industry that is taking place now from the relatively few big companies to a very diversified amount. And the idea that scenery or location is important, someone should look at where the movie "Cold Mountain" was filmed; Romania. The reason it was filmed in Romania is it was a period piece that needed to have locations that wouldn't have power lines in them. Well, guess what, if you take a look around western Maine, there's going to be a lot of locations that don't show what modern society has done to locations. Right now, there's a movie on Netflix, there's a film on Netflix about the fur trade called "Frontier." Well, guess what, in the 1600's, in Quebec, they didn't have power lines. There's movies like "Hell on Wheels" about the building of the transcontinental railroad. It's being filmed in Canada. They have put a new studio, sound studio in Massachusetts so that productions can be now done on the East Coast. We have locations in the state which offer prime examples for a lot of period pieces, and we're not even going to tempt the film industry with them?

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Madam Speaker. Madam Speaker Pro Tem, I have a question for you and all my colleagues in the chamber. How many people had a major film in the last 25 years filmed in their district? I have. "Message in a Bottle" was filmed in New Harbor on the Pemaquid Peninsula and I can tell you what happens. There were some carpenter jobs that came about, there were people that were able to rent out their houses and cottages at dramatically increased rates, the hotel industry went up for a

little bit, and then also the restaurants and the caterers had a big boom, fishermen benefitted because their boats were needed for the film, and, for one summer, life was booming on the Pemaquid Peninsula. As soon as the film was over, everyone packed up, they left, and ultimately, those increased carpenter jobs, they went away. There is no restaurant that opened up and remained open as a result of the filming of "Message in a Bottle" in New Harbor, Maine. There are no additional catering groups. People are no longer able to charge exorbitant amounts for their cottages and homes for a couple of months. So, yes, Pemaquid Peninsula benefited from the filming of "Message in a Bottle" a little bit, almost 25 years ago. However, overall, there was no economic gain for the Pemaquid Peninsula. Thank you very much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker Pro Tem. You know, dad taught me the difference between cotton candy and broccoli. Cotton candy tastes pretty good but it's not very good for you, whereas broccoli, well, it's okay, but you'll live a long and happy life if you eat a lot of broccoli. And that's really what we're debating about economic development today. Because when you look at the prospect of spending \$100,000 for a temporary job, using taxpayer money, we're talking about cotton candy. I'm all in favor of growing jobs here in the State of Maine, but not at the rate of \$100,000 a job.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bath, Representative DeChant.

Representative **DeCHANT**: Thank you, Madam Speaker. I rise to speak in opposition of this motion, and with sharing the "Message in a Bottle" with the Representative from Newcastle, part of that was filmed in Bath as well and part of it was helping remodel our city hall, but as echoing the comments from the previous speaker is that the long-term economic impact for there has not stayed. And this bill is shiny, shiny, shiny, Hollywood shiny; and I have worked on this policy since 2009, different shades of it, and this vehicle, while interesting, is a subsidy for an industry where we will not get a return on investment. So what will happen in our rural areas is we will end up giving away the farm.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Madam Speaker Pro Tem and Ladies and Gentlemen of the House. One of the best-kept secrets of Maine, and quite honest it's only a few months ago that I discovered it as well, is in the Speaker's backyard, in fact, is Maine Media Workshops and College in Rockport. Maine Media is a -- I thought it was interesting to look at their website, and it identifies the key programs that it offers: hundreds, literally thousands of people that go there during the course of the year. These are high professional workshops that are very expensive. People come from all over. The problem is they come and they attend the workshops and they tend to leave. Maine is not viewed in their minds as a state that is particularly supportive of photography, filmmaking, multimedia, the Young Artist program -- next week there will be 18 young people across the State of Maine who will participate in that program. I think it's important for us, as we move into a new world and a new age, that we find opportunities to support the development of economic opportunities in those particular areas, so I rise today in opposition to this motion. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. To answer the question from the Representative from Newcastle, we had "Pet Cemetery" done in the Bangor/Brewer/Holden area, written by some guy in Bangor. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We had this same debate last spring about propping up the forest products industry, so we dumped \$13 million into that industry for two years. Oh, it's going to be a temporary fix. But let me tell you right now, Stored Solar came in, they revived two biomass boilers; one in Jonesboro and one in Enfield. Re Energy is doing well. So that short time expenditure helped an industry, and I feel and I look at this, maybe it may be a carve-out, but any dollar spent in the State of Maine is economic growth. And it might be a first baby step to allow bigger productions to come into the state, so I have to agree with my good friend from the north, Representative Stanley, and I have to support the pending motion.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker. I appreciate the chamber allowing me to rise for a second time. I just want to point out that, if other states would like to produce movies about the State of Maine, then I say let them. If they are willing to pay 25 cents on the dollar and create \$100,000 a job, pay \$100,000 a job price, and we get the benefit of having the State of Maine on the big screen, then I say God bless America.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 310

YEA - Alley, Austin B, Austin S, Bailey, Bates, Bickford, Bradstreet, Bryant, Campbell, Casas, Cebra, Collings, Cooper, Doore, Farrin, Fecteau, Gerrish, Grohman, Hanington, Harlow, Harrington, Harvell, Hawke, Herbig, Herrick, Hickman, Hilliard, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Marean, Martin J, Martin R, McElwee, Nadeau, O'Neil, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reckitt, Sanderson, Seavey, Sherman, Skolfield, Stanley, Stearns, Stewart, Terry, Theriault, Tuell, Vachon, Wallace, Ward, Wood, Zeigler, Madam Speaker.

NAY - Ackley, Babbidge, Battle, Beebe-Center, Berry, Black, Blume, Brooks, Cardone, Chace, Chapman, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Duchesne, Dunphy, Espling, Farnsworth, Fay, Foley, Fredette, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Guerin, Haggan, Hamann, Handy, Hanley, Head, Higgins, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lockman, Madigan J, Malaby, Mason, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, O'Connor, Ordway, Parker, Perkins, Pierce T, Reed, Sampson, Sanborn, Schneck, Sheats, Simmons, Sirocki, Spear, Stetkis, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Timberlake, Tipping, Tucker, Turner, Wadsworth, Warren, White, Winsor.

ABSENT - Grignon, Perry, Riley, Rykerson.
Yes, 61; No, 86; Absent, 4; Excused, 0.

61 having voted in the affirmative and 86 voted in the negative, with 4 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes"

(S.P. 455) (L.D. 1341)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** in the House on June 12, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-165)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 241)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

June 15, 2017

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Agriculture, Conservation and Forestry
L.D. 244 An Act To Clarify the Use of State Lands Designated for Conservation or Recreation Purposes

Environment and Natural Resources
L.D. 254 An Act To Implement a Moratorium on Metallic Mineral Mining (EMERGENCY)

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 518)

**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

June 14, 2017

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted

- the Minority Ought to Pass as Amended Report and Passage to be Engrossed as Amended by Committee Amendment "A" (H-456) from the Committee on Education and Cultural Affairs on Bill "An Act To Safeguard Student Contact Information Provided to Schools" (H.P. 1022) (L.D. 1483), in non-concurrence;
- the Minority Ought to Pass as Amended Report and Passage to be Engrossed as Amended by Committee Amendment "A" (H-455) from the Committee on Education and Cultural Affairs on Bill "An Act To Facilitate Voluntary Cooperation among School Systems" (H.P. 1009) (L.D. 1470), in non-concurrence;
- the Minority Ought to Pass as Amended Report and Passage to be Engrossed as Amended by Committee Amendment "A" (H-465) from the Committee on Judiciary on Bill "An Act To Prioritize Family Members as Surrogates for Medical Decisions" (H.P. 1108) (L.D. 1607), in non-concurrence;
- the Majority Ought Not to Pass Report from the Committee on State and Local Government on Bill "An Act To Require Responsible Contracting on Public Construction Projects" (H.P. 961) (L.D. 1382), in non-concurrence;
- the Majority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Include Tax-exempt, Nonprofit Regional Transportation Providers under the Maine Tort Claims Act" (H.P. 213) (L.D. 280), in non-concurrence;
- the Majority Ought to Pass as Amended Report and Passage to be Engrossed as Amended by Committee Amendment "A" (H-446) from the Committee on Agriculture, Conservation and Forestry on Bill "An Act To Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of Animals" (H.P. 1097) (L.D. 1593), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs" (H.P. 899) (L.D. 1302), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Biddeford, Representative Fecteau, who wishes to address the House on the record.

Representative **FECTEAU**: Thank you, Madam Speaker Pro Tem, Ladies and Gentlemen of the House. I want to rise this morning to recognize and celebrate Volk Packaging on its 50th anniversary. As many of you know, I've had the pleasure of co-chairing the LCRED Committee this session with Senator Volk. By coincidence, Volk Packaging is actually located in my district. So while I've enjoyed a good working relationship with Senator Volk, I must say it's a bit awkward that when Volk Packaging contacts me with an opposite position of Senator Volk, I kind of have to go with what they think. Of course, I kid, but Madam Speaker, what's not a joke is how proud I am to have this company in Biddeford. I have toured the facility twice, and what I found was innovative products, talented employees, and a company that gives back to the community.

Whenever I see a yellow Volk Packaging truck on the highway, I'm proud to know where that truck came from: 50 years of hard work and competitive grit. It came from a company that in 1968 had five employees and now has 85. A company that over 30 years has had two of those first employees retire from the company. That truck came from a third-generation business led first by Benjamin Volk, then by Kenneth Volk, and now Douglas and Derek Volk. Biddeford is proud of Volk Packaging and applauds the Volk family, who is here with us today. Thank you.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ORDERS

On motion of Representative BLUME of York, the following Joint Resolution: (H.P. 1130) (Cosponsored by Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, AUSTIN of Gray, BABBIDGE of Kennebunk, BAILEY of Saco, BATES of Westbrook, BATTLE of South Portland, BEAR of the Houlton Band of Maliseet Indians, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BRADSTREET of Vassalboro, BROOKS of Lewiston, BRYANT of Windham, CAMPBELL of Orrington, CARDONE of Bangor, CASÁS of Rockport, CEBRA of Naples, CHACE of Durham, CHAPMAN of Brooksville, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, CRAIG of Brewer, DANA of the Passamaquoddy Tribe, DAUGHTRY of Brunswick, DeCHANT of Bath, DENNO of Cumberland, DEVIN of Newcastle, DILLINGHAM of Oxford, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Old Town, ESPLING of New Gloucester, FARNSWORTH of Portland, FARRIN of Norridgewock, FAY of Raymond, FECTEAU of Biddeford, FOLEY of Wells, FREDETTE of Newport, FREY of Bangor, FULLER of Lewiston, GATTINE of Westbrook, GERRISH of Lebanon, Speaker GIDEON of Freeport, GILLWAY of Searsport, GINZLER of Bridgton, GOLDEN of Lewiston, GRANT of Gardiner, GRIGNON of Athens, GROHMAN of Biddeford, GUERIN of Glenburn, HAGGAN of Hampden, HAMANN of South Portland, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HARRINGTON of Sanford, HARVELL of Farmington, HAWKE of Boothbay Harbor, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JOHANSEN of Monticello, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFIELD of Bangor, KUMIEGA of Deer Isle, LAWRENCE of South Berwick, LOCKMAN of Amherst, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MADIGAN of Waterville, MADIGAN of Rumford, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MONAGHAN of Cape Elizabeth, MOONEN of Portland, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, PARKER of South Berwick, PARRY of Arundel, PERKINS of Oakland, PERRY of Calais, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta,

PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, RYKERSON of Kittery, SAMPSON of Alfred, SANBORN of Portland, SANDERSON of Chelsea, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHEATS of Auburn, SHERMAN of Hodgdon, SIMMONS of Waldoboro, SIROCKI of Scarborough, SKOLFIELD of Weld, SPEAR of South Thomaston, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STROM of Pittsfield, SUTTON of Warren, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIMBERLAKE of Turner, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WHITE of Washburn, WINSOR of Norway, WOOD of Greene, ZEIGLER of Montville, Senators: BELLOWS of Kennebec, BRAKEY of Androscoggin, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, COLLINS of York, CUSHING of Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, DION of Cumberland, DOW of Lincoln, GRATWICK of Penobscot, HAMPER of Oxford, HILL of York, JACKSON of Aroostook, KATZ of Kennebec, KEIM of Oxford, LANGLEY of Hancock, LIBBY of Androscoggin, MAKER of Washington, MASON of Androscoggin, MILLETT of Cumberland, MIRAMANT of Knox, ROSEN of Hancock, SAVIELLO of Franklin, President THIBODEAU of Waldo, VITELLI of Sagadahoc, VOLK of Cumberland, WHITTEMORE of Somerset, WOODSOME of York)

**JOINT RESOLUTION
HONORING THE MEMORY OF NEIL ROLDE**

WHEREAS, the Honorable Neil Rolde, of York, who died on May 15, 2017, was a longtime public servant, a distinguished historian and author and a dedicated member of the Maine House of Representatives; and

WHEREAS, Neil Rolde was raised in Brookline, Massachusetts and moved to Maine as a young man in the early 1960s; and

WHEREAS, Neil Rolde began his political career as press secretary and special assistant to Governor Kenneth Curtis; and

WHEREAS, Neil Rolde served as State Representative from York during the 106th, 107th and 109th to 114th Legislatures and was also House Majority Leader from 1975 to 1977; and

WHEREAS, Neil Rolde left politics in 1990 but remained active in public service through various organizations, including Maine Public, the Maine Historic Preservation Commission, the Maine Arts Commission and the University of New England board of trustees; and

WHEREAS, Neil Rolde was active on the board of the Seacoast Shipyard Association, which twice fought successfully to keep the Portsmouth Naval Shipyard open; and

WHEREAS, Neil Rolde wrote more than a dozen books, primarily about the history of Maine, including a history of Maine's Native American population and a retelling of the events leading to the establishment of Baxter State Park; and

WHEREAS, it is the desire of the Members of the Senate and the Members of the House of Representatives and the citizens they represent to formally recognize the accomplishments of Neil Rolde and to express the high esteem

and affection we have for this outstanding longtime resident of York, Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to honor the Honorable Neil Rolde and to recognize his accomplishments and his distinguished service to the people of the State of Maine over many years; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be presented to the family of Neil Rolde as a tangible token of our high esteem.

READ.

The **SPEAKER PRO TEM:** The Chair recognizes the Representative from York, Representative Blume.

Representative **BLUME:** Thank you, Madam Speaker. Neil Rolde was one of our great Mainers and touched so many lives with his generosity and support, his political influence and leadership, and many more with his 18 published books, most about his beloved Maine. I am pleased to be submitting this Joint Resolution to honor his memory. Neil was my friend and mentor in my late-in-life entrance to a political activism that has brought me to where I am today as State Representative. I know I would not be here without his guidance and support. Neil was also the reason I got involved in grassroots politics. In 2003, many of us across the political spectrum were alarmed and concerned about Bush and Iraq and the assault on our rights. At the height of our worry, voters in our town of York received a letter in the mail from Neil Rolde. It was an eloquent statement about what many of us were feeling, and invited us to get together and organize. He made it sound like the most reasonable and sensible thing to do. I felt it was something I could do and immediately planned to be at that meeting. Apparently I was one of about a hundred people who felt the same way, many of whom had never been active in politics before. Neil's writing brought us there. That meeting started a strong, bipartisan grassroots organization that brought us through that election and continues today. Neil was always present, always supportive, always positive. We could count on him. He gave me strength and confidence. He inspired and encouraged all of our area citizen legislators. If you were thinking about running, you would go talk to Neil. He was always warm and welcoming. The minister at Neil's celebration of life summed up the Neil perspective well. She said that Neil understood that there is a power in mutual respect. Neil practiced bipartisanship in his political life, because he knew it to be good for the people of Maine, and that was what was most important to him. As one of the original disheveled democrats, a great tradition, and I say that with love, he was amiable and multifaceted, an historian, a reader, a writer. He could always find something to respect and like in another person and find commonality. I hope all of our leaders will remember and emulate him. I think his special combination of intelligence, warmth, generosity, historical perspective, faith in his fellow citizens, and true love of politics in the State of Maine may not be easily matched; but I hope the memory of his generous and positive spirit will continue to inspire all of us, especially now. I hope we remember what Neil knew as we come to the end of our session: the power of mutual respect and its promise of reconciliation. The people of Maine will benefit from such thinking by all of us.

The **SPEAKER PRO TEM:** The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN:** Thank you, Madam Speaker. Members of the House, I first met Neil when he started working

for Ken Curtis, and from that point on, of course, continued to know him; and then, in 1974 election we became the bookends of Maine; York, Eagle Lake, him, Majority Floor Leader, and me, Speaker. That was the beginning of the reign of a Democratic party controlling the Maine Legislature. His work was amazing, thorough, and always knew the right direction. Even though he was not born in Maine, Maine adopted him and he adopted Maine, and you need to read some of those books that he's written, because you can see in those writings exactly what he felt about this state, and to me, he -- I was thinking about him today as we read, and I was thinking of what he would be saying to us here today, where we are facing this crisis; and he would say, "Take your time, work it through, and do the right thing." And he would do that, whether you were a Democrat, Republican, or Unenrolled, you would say, "I agree." And so, I couldn't think of a better person to think about today as we face the challenges that we face right now. He is really, in my estimation, one of the best legislators to have served this state. I must say that I'm pleased to see Carla, his wife, here today, and members of the family, but I will say Carla still refers to me as Johnny. So there we are. I am really pleased to be able to say a few words about my friend, Neil.

The **SPEAKER PRO TEM:** The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE:** Thank you, Madam Speaker. I first would like to give a shout-out to Neil's son-in-law, Mr. Wilford, who I had the pleasure of teaching with in my classroom at the very beginning of his career. Neil Rolde was a giant in many ways. Yes, I came to know him as a leader in the legislature, know of him, really, at that time; but nationally, he came upon the scene in 1990 when he ran for statewide office, United States Senator, against a very popular incumbent; and at a time when America was in a position that health care was an escalating crisis, he brought national health care to the forefront in national politics. I mean, his was the only campaign in which he made it a primary issue of discussion, which then translated into coverage by the major networks. That was Neil. In 2000, when I served as President of Maine's Electoral College, we had to have a historian to give us some background to be on the agenda, and the only person that came to mind to me was Neil Rolde. Neil Rolde was not only a public servant, but he was a great historian, a writer of many books, a great researcher. So, because Neil Rolde was dedicated to the retelling of history, because Neil Rolde was a long-time public servant, a champion for social justice, all the time modeling civility and respect, because of Neil Rolde's courage and his dedication to the State of Maine, because of his friendship to all, and that smile that I will remember, I am proud today to honor Neil and recognize his loving family. Thank you, Madam Speaker.

The **SPEAKER PRO TEM:** The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON:** Madam Speaker Pro Tem, Men and Women in the House, in 2015 when I was closing my medical practice that I started in 1989, and was thinking of running for office, I ran into Neil. When I told him my developing plans, he simply welcomed me to politics. He was kind, nonjudgmental, and his biggest message to me was his gratitude that I was stepping up. He saw politics as necessary and the glue for our great country, that started in local communities, actually, around the kitchen table, where he sat with constituents. In York, he was one of the first politicians to knock on doors and sit with people. He was very proud of that and told many stories. I'll also remind this body that he gave

us his book last session, on each of our desks; stories that he fictionalized about his workings as a Representative in this body. We'll miss him. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Collings.

Representative **COLLINGS**: Thank you, Madam Speaker Pro Tem, Ladies and Gentlemen of the House. I, too, want to rise and honor Neil Rolde today. I was about to say something which I think the Representative from Eagle Lake pretty much captured in his words very eloquently and succinct, better than I could, but when I moved down to southern Maine in about 2000 and I did a lot of work around York County, I of course met him through some of the campaign work I was doing, and from then on was working with him statewide, and I echo what everyone says. I'm not going to repeat everything, but he had great integrity, he did so much for the state. He probably is one of the most philanthropic, most generous people I've had a pleasure to work with and I used to go with him -- quite often people would send me, they'd say well, you know Neil, why don't you go and ask him for a check for this cause or what cause; and the first time I asked him for a donation he said, "Ben, taxes are coming up, everyone's been asking me, I can't really give you that much," and when he wrote the check and gave it to me, it was more than anyone had given me combined, and I'm like, "It's okay, Neil, maybe next time you can give me another one." But any time I asked for anything, he always gave something. Just such a great, wonderful guy. I'm so glad I was able to see his family here today. What he's given the state through his literature, through his leadership, and the Legislature and working with Governor Curtis and just his philanthropic, you know, legacy, it just speaks volumes; and, you know, I'm, again, just so glad his family is here. Neil is someone that people always asked things from; I don't recall him ever asking much from anyone, he just thoroughly enjoyed giving back. He was a great, adventuresome soul. I remember, even when he was getting older he was always traveling, doing adventures. One time I saw him, he had like a chipped tooth or his tooth was missing, I'm like, "Neil, what the heck happened?" And he was off some island doing something but broke his tooth, but he just came back and was happy and smiling. And just to echo what the Representative from Eagle Lake said, I, too, was thinking about his legacy here and what he would be doing if he was here, and I really think he would want us all to reach across the aisle and do the right thing for the people of Maine, which we've all come here to do. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from South Berwick, Representative Lawrence.

Representative **LAWRENCE**: Thank you, Madam Speaker. I would also like to add a few words on behalf of a good friend, Neil Rolde. I've had the opportunity to speak at many testimonials for him, so I've told all my funny stories already, but I remember the very first time I met Neil was 35 years ago. I had just recently graduated from Bowdoin College and was a little bit lost on career, and I talked to a friend of mine, the father of a friend of mine, who was my employer, a very conservative Republican. And I was just talking to him about career advice, and I talked to him about my interest in government and that type of thing, and he says, "Well, why don't you give Neil Rolde a call?" He says, "You know, Neil Rolde is probably very liberal, he's a Democrat." He said, "My wife and I knew him through a theater, Theater by the Sea, that he supported over in Portsmouth, and give him a call. He was a State Representative from York." And I called him, and surprisingly, I got him on the phone and he said, "Oh, yeah, I'd

be happy to meet with you." And I was very surprised when he showed up. He was like no other politician I had ever met before. He wasn't -- he was going, in fact, to an event for George Mitchell at that time, but he showed up at my parents' house, sat down in my living room, he was very relaxed, we had a very relaxed conversation. He talked to me for about a half an hour about what my interests were, what things were, made all kinds of suggestions, and that started a friendship that lasted for many years; and I've often relied on Neil for advice, often relied on talking to him, and what I liked most about talking to Neil is what the people before me have said. He was very relaxed, very calm, he had a very rational way of looking at things, never made things overly partisan. He was very uninhibited. He often didn't care what people thought about what you were doing, he always encouraged you to do the impossible. And that was very much who Neil was. He always did the impossible. His legacy lives on in this state and in many organizations, many ways that we will never realize, things he was involved in. As I got more and more involved in the State of Maine, I'd be amazed at the number of organizations I got involved with, and they would say oh, yeah, you're from where Neil Rolde comes from. They would know Neil. He was instrumental in making York Hospital a viable hospital, a hospital that competes with three hospitals from New Hampshire, and saving the hospital here in Maine. He was instrumental in helping Maine Public Broadcasting through a very difficult time in its history, and he was also instrumental in the transition of St. Francis College to the University of New England and setting up the University of New England, which has become an exceptional institution in the State of Maine. Neil Rolde was an incredible individual, incredible intellect, incredible ability to think through issues and see how to resolve them. And if somebody -- even though we say we will miss him, we will also not miss him, because his legacy will live on, and will live on in virtually everything we do here in the State of Maine. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kennebunkport, Representative Seavey.

Representative **SEAVEY**: Thank you, Madam Speaker. I just want to say that as a Representative from the other side of the aisle, I worked with Neil for eight years back in the '80s, and just want to say that he was gentleman to work with and I appreciate his service to York County and to the whole State of Maine. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

On motion of Representative CHAPMAN of Brooksville, the following Joint Resolution: (H.P. 1131)

JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO RESOLVE THE ISSUE OF CAMPAIGN FINANCE

WHEREAS, the first president of the United States, George Washington, stated "The basis of our political systems is the right of the people to make and alter their Constitutions of Government"; and

WHEREAS, James Madison stated that the Congress of the United States should be "dependent on the people alone"; and

WHEREAS, that dependency has evolved from a dependency on the people alone to a dependency on those

who spend excessively in elections or through elections or third-party groups; and

WHEREAS, the United States Supreme Court ruling in *Citizens United v. Federal Election Commission* removed restrictions on amounts of independent political spending; and

WHEREAS, the removal of those restrictions has resulted in the unjust influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws and determine the fate of our State; and

WHEREAS, under the United States Constitution, Article V, the Congress of the United States, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the United States Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments that, in either case, shall be valid to all intents and purposes, as part of the United States Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; now, therefore, be it

RESOLVED: That the Legislature of Maine respectfully applies to the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the United States Constitution that addresses concerns about the removal of restrictions on amounts of independent political spending through *Citizens United v. Federal Election Commission* and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that the requested convention should be limited to that purpose; and be it further

RESOLVED: That this State desires that the delegates to the requested convention be composed equally of individuals currently elected to state and local office or be selected by election in each congressional district for the purpose of serving as delegates, that all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the requested convention and that the State intends to retain the ability to restrict or expand the power of its delegates within the limits expressed in this paragraph; and be it further

RESOLVED: That this application by this body constitutes a continuing application in accordance with the United States Constitution, Article V until at least two-thirds of the legislatures of the several states have made similar application pursuant to Article V but, if Congress proposes an amendment to the United States Constitution identical in subject matter to that contained in this Joint Resolution, this application for a constitutional convention is no longer of any force or effect; and be it further

RESOLVED: That this application is void, rescinded and of no effect in the event that such a convention is not limited to such a specific and exclusive purpose; and be it further

RESOLVED: That this body proposes that the legislatures of the several states composing the United States apply to the Congress requesting the enactment of appropriate amendments to the United States Constitution or requiring the Congress to call a constitutional convention for proposing such amendments to the United States Constitution; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and presiding officers of both houses of the legislature of each of the several states in the nation, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United

States Senate and each member of the Maine Congressional Delegation.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Madam Speaker, Friends and Colleagues of the House. The Joint Resolution before you is one of about a dozen and a half that have come before the Legislature in the State of Maine in the last hundred years. This one calls for an Article V Constitutional Convention pertaining to the topic of campaign finance reform inspired by the Supreme Court decision known as *Citizens United*. If you are interested in overturning *Citizens United*, you would be in favor of this Joint Resolution. I'd like to take just a moment, since we've discussed Article V Constitutional Conventions at some length in this chamber in the last few years, I'd like to only make one point about it that has not received very much discussion; and I draw your attention to the middle paragraph on page nine of today's calendar, the resolved sentence that says, "That this application is void, rescinded and of no effect in the event that such a convention is not limited to such a specific and exclusive purpose; and be it further." This paragraph I lifted from paragraphs similar to it that have appeared in many of the Article V convention calls from the State of Maine since -- actually, more than the last hundred years. One of the fears that many legislators have is that a paragraph like the one I just read would not hold in force. That is to say, in spite of stating that this convention call is for a single purpose, there's a fear that because there have been no such conventions in the history of the country, it's not certain whether such a convention could be limited as it states here. So, what I wanted to draw your attention to is that the decision about whether or not a limitation would hold or would not hold is a decision that would be made by the Supreme Court of the United States. And in order to help your thinking on this issue, I would suggest that the Supreme Court might be well aware that a nonlimited convention could bring matters to bear that affect the powers of the Supreme Court since all of their powers derive from the Constitution. And in fact, there have been Article V convention calls specifically suggesting such things as term limits for Supreme Court justices. And so I would suggest that it's a reasonable -- I believe a reasonable speculation that the Supreme Court would tend towards not allowing an open-ended convention, because it would perhaps threaten themselves. And having made that point, Madam Speaker, the only other thing I'd like to do is point out that a two-thirds vote of those present is required in both this chamber and the chamber at the other end of the hall, in order for this to go into effect, and with that I ask for a roll call, Madam Speaker. Thank you.

The same Representative **REQUESTED** a roll call on **ADOPTION.**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think we've seen some of these before, and in some circumstances I have supported them in the past. I will not be able to support this measure today and have concerns about the vetting of this matter before us, and hope that you will follow my light. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Adoption of the Joint Resolution . All those in favor will vote yes, those opposed will vote no.

Pursuant to Joint Rule 215.1, this Joint Resolution required the affirmative vote of two-thirds of those present for **ADOPTION**.

ROLL CALL NO. 311

YEA - Ackley, Bailey, Casas, Chapman, Harlow, Hickman, Reckitt, Zeigler.

NAY - Alley, Austin B, Austin S, Babbidge, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Guerin, Haggan, Hamann, Handy, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood.

ABSENT - Fredette, Grignon, Grohman, Hanington, Hanley, Ordway, Riley, Sherman, Madam Speaker.

Yes, 8; No, 134; Absent, 9; Excused, 0.

8 having voted in the affirmative and 134 voted in the negative, with 9 being absent, and accordingly the Joint Resolution was **NOT ADOPTED**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-262)** on Bill "An Act To Clarify the Language Defining Schedule W Drugs and To Add Drugs to the List of Schedule W Drugs"

(S.P. 541) (L.D. 1546)

Signed:

Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

COREY of Windham
GERRISH of Lebanon
GROHMAN of Biddeford
HERRICK of Paris
LONGSTAFF of Waterville
MAREAN of Hollis
NADEAU of Winslow
RECKITT of South Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

WARREN of Hallowell
TALBOT ROSS of Portland

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)**.

READ.

On motion of Representative WARREN of Hallowell, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-262)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-262)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-269)** on Bill "An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Lumber and Solid Wood Products Harvested in the State"

(S.P. 551) (L.D. 1573)

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York
KEIM of Oxford

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HARRINGTON of Sanford
HOGAN of Old Orchard Beach
MADIGAN of Rumford
ORDWAY of Standish
SPEAR of South Thomaston

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

GRIGNON of Athens
PICKETT of Dixfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-269)**.

READ.

On motion of Representative MARTIN of Sinclair, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act Regarding the Disclosure of Hormone-disrupting Chemicals in Packaged Food"

(H.P. 819) (L.D. 1182)

Signed:

Senators:

DAVIS of Piscataquis
SAVIELLO of Franklin

Representatives:

BLACK of Wilton
HIGGINS of Dover-Foxcroft
KINNEY of Knox
McELWEE of Caribou
SKOLFIELD of Weld

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-506)** on same Bill.

Signed:

Senator:

DILL of Penobscot

Representatives:

DUNPHY of Old Town
ACKLEY of Monmouth
CHAPMAN of Brooksville
MARTIN of Sinclair
O'NEIL of Saco

READ.

Representative DUNPHY of Old Town moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Westbrook, Representative Bates.

Representative **BATES**: Thank you, Madam Speaker. Good morning, Men and Women of the House. Just quickly, this bill is regarding a group of chemicals known as phthalates. Phthalates are commonly used to soften plastics in order to make them more malleable. They're used in literally everything; containers, building supplies, automotive parts, and anything in between. However, phthalates are remarkably potent and dangerous. They can permeate our skin and enter our body in a number of other ways. They are massively disrupting to naturally occurring human hormones. When I'm not in Augusta, I do a lot of work with the March of Dimes, which some of you know is a charity that does work with premature birth, infant mortality, and birth defects, and all of those are on the rise in Maine, all of those are on the rise nationwide; and there have been a large number of studies, 66, in fact, that are authorized by the CDC, 66 studies, all of which have concluded that phthalates lead to a massive spike in birth defects. The most common one is seen especially in young boys, which most commonly manifests itself in genital deformities, not that we want to make that a topic we often discuss on the House floor, but it is very real. We had multiple testimonies in the Committee about exactly that, and some horror stories from families that have gone through children born with deformed genitals, partial genitals, and everything else in between. Phthalates are already in all of us. There's nothing that we can do about that. They are here as we speak. A while ago, a pamphlet was distributed on our desks. Many of you may have tossed it. I was not aware of this study at the

time I put in the bill, but I noticed that two of our esteemed colleagues, the Representative from Gardiner and the Representative from Hollis, were both mentioned in the study of phthalates in a sample of Mainers. So, we can conclude that phthalates are not in fact a partisan issue, they affect Democrats and Republicans just the same. The Representative from Gardiner, I hope doesn't mind me saying this, was tested for nine phthalates, out of which her body contained eight, and our reigning state champion, the Representative from Hollis, had the highest level of the phthalate DEHP. So these are people among us, we all have them in our systems. I think that this bill is an important first step. I am not sure how to appropriately say it within the rules of the chamber, but due to some scheduling priorities of the Chief Executive, the state toxicologist was not able to testify; but the four phthalates that this bill regards are the four identified by the state toxicologist as chemicals of high concern, that is the most dangerous category they can be listed in. And I'm aware that this is not the priority of the Legislature right now for either caucus. We all know about the other things swirling, that are going on currently, but I can say with absolute certainty that the population that I work with, of families with young children, families looking to expand in the near future, or those families that are dealing with children growing who have a missing body part or developmental disabilities, this is absolutely a priority. Again, political realities are what they are, but I think there's been wonderful dialogue and I thank the Committee for their good work on this bill. But the bottom line is that phthalates are here now, they are real, they are dangerous, and we can take an important small step today. They are already banned in clothing, in children's toys, and either banned or required to be labeled in building supplies. So what does that tell us? That we are allowed -- not allowed, rather, to touch them, to play with them, or to wear them or live in houses constructed of them, but we are allowed to swallow them. It clearly makes all the sense in the world. This does not prohibit them, but instead, would require for companies with over a billion dollars in sales that they simply put a mark on their label saying that their packaging contains phthalates. So, thank you for your time, Madam Speaker and Men and Women of the House; and for a population that is constantly growing in Maine, those who are affected by birth defects, and young families, I would humbly ask that all of you support this measure. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. While I appreciate the concerns of the good Representative, I won't be supporting this measure at this time. I think it's too much to try to manage at this time, and I would ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the Minority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 312

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Golden, Grant, Guerin, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Rykerson, Sampson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Wadsworth, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Campbell, Chace, Craig, Dillingham, Espling, Farrin, Gerrish, Gillway, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sanderson, Seavey, Sherman, Simmons, Sirocki, Stearns, Stetkis, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wallace, Ward, White, Winsor, Wood.

ABSENT - Fredette, Ginzler, Grignon, Grohman, Herrick, Johansen, Kornfield, Riley, Skolfield, Stewart.

Yes, 88; No, 53; Absent, 10; Excused, 0.
88 having voted in the affirmative and 53 voted in the negative, with 10 being absent, and accordingly the Minority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-506)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-506)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Relieve Overcrowding in County Jails" (EMERGENCY)

(H.P. 982) (L.D. 1428)

Signed:

Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
COREY of Windham
GERRISH of Lebanon
GROHMAN of Biddeford
HERRICK of Paris
MAREAN of Hollis
NADEAU of Winslow
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-507)** on same Bill.

Signed:

Representatives:

LONGSTAFF of Waterville
RECKITT of South Portland

READ.

On motion of Representative WARREN of Hallowell, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-505)** on Bill "An Act Regarding Sexual Activity and Sexual Assault at Secondary and Postsecondary Educational Institutions"

(H.P. 472) (L.D. 681)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
STEWART of Presque Isle

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

SAMPSON of Alfred

READ.

On motion of Representative GOLDEN of Lewiston, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-505)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-505)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-508)** on Resolve, To Reduce MaineCare Spending through Targeted Nutrition Interventions

(H.P. 991) (L.D. 1436)

Signed:
Senator:
CHIPMAN of Cumberland

Representatives:
HYMANSON of York
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
PARKER of South Berwick
PERRY of Calais

Minority Report of the same Committee reporting **Ought Not to Pass** on same Resolve.

Signed:
Senators:
BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:
CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

READ.

On motion of Representative HYMANSON of York, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-508)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-508)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-503)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

(H.P. 32) (L.D. 31)

Signed:
Senators:
MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:
LUCINI of Ellsworth
CASÁS of Rockport
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
HICKMAN of Winthrop

MONAGHAN of Cape Elizabeth
WHITE of Washburn

Minority Report of the same Committee reporting **Ought Not to Pass** on same RESOLUTION.

Signed:
Representatives:
LONGSTAFF of Waterville
SCHNECK of Bangor

READ.

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand today in support of the pending motion. This bill is essentially the same as the Committee Amendment that came out of Veterans and Legal Affairs Committee in the 127th Legislature. That Committee Amendment got bipartisan support and close to unanimous support in the other body, and came close to two-thirds vote needed in the House at that time. I felt it was important to look at this change once again, especially in light of the onslaught of ballot questions that we had here in the state this past election cycle. I very much support the people of Maine having a way to bring forth questions at the ballot. The people's referendum process, when it was put into place, made it difficult to get a question on the ballot. In my opinion, it should be challenging to put something on the ballot. It should be grassroots. It should be when the people of Maine rise up and say, "We want this," or "We don't want that." What has happened, and you've all seen it on both sides of issues, big money comes to Maine, pays signature gatherers, in some cases upwards of \$10 per signature, and gets an item on the ballot. Ballot measures serve the people well when answering big, broad questions, but they do not serve people well when the writers attempt to get into the minutia of the law. Maine would be better served if we could take a closer look at the process, and that's what this bill does here today, in changing how many signatures are needed to qualify for the ballot. I really appreciate all the work that has gone into this, because I think it has been across party lines, it's been over a course of at least three years that this has been worked on. It took lots of people's ideas and put them together. I think it was a good compromise, and a good compromise that tries to uphold the constitutional provisions for Maine's people to take action, while also bringing some balance to the process by which these get on the ballot. So, let's continue to see Maine people use a Maine process to make change, not out-of-state groups to buy a process and only need to collect signatures in southern Maine. I very much support having the CD-1 and the CD-2 pieces. So, I appreciate your support and I ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 313

YEA - Ackley, Alley, Austin B, Austin S, Bailey, Battle, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farrin, Fay, Foley, Fredette, Fuller, Gerrish, Gillway, Ginzler, Golden, Guerin, Haggan, Handy, Hanington, Hanley, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Johansen, Kinney J, Kinney M, Kumiega, Lawrence, Lockman, Luchini, Lyford, Madigan J, Malaby, Marean, Martin R, Mason, McCrea, McCreight, McElwee, Monaghan, Nadeau, O'Connor, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Sampson, Sanborn, Sanderson, Seavey, Sheats, Sherman, Simmons, Sirocki, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Tepler, Theriault, Timberlake, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler.

NAY - Babbidge, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Devin, Farnsworth, Fecteau, Frey, Gattine, Grant, Hamann, Harlow, Hymanson, Jorgensen, Kornfield, Longstaff, Madigan C, Martin J, Mastraccio, McLean, Melaragno, Moonen, O'Neil, Reckitt, Rykerson, Schneck, Sylvester, Talbot Ross, Terry, Tipping.

ABSENT - Grignon, Grohman, Harvell, Riley, Skolfield, Madam Speaker.

Yes, 106; No, 39; Absent, 6; Excused, 0.

106 having voted in the affirmative and 39 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-503)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolution was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-503)** and sent for concurrence.

Eight Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-511)** on Bill "An Act To Protect the Health and Safety of First Responders" (H.P. 1036) (L.D. 1512)

Signed:

Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

COREY of Windham
GERRISH of Lebanon
HERRICK of Paris
MAREAN of Hollis
NADEAU of Winslow

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-512)** on same Bill.

Signed:

Representatives:

GROHMAN of Biddeford

LONGSTAFF of Waterville
RECKITT of South Portland

Two Members of the same Committee report in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representatives:

WARREN of Hallowell
TALBOT ROSS of Portland

READ.

On motion of Representative WARREN of Hallowell, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Allow Fees To Be Charged for Wild Game Dinners"

(S.P. 202) (L.D. 587)

has had the same under consideration, and asks leave to report:

That the Senate **RECEDE** and **CONCUR** with the House.

That the House **READ** and **ACCEPT** the Report.

Signed:

Senators:

SAVIELLO of Franklin
DAVIS of Piscataquis
CARSON of Cumberland

Representatives:

DUCHESNE of Hudson
HARLOW of Portland
NADEAU of Winslow

Came from the Senate with the Committee of Conference Report **READ** and **ACCEPTED** and with that body having **RECEDED** and **CONCURRED** to **ACCEPTANCE** of the Majority Ought Not To Pass Report.

The Committee of Conference Report was **READ** and **ACCEPTED** in concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 649) (L.D. 921) Bill "An Act To Remove Time and Acreage Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-513)**

(H.P. 983) (L.D. 1429) Bill "An Act Regarding the Epidemic of Opiate Abuse" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-510)**

(H.P. 995) (L.D. 1440) Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019" (EMERGENCY)

Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-504)**

(H.P. 1129) (L.D. 1636) Bill "An Act To Allow Municipalities To Establish Ordinances Banning or Restricting Marijuana Caregivers within 500 Feet of a School" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-509)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ENACTORS

Emergency Measure

An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund

(S.P. 201) (L.D. 586)
(C. "A" S-202)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative ESPLING of New Gloucester, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Emergency Measure

An Act To Restore the Tip Credit to Maine's Minimum Wage Law

(S.P. 235) (L.D. 673)
(C. "A" S-209)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 37 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Clarify the Opioid Medication Prescribing Limits Laws

(S.P. 338) (L.D. 1031)
(C. "A" S-242)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker Pro Tem. Before this passes through, I wanted to tell you how important this legislation is, because it came out of Committee unanimously. We've worked very, very hard in HHS, working on a pathway of prescribing opiates that gives physicians and prescribers two different conversations. One is to limit the number of pills that can be prescribed, so that they are not diverted, but another equally important conversation is to allow physicians to speak with their patients who have chronic pain

and need to have appropriate amounts of opiates prescribed. We worked hard with prescribers, with the Maine Medical Association, with the pharmacy department, to work the rules and the language to honor those two conversations. This is a work in progress. I hope that if you have conversations with your constituents, that you can assure them that there are appropriate latitude for a doctor-patient relationship to continue for people in chronic pain whose lives are destroyed if they aren't cared for properly. So, I just wanted to take a moment to endorse this very important legislation. Thank you.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Modernize the Laws Governing Maine Harness Racing

(H.P. 1052) (L.D. 1532)
(C. "A" H-478)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program and Prescription of Opioid Medications, a Late-filed Major Substantive Rule of the Department of Health and Human Services

(H.P. 940) (L.D. 1363)
(C. "A" H-477)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. This is the second part of the opiate prescribing bill, and I just want to take another moment, stop here, and commend all the hard work that went into these rules as well. Thank you.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Acts

An Act To Establish an Additional Veterans Treatment Court

(H.P. 79) (L.D. 111)
(H. "B" H-488 to C. "A" H-331)

An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State

(H.P. 273) (L.D. 367)
(C. "A" H-493)

An Act To Increase Access to Vaccinations

(H.P. 323) (L.D. 456)
(S. "B" S-263 to C. "A" H-208)

An Act To Improve the Funding of County Jails

(H.P. 329) (L.D. 463)
(C. "A" H-487)

An Act To Improve the Management of Inmates in County and Regional Jails

(S.P. 177) (L.D. 516)
(C. "A" S-264)

An Act Regarding the Taxation of Flavored Malt Beverages

(H.P. 574) (L.D. 794)
(C. "A" H-472)

An Act To Prohibit Certain Gifts to Health Care Practitioners

(H.P. 639) (L.D. 911)
(C. "A" H-481)

An Act To Increase Reporting on Wage and Hour Violations

(H.P. 705) (L.D. 1004)
(C. "A" H-389)

An Act To Promote Fiscal Responsibility in the Purchasing of Debt

(H.P. 836) (L.D. 1199)
(C. "A" H-468)

An Act Regarding Absentee Voting by Residents of Nursing Homes and Other Residential Care Facilities

(H.P. 840) (L.D. 1204)
(C. "A" H-494)

An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators

(H.P. 929) (L.D. 1335)
(H. "A" H-471 to C. "A" H-421)

An Act To Amend the Laws Governing the Maine State Housing Authority

(S.P. 454) (L.D. 1340)
(C. "A" S-243)

An Act Regarding the Licensure of Appraisal Management Companies

(H.P. 939) (L.D. 1349)
(C. "A" H-467)

An Act To Ensure the Continuation of the Landowner Relations Program

(H.P. 965) (L.D. 1391)
(C. "A" H-321)

An Act Regarding Prescription Drug Step Therapy

(S.P. 485) (L.D. 1407)
(C. "A" S-245)

An Act To Make Community Paramedicine Services Permanent

(H.P. 981) (L.D. 1427)
(C. "A" H-489)

An Act To Amend the Laws Relating to Motor Vehicle Dealers

(S.P. 509) (L.D. 1463)
(C. "A" S-267)

An Act To Stabilize Funding for the County Jails

(S.P. 519) (L.D. 1490)
(C. "A" S-268)

An Act To Update the Statutes Governing the Bureau of Labor Standards To Promote Clarity for Workers and Employers

(S.P. 553) (L.D. 1575)
(C. "A" S-252)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

An Act To Provide Traffic Safety Education in Schools

(H.P. 793) (L.D. 1130)
(C. "A" H-469)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative GOLDEN of Lewiston, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

An Act To Encourage Broadband Coverage in Rural Maine

(S.P. 477) (L.D. 1399)
(C. "A" S-223)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative ESPLING of New Gloucester, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Madam Speaker, Men and Women of the House. I rise to oppose the current motion. Government should not be involved with directly competing with what private industry is already doing. This idea has been floated in other parts of the country, and here are some failed examples of government-owned networks failing. In Burlington, Vermont, only 4,000 out of 39,000 businesses and households subscribed. Burlington, Vermont taxpayers, even people who don't subscribe to the internet service, still have to foot the bill. Burlington, Vermont owes \$7.3 million in debt on Burlington Telecom, their municipal broadband project. This comes out to about \$1,800 per subscriber. In Tacoma, Washington, their version of the Click Network, which began with 24,000 subscribers, has fallen by almost 10,000 and is no longer making money. The Click Network now loses about \$9 million a year and is projected to run a deficit of \$37.4 million over the next five years. Please don't let this happen in Maine.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker Pro Tem, Men and Women of the House. I rise in support of the pending enactment of this bill and great appreciation for the strong bipartisan endorsement that the bill received on its previous vote. I think there is some confusion around what the

bill does. The Maine Broadband Initiative that is contemplated by this bill would be a nonprofit based on the very successful models of the Maine Technology Institute and the Maine International Trade Center, and like those institutions, it would work hand-in-hand with the private sector to boost the efforts of the private sector to do good for our economy; in this case by building out broadband and true high-speed internet to a state that has -- is currently 49th in the nation in that respect. It would work directly with communities and providers to create plans and assist in the actual building out of high-speed internet networks. There is no additional funding, with the exception of the telecommunications excise tax proposed by the Chief Executive, to go to municipalities and supported in this expenditure by the municipalities themselves. They prefer that the money be used in this way, and intend to work with the private sector for this important purpose. It is also supported, in addition to the Maine Municipal Association, by the following organizations: the Eastern Maine Development Corporation supports this bill; Woodland Pulp, LLC; St. Croix Tissue, Incorporated; the Maine Farm Bureau, which brought another bill and testified as well in support of this one; the Lincoln County Regional Planning Association; Coastal Enterprise, Inc.; Our Katahdin; Fox Islands Broadband Task Force; the Island Institute; the Northern Forest Center; Axiom Technologies, a Maine-based, Maine-owned broadband provider based in Machias and serving much of eastern Maine and other parts of the state; Piscataquis Economic Development Council supports this bill; GWI, another Maine-based, Maine-owned broadband provider based in Biddeford and serving much of southern Maine and central Maine; Land for Southport's Future; Grow Smart Maine; the Northern Maine Development Commission; AARP Maine, and we spoke about the importance of telehealth; the Maine Professional Guides Association; the Maine Broadband Coalition; Pioneer Broadband in Houlton, another Maine-based, Maine-owned broadband provider based in northern Maine; the Sanford Economic Growth Council; the Town of Rockport; the Southport Coalition for Community Broadband, the Islesboro Broadband Committee; Franklin County Broadband Initiative; Kennebec Valley Council of Governments; NBT Solutions, makers of VETRO FiberMap; Design Lab in Millinocket; Aroostook County Farm Bureau; Envision Maine; Maine West, based in Oxford County; the Sandy River Business Association based in Phillips; the Cumberland County Farm Bureau; I could go on, but these are just a few of the organizations that support what this bill would do and understand that we would all be doing better, our children would be doing better in school, our elders would have more access to telehealth and telemedicine, and we would be able to provide more jobs and build our economy here in Maine. If we want to keep our young people here in Maine, then this is the bill to do it. You know, I spoke of an island that I represent, and how over just four years everyone left that island, literally, because they wanted electricity, and roads, and telephone. That was just one example. In fact, there were 400 islands along Maine's coast that were inhabited year-round, and in a generation or two there are now 15, just 15, islands that are inhabited year-round. So, Madam Speaker, if not us, who will move broadband forward? If not now, when? And if not this solution, then what is it that we propose to do? Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Madam Speaker. I've just been in touch, within the last half hour, with the chair of the Franklin County Broadband Coalition and I said, "Listen," I

said, "I've been getting a lot of information in the last day or so, especially this morning, that the way I voted the other day was wrong. Can you tell me what I did wrong?" And he said, "Tom, you did absolutely nothing wrong. We need this. We need it," and he said, "Stay the course." So, thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Saying there's no more new cost to this, this is already \$6,250,000 in our -- coming out of our General Fund now. This will increase, and I said this yesterday, \$66,000 this year, \$136,000 the following year, \$139,000 the year after that, and \$143,000 and change the year after that, and those numbers go up. The way that this bill is actually written will dismantle what is being done to expand broadband. We are not number 49 as it has been said. If you go to Broadband Now, we have, actually, with the help of ConnectME and investments of over \$21 million, brought our number down to 22, which is below the middle of the pack. We are succeeding. In addition, besides this bill, we have a Section W in the proposed Executive Branch budget, which will move ConnectME under the umbrella of the Department of Economic and Community Development. This recognizes the critical role broadband can play in economic growth. I understand that, you all understand that, and I believe that this is the way to go. This bill is poorly written, and what will happen is, instead of broadband going to underserved and not-served areas, the private companies that do this expansion will do it where they can make money. I would say that we would be more prudent to go with Section W of the budget and not this proposal, which, I believe, will hamper that economic growth and development of broadband. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Madam Speaker. I will be rising in support of the motion before us, as I was the other day. I think we oftentimes get a lot of information, and some say it's new information and old information, whatever the case may be. I think, sometimes, the issue at hand is supporting the rural broadband community, and a lot of the organizations that pushed this issue in the first place have a good deal more information than any of us do, like, as I mentioned the other day, Axiom Technologies. I might add Woodland Pulp down my way employs, and St. Croix Tissue employs, well over 300 -- up to 400 or more folks in Washington County, and that's one of Washington County's largest employers. I think you can see examples of this all across the state in rural areas. These folks are going along with this because they see a value, they see an opportunity, they see the future of rural Maine is at stake here, and I think we should stick with it and I think we should honor the vote we cast the other day and look at -- and move forward from there. Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker, and I apologize for rising a second time, but, not having anticipated a second debate, I just want to make absolutely certain that folks understand. I don't dispute the statistic quoted by the good Representative from South Berwick regarding speeds. If you measure sort of a basic, basic internet service, we are ranked as 22nd, but it's when you get to the higher speeds, and I would encourage folks to read the measures of growth report by the Maine Economic Growth Council in this respect. It's the higher speeds, as we look to skate to where the puck is going,

where we currently rank 49th in true high-speed broadband access. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Madam Speaker Pro Tem. I'll be very brief. We've spoken once, 116 to 29. Speak again. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 314

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gerrish, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perkins, Perry, Pierce T, Pouliot, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Turner, Wallace, Ward, Warren, Zeigler.

NAY - Austin S, Black, Chace, Craig, Espling, Farrin, Fredette, Guerin, Haggan, Hanington, Hanley, Johansen, Kinney J, Lockman, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stetkis, Strom, Sutton, Theriault, Timberlake, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Dillingham, Gattine, Ginzler, Grignon, Kornfield, Malaby, Riley, Stewart, Madam Speaker.

Yes, 104; No, 38; Absent, 9; Excused, 0.

104 having voted in the affirmative and 38 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-186)** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues" (EMERGENCY)

(S.P. 512) (L.D. 1466)

- In Senate, Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - June 13, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On motion of Representative ESPLING of New Gloucester, **TABLED** pending the motion of Representative HYMANSON of York to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

An Act To Allow Corrections Officers To Administer Naloxone (EMERGENCY)

(H.P. 238) (L.D. 324)
(C. "A" H-191)

TABLED - June 14, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **RECONSIDERATION** (Returned by the Governor without his approval).

Subsequently, after reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the Objections of the Governor?' A roll call was taken.

The SPEAKER PRO TEM: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 315V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Ward, Warren, Winsor, Wood, Zeigler.

NAY - Theriault, Wallace, White.

ABSENT - Dillingham, Fredette, Gattine, Grignon, Malaby, Riley, Seavey, Sutton, Timberlake, Madam Speaker.

Yes, 138; No, 3; Absent, 10; Excused, 0.

138 having voted in the affirmative and 3 voted in the negative, with 10 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

An Act To Improve Attendance at Public Elementary Schools

(S.P. 44) (L.D. 96)
(C. "A" S-28)

TABLED - June 14, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **RECONSIDERATION** (Returned by the Governor without his approval).

Subsequently, after reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the Objections of the Governor?' A roll call was taken.

The SPEAKER PRO TEM: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 316V

YEA - Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Ginzler, Golden, Grant, Grohman, Hamann, Handy, Herbig, Hickman, Hogan, Hubbell, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Perry, Pickett, Pierce T, Pouliot, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Ward, Warren, Zeigler.

NAY - Ackley, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Guerin, Haggan, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Hymanson, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parker, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Dillingham, Gattine, Grignon, Higgins, Riley, Madam Speaker.

Yes, 79; No, 66; Absent, 6; Excused, 0.

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-54)** - Minority (6) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Charter of the Rumford Water District" (EMERGENCY)

(S.P. 38) (L.D. 90)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-54) AS AMENDED BY SENATE AMENDMENT "A" (S-226)** thereto.

TABLED - June 14, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - Motion of Representative BERRY of Bowdoinham to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

The SPEAKER PRO TEM: A roll call having been previously ordered, the pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 317

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Golden, Grant, Guerin, Hamann, Handy, Harlow, Harvell, Herbig, Hickman, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Perry, Pierce T, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler.

NAY - Austin S, Black, Campbell, Chace, Craig, Espling, Farrin, Foley, Gerrish, Gillway, Ginzler, Grohman, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Kinney J, Kinney M, Lockman, Malaby, Mason, McElwee, O'Connor, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Dillingham, Fredette, Gattine, Grignon, Higgins, Riley, Sirocki, Timberlake, Winsor, Madam Speaker.

Yes, 91; No, 50; Absent, 10; Excused, 0.

91 having voted in the affirmative and 50 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-54)** was **READ** by the Clerk.

Senate Amendment "A" (S-226) to **Committee Amendment "A" (S-54)** was **READ** by the Clerk and **ADOPTED**.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I believe I may have spoken just before the gavel went down. It was my intent to request a roll call on Adoption of Senate Amendment 'A'.

The SPEAKER PRO TEM: It has already been Adopted. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I move that we reconsider our action whereby we adopted Senate Amendment 'A' to Committee Amendment 'A' and further request a roll call. Excuse me -- forget the roll call.

On motion of Representative BERRY of Bowdoinham, the House **RECONSIDERED** its action whereby **Senate Amendment "A" (S-226)** to **Committee Amendment "A" (S-54)** was **ADOPTED**.

The same Representative moved that **Senate Amendment "A" (S-226)** to **Committee Amendment "A" (S-54)** be **INDEFINITELY POSTPONED**.

The SPEAKER PRO TEM: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker. I ask a question through the Chair, if I may.

The SPEAKER PRO TEM: The member may proceed.

Representative **ESPLING**: If someone could just explain what Senate Amendment 'A' does, that would be great. Thank you.

The **SPEAKER PRO TEM**: The member has posed a question through the Chair. Does anyone care to answer? The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, the question is, really boils down to, whether the trustees of the Rumford Water District should be able to determine whether there will be an election to change their charter, that would allow for the election, in the future, as opposed to the appointment, of the Water District's trustees; and by indefinitely postponing the Senate Amendment we put the bill in a position to allow them to do that. Thank you.

Representative **ESPLING** of New Gloucester **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE Senate Amendment "A" (S-226) to Committee Amendment "A" (S-54)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rumford, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker Pro Tem and Ladies and Gentlemen of the House. The amendment that was put in recently in the other body amended that to change from the Board of Trustees to the Board of Selectmen to call for a vote, to see if the citizens of Rumford want to elect those trustees or appoint the trustees. The original bill that came out of Committee had that the trustees would make that call. I spoke to three of the selectmen last night, and not one of them appreciated what was done in the other body. So that's the purpose of this. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to urge you to vote against the pending motion. I believe that Rumford should be allowed to join the 70% of other Maine's water districts who elect their trustees and the only way that they can change that charter is with us allowing them to and this has nothing to do with any large bottling companies. The Town of Rumford accepted a contract on Tuesday with Nestle but they still would like to have the option of electing their water districts so they are more accountable to the citizens.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rumford, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker Pro Tem, for allowing me to speak a second time. This request was not submitted by either the Rumford selectmen or the Board of Trustees of the water district. This is a Committee Amendment after hearing on an entirely separate bill that had to do with a group of people trying to kill Nestlé's water company from coming to Rumford and dealing with Rumford. The Board of Trustees of the Rumford Water District have done a fantastic job for 111 years. There is absolutely no need to change how the appointments are done. One of the selectmen last night told me that he would much rather make an appointment to that board from a technical point of view, as somebody that has some experience dealing with those kind of issues, than on a popularity contest, and I tend to agree with him. That's a unique board, the water district, they have to know something about the utility and how it works and all the laws that go with it. So, I guess, you know, I've been worried

about this bill since the first day back in December when it was submitted, and I guess I'm here, I'm just going to tell you the truth. This was started by a group of people that did not like Nestle Water Company, period, and they stirred everything up. So, this is where it is at this point. I don't see any need for changing what the Committee Amendment did. It's the selectmen of the Town of Rumford are in support of that, and thank you for the second opportunity.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Apologies for rising a second time, but just to clarify, the Representative from Glenburn stated something which I agree with, which is that we need to allow for local control; and both the reports, the bipartisan Majority Report which we've gone forward with, if we do carry out the pending motion, the bipartisan Majority Report and also the Minority Report -- no, excuse me, both the other body's version and this version here would allow for local control. But it really boils down to who is making that decision locally to hold a referendum; is it the Board of Trustees or is it the Select Board? So, I think everyone, it's fair to say, wants local control, except for the original minority of the Committee who voted Ought Not to Pass on the entire bill; but, you know, we certainly in carrying out the pending motion will enable local control in Rumford. Thank you.

On motion of Representative **GOLDEN** of Lewiston, **TABLED** pending the motion of Representative **BERRY** of Bowdoinham to **INDEFINITELY POSTPONE Senate Amendment "A" (S-226) to Committee Amendment "A" (S-54)** and later today assigned. (Roll Call Ordered)

HOUSE DIVIDED REPORT - Majority (7) Ought Not to Pass - Minority (4) Ought to Pass as Amended by Committee Amendment "A" (H-502) - Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act To Modernize the State's Procurement Laws"

(H.P. 1055) (L.D. 1535)

TABLED - June 14, 2017 (Till Later Today) by Representative **GOLDEN** of Lewiston.

PENDING - Motion of Representative **MARTIN** of Sinclair to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

The **SPEAKER PRO TEM**: A roll call having been previously ordered, the pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 318

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Espling, Farrin, Foley, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley,

Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Sherman, Simmons, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Dillingham, Fredette, Gattine, Grignon, Riley, Seavey, Sirocki, Timberlake, Winsor.

Yes, 81; No, 61; Absent, 9; Excused, 0.

81 having voted in the affirmative and 61 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (9) **Ought to Pass as Amended by Committee Amendment "A" (H-497)** - Report "B" (3) **Ought to Pass as Amended by Committee Amendment "B" (H-498)** - Report "C" (1) **Ought Not to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Science and Engineering Education for Maine's Students"

(H.P. 35) (L.D. 49)

TABLED - June 14, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **ACCEPTANCE OF ANY REPORT.**

Subsequently, Representative GOLDEN of Lewiston moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended.**

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended.**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Ironically, the very nature of the study of science is to examine facts, to consider the whole body of evidence. Engineering is not the only component of STEM, Science, Technology, Engineering, and Math, that will be required for a vibrant 21st century economy, yet this has become the science mantra of late. So what is the evidence that the Next Generation Science Standards for the physical sciences, in particular chemistry and physics, and the higher-order math required for a solid grasp of these disciplines, will match the success being touted for the engineering component of STEM? These sciences, chemistry and physics, reach into an array of industries, including the manufacturing of rubber, plastics, paper and paper products, and occupations in medicine, transportation, meteorology, digital technology, space, and construction, just to name a few. Clearly, the physical sciences are just as important for the 21st century business and industry as engineering. Would you be amazed to find out that there are no standards for chemistry and physics in the Next Generation Science, nor for the necessary math skills to support those sciences? I was. According to the Fordham Institute's report on the final evaluation of the Next Generation Science Standards, the gaps in the standards in these areas in the high school years demonstrate that the standards for the lower grades do not adequately prepare students for higher-level science courses. The nonpartisan Fordham Institute was commissioned to review Next Generation Science Standards using the same

criteria they use to review all the science standards used in every state. They gave Next Gen an overall mediocre grade of C, and some of the harshest criticism of Next Gen in the Fordham report were with regards to the chemistry, physics, and math. I'll list a few. Regarding to the content strengths of the Next Gen high school physics standards, the Fordham Institute was quite blunt. It stated, "We cannot discourse on the strengths of materials that are absent." In other words, they found no physics content. They also did not find sufficient content for strong high school level courses in other physical sciences; chemistry in particular, was absent. They found a failure to include essential math content. They reported that they were unable to find even common simple formulas attached to science concepts, and that a glaring contradiction in Next Gen Science Standards is its treatment of the mathematics inherent in understanding and doing science. They found an overemphasis on scientific practices at the expense of scientific knowledge, and they concluded that there was inadequate preparation for college level STEM coursework. The Fordham Institute also found the Next Gen significantly inferior to the science standards of 12 states, including Washington D.C. The Next Gen was found to be slightly better than standards in 16 other states, including our own Maine Learning Results, which received a D. For the standards in place in 2012, the best came from California, Massachusetts, District of Columbia, Indiana, and Virginia. Before Maine leaps without looking into the abyss of Next Generation Science Standards, we should reconsider and examine all of the evidence. Adoption of any of the standards from the five states I mentioned, and in particular California's pre-2013 gold science standards or Massachusetts' excellent pre-2013 science standards, would be a significant and positive step in the right direction. Next Gen is merely a sidestep, not a step up for Maine. Now, it needs to be noted, too, that according to the Maine Science Teachers Association, only one district in this state has fully adopted Next Generation Science Standards, and one of the reasons is that the special education, the special training that they need to take in order to implement Next Gen Science Standards is quite complicated; and it's not easy to implement and therefore most of the schools that say they use it are only using bits and pieces. It's important to note also that Maine's fourth and eighth graders are already doing quite well nationally, according to the NAF scores, that's the nation's report card. So I would oppose this motion, I would ask that you keep it local, and I thank you for your time.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Madam Speaker. Anybody who's been noticing what's going on in the state has noticed a really urgent pattern of investment and action in the field of STEM, both from the private and the public sector. The University of Maine Engineering Department tells us routinely that they desperately need people with talent. They need to expand their programming and their resources in order to meet the engineering needs of the state. Right now, they can't find that talent from within the state, and they would love dearly to grow it. The Alford group most recently put their money up and said that for young people that are willing to invest in their education, their personal education, in STEM activities, they would forego some, if not all, of their tuition monies if they remain within the state. I just heard this morning that about a third of the employees in the talent pool at IDEXX, which is a fantastic positive story in the State of Maine, comes from out of state. The Maine Chamber of Commerce supports this bill,

knowing that business in the future in the State of Maine and currently, we're at that level, is going to rely on top knowledge and talent in the STEM field. I'm currently serving on the Commission of Education and Employability, and what that is is a New England group put together by the Governor, or Chief Executive, excuse me, of Rhode Island, with people from around New England that are looking at the skill sets that our college graduates are leaving with, and finding that even though they might be a graduate in computer science, that they do not have the talent, the combined skills in a package, to be able to go to work at some of these companies. A gentleman that I met at one of those meetings by the name of Mohamad Ali, an easy name for me to remember, one of the few, is the CEO of a company called Carbonite. And, of course, he informed me that they have quite a business in Lewiston and I said, "What attracts you to Lewiston, Maine? Is it Bates?" And he said, "Well, no, it's because it's a great integrated community," he goes, "unfortunately," or he didn't say unfortunately, but I read that he said, "We have to go globally to get our talent pool," and he knows that's expensive. That's a difficult thing to do, and he's there thinking that students from Maine, New Hampshire, Massachusetts, New England can, if given the opportunity, fill those roles. We just noticed yesterday a \$50 million bond package. All those trends would lead me to believe -- I would also mention I've got a bill in, 398, that would enhance computer science, have K-12 people to look at that and how they can improve in the K-12 area with computer science. All of those things would lead me to believe that we'd be wise to adapt and adopt or adopt and then adapt to the Next Gen standards. I'll read to you from the Department of Education website, just a very few short years ago, Next Generation Standards. "Maine is one of 26 states taking the lead in developing a new set of academic standards that will define the science concepts and content students will need to learn to be successful in the workforce economy and society in the coming decades. The Next Generation Standards will be shared among the states and will allow students and teachers to focus more on learning ideas related to science and engineering while doing science, rather than by fact memorization." And I won't bore you with the rest, but Maine was instrumental in the development of those standards. Any school administrator across the state paying attention to the Department of Education back when this was written would say, "Wow, we've got to get on board." Many, many of our schools have. I looked at a colored chart today and, basically below Augusta, most of the schools have adopted either the standards or a portion of the standards. One of the critical pieces of this amendment that we're about to vote on is very important to me, and that is that they removed the portion that would require school districts to use this as part of their evaluation, to use the testing results from Next Gen Standards as part of their evaluation measure for teachers. To me, that's a huge, huge thing, because oftentimes when we come up with standards or we adopt them, we also then adopt the test that goes with it, the remediation, and you can see the industry just surround like seagulls at the picnic, the industry just comes in and then burdens the state with unforeseen costs. But the ability to give the freedom for the local folks to be able to teach science in this fashion, in my opinion, is a great thing, and I would encourage you to adopt them.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newcastel, Representative Devin.

Representative **DEVIN**: Thank you very much, Madam Speaker Pro Tem. Madam Speaker Pro Tem, Men and Women of the House, I was proud to sponsor this bill and work

with the good Representative from Guilford on it, as we did in the last session. The good Representative from Alfred stood up and talked a bit about the Next Gen Science Standards in the Fordham Report, and I would like to just follow along with that a bit. STEM certainly is not just engineering, and in fact, in some states, the state did not feel as though Next Gen Science Standards went far enough. For instance, when Massachusetts adapted the Next Gen Science Standards, they actually added in engineering because they did not think there was enough engineering there. The good Representative from Alfred held up Massachusetts as a standard that we need to strive for. The Next Gen Standards and the appendix are a total of 490 pages long. I can assure you, I was asked to go through them with several people who are working on this issue with me and I was fortunate to have these professionals working for me at the request of the Education Committee, specifically coming from -- the request specifically came from the good Representative from Alfred, and we found ample examples of the life sciences and physical sciences. And just to give you a few, just a tiny smattering of examples, here are a few areas that were asked about recently. Whole body systems, in the NGSS that's found in LS 1. Cell and tissue types, that's found in LS 1A and B. Cellular feedback mechanisms is found in LS 1A, LS 1D. Protein structure and function is LS 3A and also LS 1A. Cell division is LS 1B and LS 3B. I could actually go on all day. There's 490 pages to go through. I'm going to spare you any more torture in that respect. But I would like to talk about the Fordham Report. First of all, I'll talk about the Next Gen Science Standards and how that came about. It follows an example created by the National Academy of Sciences, which is the gold standard in terms of sciences here in the state. It was a broad group of 40 people on this panel, two of which were Nobel Laureates. They then reached out to these 26 lead states, and in those lead states you had science teachers, science educators, you had people from industry, you had technical people, and those in other areas associated with STEM. That group totaled over 10,000 people that had input into these standards. Compare that to the Fordham Report, which had a panel of seven people, a panel of seven people. Now, the good Representative from Alfred mentioned that the Next Gen Standards only rated a C, which was a 5, and she properly applauded California and D.C. as being the two states that scored a 10 on the Fordham Report. California and D.C. were two of the first states to adopt, not adapt but adopt, the Next Gen Standards, and in fact, every state including Indiana, Massachusetts, South Carolina, and Virginia, that got an A, have either adapted or adopted the Next Gen Standards. Going down to the B: New York, Arkansas, Kansas, Louisiana, Maryland, Ohio, and Utah have all adopted Next Gen Science Standards. Going down to those that scored a C: Connecticut, Georgia, Michigan, Missouri, New Mexico, Texas, Washington, all those states except for Texas have either adopted or adapted the Next Gen Science Standards. Of the 26 lead states, of which Maine is one, Maine had the third highest input per capita. We are also only one of two states that have not adapted or adopted the standards. In the State of Maine there is a survey that went out. 75% of the schools responded to that. Of that, about 75% of those schools have either adopted or adapted. Many of those schools are struggling right now. Why? Because the state hasn't adopted these standards, so they're not getting any help for implementation. What does Kittery, Fort Kent, Eastport, and Fryeburg all have in common? Those four areas have either adopted or adapted the Next Gen Science Standards. Science

teachers obviously want this. They have moved forward without the help of the state, and there are some districts that are struggling. What we have right now is a whole slew of districts and schools that are out of sync with the state. We are being left behind by our schools, and what we need, Madam Speaker Pro Tem, is to support this bill, turn it into a law, so that our Department of Education can move forward and help these schools and districts move forward in their implementation of this process. And, finally, I want to say that we have a group of nonpartisan labs that have stated "We want this," including Bigelow, the Downeast Institute, Jackson Lab, the Gulf of Maine Research Institute. They want to see this happen. IDEXX -- IDEXX is starving for employees. They're going out of the state. Why? Because we don't -- they're an R&D company, we're not producing those people for them. Finally, the Maine Chamber of Commerce, which represents thousands of businesses in all 16 counties, is supporting this bill very fervently, and with that, I encourage you to also support it. Thank you very much, Madam Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative DAUGHTRY: Thank you, Madam Speaker. I rise in support of the pending motion. One of my favorite English teachers at Brunswick High School, Ms. Russell, always said if you couldn't make your arguments briefly and coherently, then they wouldn't improve in length, so I'm going to try to take her advice. The good Representative from Alfred mentioned about keeping it local. I want everyone to know that the Next Gen Science Standards really do keep it local. They were written, in part, by Maine teachers as part of a national team. This is curriculum that was written by Maine teachers for Maine students. Also, students should have access to high quality STEM education, regardless of their zip code. With their piecemeal approach currently, if a student is to move from one town to another across our state, they are not getting the same high-quality STEM education. Also, and finally, this is a curriculum that teachers like working with. A lot of my good friends are teachers in elementary level, middle school, and high school, and I've spoken to all of them and all of them love using this curriculum. In fact, often when we meet each other on the weekends and go out for a beer, they ask where are we on Next Gen, have we passed it yet. Please do this. I urge you to follow my light.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 319

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Golden, Grant, Grohman, Haggan, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler.

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Espling, Farrin, Gerrish, Gillway, Ginzler,

Guerin, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Skolfield, Stetkis, Stewart, Strom, Sutton, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Battle, Dillingham, Fredette, Gattine, Grignon, Herrick, Malaby, Riley, Sirocki, Theriault, Timberlake, Winsor, Madam Speaker.

Yes, 85; No, 53; Absent, 13; Excused, 0.

85 having voted in the affirmative and 53 voted in the negative, with 13 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-497)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-497)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-186)** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues" (EMERGENCY)

(S.P. 512) (L.D. 1466)

Which was **TABLED** by Representative ESPLING of New Gloucester pending the motion of Representative HYMANSON of York to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-186)** was **READ** by the Clerk.

Representative PERRY of Calais **PRESENTED House Amendment "A" (H-514) to Committee Amendment "A" (S-186)**, which was **READ** by the Clerk.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Calais, Representative Perry.

Representative PERRY: Thank you, Madam Speaker. This amendment does particularly one thing. It changes the development of the nursing facilities' increase so that they don't exceed the federally established upper payment limits, and therefore, that decreases the fiscal note for nursing homes from \$18 million to \$8 million; saving \$10 million. Thank you.

Subsequently, **House Amendment "A" (H-514) to Committee Amendment "A" (S-186)** was **ADOPTED**.

The SPEAKER PRO TEM: The Chair recognizes the Representative from York, Representative Hymanson.

Representative HYMANSON: Thank you, Madam Speaker Pro Tem, Men and Women of the House. This is a very important bill. There are a number of workforce shortages in our social services sector, and this is one of them. If you have

a grandparent or older person who is being taken care of by somebody, they're paid poorly and they don't last long, because we have a workforce shortage, which, in part, is directly associated with the amount of money that they make; so that a personal care assistant in Maine makes \$10.92, whereas in Massachusetts they make \$13.59. A CNA in Maine makes \$12.60, in New Hampshire makes \$14.61. So there's a drive out of the state for these extraordinarily important jobs. These are not jobs, taking care of people's most intimate times or their most intimate places, that can be done by anyone. It takes a special person to do this, and if you have an elderly person in your life, you want a special person to do that kind of work. So this bill is entitled an "Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings." I want you to know about this bill before we move along. Thank you.

Subsequently, **Committee Amendment "A" (S-186) as Amended by House Amendment "A" (H-514)** thereto was **ADOPED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-186) as Amended by House Amendment "A" (H-514)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (7) Ought Not to Pass - Minority (6) Ought to Pass as Amended by Committee Amendment "A" (S-233) - Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Protect the Rights of Public Employees To Determine Their Collective Bargaining Agent"

(S.P. 544) (L.D. 1553)

- In Senate, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - June 13, 2017 (Till Later Today) by Representative **FECTEAU** of Biddeford.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, Representative **FECTEAU** of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Amherst, Representative **Lockman**.

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, a very simple bill. This would simply restore the status quo that existed in Maine prior to 10 years ago, when a provision was jammed into the state budget in the middle of the night without a public hearing, that turned the State of Maine into an unpaid collection agent for labor unions. If we restore the status quo, the good news is that if you like your union, you can keep your union, if you like paying union dues, you can keep paying union dues. You can simply make your own arrangements with an electronic funds transfer out of your own bank account, and we will get public employers out of the business of being unpaid collection agents.

Representative **ESPLING** of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought Not to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 320

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce J, Pierce T, Pouliot, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Espling, Foley, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Dillingham, Farrin, Fredette, Gattine, Grignon, Jorgensen, Malaby, Perkins, Riley.

Yes, 81; No, 60; Absent, 10; Excused, 0.

81 having voted in the affirmative and 60 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

HOUSE DIVIDED REPORT - Majority (7) Ought Not to Pass - Minority (6) Ought to Pass as Amended by Committee Amendment "A" (H-466) - Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment"

(H.P. 52) (L.D. 65)

TABLED - June 12, 2017 (Till Later Today) by Representative **FECTEAU** of Biddeford.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, Representative **FECTEAU** of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Amherst, Representative **Lockman**.

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion. Now more than ever, it's time for Maine to join the 28 other states where workers' paychecks are protected from coerced payments to labor unions. It's called Right to Work, and when we pass this legislation, Maine will be the first state in New England to guarantee workplace freedom. The underlying principle here is

personal freedom and individual liberty. Simply put, workers should not be forced to pay for something they don't want and didn't ask for. Under current Maine law, employees who have never requested union representation can be forced to accept the labor union as their exclusive bargaining agent. Then, compounding the injury, they can be forced to pay for representation they never requested and do not want. That's because federal law allows labor unions to engage in monopoly bargaining in workplaces where a simple majority of workers have requested union representation. But Maine's union bosses will never tell you that federal labor law does not require them to represent all workers, and you should see a handout on your desk on this subject. Labor unions are perfectly free, under federal law, to negotiate contracts that only set the terms and conditions for their own voluntary members, but instead of exercising this perfectly legitimate option, today's union bosses consistently take advantage of the provisions of federal law that give them the tyrannical power to force every worker to submit to their monopoly representation. By exercising this power, they forbid individual workers to represent themselves. Then, these same union officials turn around and complain that since they represent nonpaying workers, the very same workers whose right to self-representation the union just stripped away, that they should be entitled to force dues. Fortunately, since 1947, federal law has allowed state legislatures to right this wrong by passing Right to Work laws. In recent years Indiana, Michigan, Wisconsin, Kentucky, Missouri, and West Virginia have joined the ranks of states that protect workers' paychecks from plundering by the big labor monopoly. Opponents of Right to Work falsely claim that allowing workers to opt out of forced dues is a race to the bottom, and results in lower wages than in states that allow compulsory unionism. In fact, you can expect to hear from opponents of this bill that the sky is falling in the Right to Work states. There's only one problem with this claim; it's not true. Families in Right to Work states, on average, have several thousand dollars more a year in disposable income than families in non-Right to Work states. Adjusted for cost of living, wages are better in states that protect workplace freedom. So why do entrepreneurs prefer Right to Work states? Why are manufacturing jobs moving from compulsory union states to states that protect workers' paychecks from union coercion? One of the reasons is that successful businesses don't want to be handcuffed by absurd and inefficient union work rules that drive up production costs. Anyone who has ever worked in or around a union shop knows exactly the kind of foolishness I'm talking about. Here are some examples of what goes on in many union shops. Laborers are not allowed to pick up 2x4s, carpenters are not allowed to move wheelbarrows, millwrights are not allowed to change lightbulbs, and welders are forbidden to empty the trash can in their work space while waiting for another box of welding rods. Hostess brands was driven into bankruptcy and destroyed, in large measure, because union bosses wouldn't budge on work rules that required cake and bread products to be delivered to a single retail location using two separate trucks. The Teamsters decreed that Twinkies and Wonder Bread couldn't ride on the same truck, and the workers who loaded bread weren't allowed to load cake. A sweets driver serving a 7-11 store was forbidden from restocking shelves with bread products already delivered and waiting in the back. He had to call for a bread driver to swing by to handle that task. Union-mandated restrictions on the company's 5,500 distribution routes nationally made it unprofitable for Hostess to serve tiny outlets, yet the company was barred from using

smaller, sleeker, and nonunion distributors. 500 jobs were lost in Maine when the company shut down a little more than four years ago. An iconic American company that survived the Great Depression and World War II couldn't survive under the thumb of the union boss's monopoly power to dictate insane work rules. In the end, it turns out that Twinkies are easier to digest than union work rules. Yes, that is the laugh line; help me out here. Twinkies are easier to digest than union work rules. Bear in mind that those Teamster union bosses still draw their fat paychecks and their Cadillac health and pension plans after they threw 500 Maine workers under the Twinkie truck in Biddeford. Let's set Maine workers free from the shackles of compulsory unionism and make our great state the first in New England to become a magnet for liberty-loving entrepreneurs and good-paying jobs. Let's let freedom ring in Maine workplaces. Madam Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I was a proud union member for most of five decades, until they went and changed the rules. I remained a union member, but I never felt quite right that I should have to be one. I've always felt that if something were really worth joining, and they provided a good service, that people would be willing to pay their money and become part of the membership; but to force people to become members whether they want to or not, force them to pay dues whether they want to pay them or not, I just find that very distasteful. Always have, always will. And I think, once again, if you really think that you're doing a good service, and you are providing a good service, people would stand in line to join. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have to concur with my good Representatives from Amherst and Weld. Working in Lincoln Paper and Tissue for three and a half years, I can contest everything that Larry Lockman has said is 100% true. The first year and a half I worked there, coming from the private sector, doing everything that had to be done, I got written up three times because I worked outside of the boundaries of my confinement. So one last complaint that I had, I says all right, I says, I'll play their rules, I let the boiler go empty with fuel, fuel chips. By the time they got up and running, it cost the mill \$9,600. I could have fixed that problem in 20 minutes, like I had before twice, but then it cost me an opportunity to maybe lose my job. Two years ago, when we voted on this, I got hammered from my town, why didn't I vote; and it worked out great because my daughter was graduating eighth grade and I didn't have to vote. But had I vote, I would've voted no, but to support what Larry Lockman put forward. And since then, after that vote two years ago, five months later Lincoln filed for bankruptcy; and I went to them same individuals, very good friends of mine, two Democrats, one Republican, I said, "What did that union do to save Lincoln Paper and Tissue?" Thank you, Madam Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **PECTEAU**: Thank you, Madam Speaker Pro Tem, Ladies and Gentlemen of the House. I will be very

brief. Some days around here feel like déjà vu; but I will just say that workers in states that are so-called Right to Work states make nearly \$2,000 less a year than workers in non-Right to Work states. I will be supporting the pending motion in making sure that those workers have that money in their pockets.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 321

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Casas, Cebra, Chace, Corey, Craig, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harvell, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Dillingham, Farrin, Grignon, Perkins.
Yes, 82; No, 64; Absent, 5; Excused, 0.

82 having voted in the affirmative and 64 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions"

(H.P. 53) (L.D. 66)

TABLED - June 14, 2017 (Till Later Today) by Representative FECTEAU of Biddeford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 322

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Cooper, Daughtry,

DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Hogan, Hubbell, Hymanson, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Corey, Craig, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Dillingham, Farrin, Grignon, Herrick, Jorgensen, Malaby, Perkins.

Yes, 83; No, 60; Absent, 8; Excused, 0.

83 having voted in the affirmative and 60 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 988) (L.D. 1433) Bill "An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-516)**

(H.P. 1080) (L.D. 1569) Bill "An Act To Revise Certification Statutes for Educational Personnel" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-515)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 243)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

June 15, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Erin D. Herbig of Belfast to serve as Speaker Pro Tem to convene the House on June 15, 2017.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lincoln, Representative Hanington, who wishes to address the House on the record.

Representative **HANINGTON**: Thank you, Madam Speaker. Before everyone runs off, I would like to just bring to your attention, in light of everything that went on yesterday down in Virginia with the shooting, I seriously hope that this chamber would have a little bit of humility. With the rhetoric that's coming out in Washington and the rhetoric that's coming out of Hollywood on both sides of the aisle, it is very wrong; and as a veteran, one thing that we were taught, it came to light to me, because in Lincoln we had two bomb threats; and what anyone does, they send forth and have soft targets to see where they can hit. So I recommend this body to be very vigilant in everything that we do, because there's people out there that's willing to do harm. Be very cautious in your movement; be very cautious when you go out. Just look over your shoulder, please. Thank you.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

On motion of Representative MASON of Lisbon, the House adjourned at 3:04 p.m., until 10:00 a.m., Friday, June 16, 2017, in honor and lasting tribute to Frank Anicetti, of Lisbon Falls.