

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 3, 2018

beginning at page H-1216

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
SECOND REGULAR SESSION
23rd Legislative Day
Thursday, March 22, 2018

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

Prayer by The Reverend Kevin L. Kinsey, The Aroostook Episcopal Cluster, Ft. Fairfield, Presque Isle and Limestone.
National Anthem by Easton Jr./Sr. High School Jazz Trio.
Pledge of Allegiance.
Doctor of the day, Jacob Mintzer, D.O., South Portland.
The Journal of Tuesday, March 20, 2018 was read and approved.

The SPEAKER: The Chair recognizes the Representative from Fort Fairfield, Representative McCrea.

Representative **McCREA**: Thank you, Madam Speaker. Request permission to speak on the record?

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed.

Representative **McCREA**: Thank you, Madam Speaker. It is with great pride that I present the Easton Junior/Senior High School Band, the jazz singers, the pages, and music director Pam Kinsey and her husband, the Reverend Kevin Kinsey who presented the prayer; and I would like to point out that they left Easton at 4 a.m. to be here with us. Thank you.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 707)

JOINT RESOLUTION RECOGNIZING MARY'S WALK IN ITS 20TH YEAR RAISING MONEY FOR CANCER RESEARCH

WHEREAS, Mary Kerry Libby lost her courageous battle with cancer on March 7, 1997; and

WHEREAS, her husband, Gene Libby, and the Libby and Kerry families founded the Mary's Walk event in her memory to raise money to support cancer research and provide programs that support Maine cancer patients; and

WHEREAS, Mary's Walk was formed as a Maine nonprofit corporation in 1999 and is governed by an all-volunteer board of directors; and

WHEREAS, over the course of 20 years, Mary's Walk has been supported by over 60,000 participants and thousands of volunteers and has raised and donated over \$3,000,000 to the Maine Cancer Foundation; and

WHEREAS, Mary's Walk has funded programs that include early cancer detection, rural transportation initiatives and navigator programs to assist cancer patients with access to medical care; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to commemorate the 20th anniversary of Mary's Walk and to recognize the selfless devotion of its volunteers and the financial support it provides that makes a difference in the fight against cancer for the people of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Board of Directors of Mary's Walk.

Came from the Senate, **READ** and **ADOPTED**.
READ and **ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 711)

JOINT RESOLUTION MEMORIALIZING CONGRESS TO STRENGTHEN LAWS AGAINST MASS VIOLENCE AND DOMESTIC TERRORISM, CONDEMNING THE VIOLENCE IN CHARLOTTESVILLE, VIRGINIA AND EXPRESSING THE COMMITMENT OF THE LEGISLATURE TO UPHOLD CONSTITUTIONAL RIGHTS

WHEREAS, on the night of Friday, August 11, 2017, a day before a white nationalist demonstration was scheduled to occur in Charlottesville, Virginia, hundreds of torch-bearing white nationalists, white supremacists, Klansmen and neo-Nazis chanted racist, anti-Semitic and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville; and

WHEREAS, on Saturday, August 12, 2017, ahead of the scheduled start time of the planned march, protestors and counter-demonstrators gathered at Emancipation Park in Charlottesville; and

WHEREAS, the extremist demonstration turned violent, culminating in the death of peaceful counter-demonstrator Heather Heyer and injuries to 19 other individuals after a reported neo-Nazi sympathizer drove a vehicle into a crowd, which resulted in a charge of 2nd-degree murder, 3 counts of malicious wounding and one count of hit and run; and

WHEREAS, 2 Virginia State Police officers, Lieutenant Pilot H. Jay Cullen and Trooper Pilot Berke M. M. Bates, died in a helicopter crash as they patrolled the events occurring below them; and

WHEREAS, the Charlottesville community is engaged in a healing process following this horrific and violent display of bigotry; and

WHEREAS, the State fully supports the right to free speech, the right to assemble peaceably and the right to petition the government for a redress of grievances; however, the assembly in Charlottesville turned violent and it became clear that some in attendance were there to promote racial tensions, destroy our principles and do harm to the fabric of our nation; and

WHEREAS, any organization that perpetuates violence and terrorism has no place in a civil society; and

WHEREAS, any crimes committed by such organizations should be prosecuted to the fullest extent of the law; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to condemn the violence and the attack that took place during the events on August 11 and August 12, 2017 in Charlottesville, Virginia; recognize the first responders who lost their lives in the course of monitoring the events; offer our deepest condolences to the families and friends of those individuals who were killed; extend our deepest sympathy and support to those individuals injured in the violence; and express our support for the Charlottesville community; and be it further

RESOLVED: That We reaffirm our sworn oaths to defend the Constitution of the United States and the Constitution of

Maine and reaffirm our solemn commitment to continue to protect and champion the rights and liberties of Maine citizens that are guaranteed under the state and federal constitutions, including freedom of expression; freedom of association, including the right to attend meetings without being illegally monitored and the right to belong to an organization without fear of reprisal; freedom from unreasonable searches and seizures; and the right to due process protections; and be it further

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to call upon our United States Representatives and Senators to review and, where warranted, strengthen laws to ensure law enforcement agencies have the necessary tools to prevent and prosecute acts of mass violence and domestic terrorism committed within the boundaries of our nation, as long as the laws do not infringe upon fundamental rights and liberties as recognized and enshrined in the United States Constitution and its amendments; and be it further

RESOLVED: That suitable copies of the resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Maine Congressional Delegation as well as the members of the Virginia Congressional Delegation.

Came from the Senate, **READ and ADOPTED. READ and ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 715)
JOINT RESOLUTION RECOGNIZING THE MAINE SNOWMOBILE ASSOCIATION ON ITS 50TH ANNIVERSARY OF SERVICE TO MAINE CITIZENS

WHEREAS, the Maine Snowmobile Association was formed in 1968 by a group of concerned snowmobile enthusiasts dedicated to the safe and responsible operation of snowmobiles in the State; and

WHEREAS, the 289 snowmobile clubs of the Maine Snowmobile Association now represent approximately 26,800 individuals and 2,100 businesses from Sanford to Allagash; and

WHEREAS, these citizens, through dedication to landowner relations and volunteer effort, have created a 14,500-mile trail system that is regarded as one of the finest snowmobile systems in the United States; and

WHEREAS, these citizens have persevered in maintaining and improving the image of family snowmobiling in the State and support the safe operation of snowmobiles throughout the State through adoption of appropriate legislation and enforcement of the State's laws; and

WHEREAS, snowmobiling generates hundreds of millions of dollars in economic activity statewide every winter, promoting the local economies of many rural areas; and

WHEREAS, the Maine Snowmobile Association celebrates its 50th anniversary this year; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, recognize this occasion and offer the Maine Snowmobile Association our heartiest congratulations on this milestone, with continued good wishes for many years of service to the people of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Snowmobile Association in honor of this occasion.

Came from the Senate, **READ and ADOPTED.**

READ and ADOPTED in concurrence.

Non-Concurrent Matter

Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery

(S.P. 155) (L.D. 453)
(C. "A" S-353)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INSURANCE AND FINANCIAL SERVICES READ and ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-353)** in the House on March 15, 2018.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** was **READ and ACCEPTED** in **NON-CONCURRENCE.**

The House voted to **INSIST.**

Non-Concurrent Matter

An Act To Fund the Downeast Correctional Facility (EMERGENCY)

(H.P. 1184) (L.D. 1704)
(C. "A" H-593)

FAILED of **PASSAGE TO BE ENACTED** in the House on March 15, 2018.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-593) AND SENATE AMENDMENT "A" (S-393)** in **NON-CONCURRENCE.**

On motion of Representative HERBIG of Belfast, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (S.C. 891)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

March 13, 2018

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1030, "An Act To Require Health Insurance Coverage for Covered Services Provided by Naturopathic Doctors."

This bill mandates that health insurance carriers in Maine include naturopathic doctors in their networks. Maine law has traditionally provided latitude to carriers to determine the providers for their networks subject to statutory network adequacy requirements. In practice, this bill would restrict their ability to construct provider networks to deliver quality and cost-effective services. If this bill passes, naturopaths will have no incentive to join insurance networks to perform their services as primary care physicians.

For these reasons, I return LD 1030 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Require Health Insurance Coverage for Covered Services Provided by Naturopathic Doctors

(S.P. 337) (L.D. 1030)
(C. "A" S-363)

In Senate, March 20, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

32 voted in favor and 2 against, and 32 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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: 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. 528V

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

NAY - Daughtry, Dillingham, Hymanson, Jorgensen, Rykerson, Sanderson, Sirocki, Spear, Tipping, Turner, Winsor.

ABSENT - Bates, Harvell, Lawrence, McLean, Sherman.

Yes, 135; No, 11; Absent, 5; Excused, 0.

135 having voted in the affirmative and 11 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (H.C. 467)

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

March 22, 2018
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:"

Criminal Justice and Public Safety

L.D. 1819 An Act Prohibiting Female Genital Mutilation

L.D. 1822 An Act To Amend the Laws Governing Offenses against the Person

Insurance and Financial Services

L.D. 1417 An Act To Require Insurance Coverage for the Diagnosis and Treatment of Lyme Disease

Judiciary

L.D. 860 An Act To Establish a Statewide Electronic Warrant System

Taxation

L.D. 1722 An Act To Encourage Computer Data Center Development by Providing a Sales Tax Refund or Exemption

Sincerely,

S/Robert B. Hunt

Clerk of House

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

The Following Communication: (S.C. 904)

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

March 20, 2018

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 Majority Ought Not to Pass Report from the Committee on Appropriations and Financial Affairs on Bill "An Act To Appropriate Funds To Provide Sea Protection and Public Access to the Historic Whaleback Lighthouse in Kittery" (H.P. 1090) (L.D. 1586), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 905)

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

March 20, 2018

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 from the Committee on Inland Fisheries and Wildlife and Passage to be Engrossed as Amended by Committee Amendment "A" (H-589) on RESOLUTION,

Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish (H.P. 12) (L.D. 11) in non-concurrence.

Best Regards,
S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, To Ensure the Continued Provision of Services to Maine Children and Families (EMERGENCY)

(H.P. 1307) (L.D. 1874)

Sponsored by Representative BEEBE-CENTER of Rockland.
Cosponsored by President THIBODEAU of Waldo and Representatives: ESPLING of New Gloucester, GATTINE of Westbrook, HANDY of Lewiston, HERBIG of Belfast, McCREIGHT of Harpswell, TALBOT ROSS of Portland, ZEIGLER of Montville, Senator: VOLK of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Align State-funded Benefits with Federal Eligibility Standards"

(H.P. 1306) (L.D. 1873)

Sponsored by Representative SANDERSON of Chelsea. (GOVERNOR'S BILL)

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative HYMANSON of York, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act Regarding Financial Orders Requested by the Attorney General"

(H.P. 1308) (L.D. 1876)

Sponsored by Representative FREY of Bangor.
Cosponsored by Senator HILL of York and Representatives: GATTINE of Westbrook, LUCHINI of Ellsworth, McLEAN of Gorham, MOONEN of Portland, Senator: SAVIELLO of Franklin.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **JUDICIARY** suggested and ordered printed.

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act To Enhance and Increase the Availability of Mental Health Providers in Maine" (EMERGENCY)

(H.P. 1311) (L.D. 1879)

Sponsored by Representative HANDY of Lewiston.
Cosponsored by Senator MILLETT of Cumberland and Representatives: BEEBE-CENTER of Rockland, COOPER of Yarmouth, FARNSWORTH of Portland, McCREIGHT of Harpswell, PERRY of Calais, TALBOT ROSS of Portland, Senator: BELLOWS of Kennebec.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Expand the Areas Subject to Municipal Residency Restrictions for Sex Offenders"

(H.P. 1309) (L.D. 1877)

Sponsored by Representative MARTIN of Sinclair. (GOVERNOR'S BILL)

Cosponsored by Senator DAVIS of Piscataquis.

Bill "An Act To Increase the Annual Salary of the Governor and To Increase the Per Diem Meal and Housing Allowances Paid to Legislators"

(H.P. 1310) (L.D. 1878)

Sponsored by Representative MARTIN of Eagle Lake. (GOVERNOR'S BILL)

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 62)

ORDERED, that Representative Bruce A. Bickford of Auburn be excused March 6 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kathleen R. J. Dillingham of Oxford be excused March 6 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bradlee Thomas Farrin of Norridgewock be excused March 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Wayne Grignon of Athens be excused January 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Erin D. Herbig of Belfast be excused March 15 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Teresa S. Pierce of Falmouth be excused March 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Deane Rykerson of Kittery be excused March 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Timothy S. Theriault of China be excused March 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Raymond A. Wallace of Dexter be excused March 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Karleton S. Ward of Dedham be excused March 6 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen J. Wood of Greene be excused March 15 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

Phillip Crowell, Jr., of Auburn, Chief of the Auburn Police Department, who has been named Chief of the Year by the Maine Chiefs of Police Association. We extend to Chief Crowell our congratulations and best wishes;

(HLS 966)

Presented by Representative BICKFORD of Auburn.

Cosponsored by Senator BRAKEY of Androscoggin, Representative MELARAGNO of Auburn, Representative SHEATS of Auburn.

On **OBJECTION** of Representative BICKFORD of Auburn, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, Chief Crowell is a 24-year veteran of the Auburn Police Department. He was a driving force behind the new Maine law enforcement accreditation program. He initiated the opening of the PAL Center. He started Auburn's citizen police academy and the first Somali citizens' academy. He led the department through its initial international accreditation process, the first department in Maine to be recognized with gold standard accreditation. Chief Crowell is involved in efforts to fight human trafficking locally and internationally, serving as a board member on the Foundation for Hope and Grace. He is also a co-founder of the Not Here Justice in Action Network, which works to provide education and resources for at-risk children, and a member of the Maine Attorney General's Human Trafficking Task Force. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Being a lifetime member of the Maine Chiefs of Police Association, I would be remiss this morning not to stand and recognize Chief Crowell of Auburn PD for all his hard work in the association. I was the awards committee chairman for a number of years in the Maine Chiefs of Police Association as well, and we gave out very few of these awards. We don't give them out as candy. They are awards that are well -- that a person really needs to be really up there and do some real great things in order to be even considered for that award in the association. So, with my time, I would just congratulate Chief Crowell on the fine job he has done on this award, and he is one of the bright young minds in law enforcement right now that continues on. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Sheats.

Representative **SHEATS**: Thank you, Madam Speaker. We have all had the pleasure of having the opportunity to meet Chief Crowell here in the Hall of Flags. He has been here many times to work with us and support us on our work, especially on behalf of ending human trafficking. We have all received literature from him and seen his efforts firsthand. I

have also had the opportunity to see his work in Auburn with the children, especially around the Police Athletic League. I see them at farmer's markets, where they are selling their photographs from the children who have come to the programs who are taking photo classes. There is now a Lots to Gardens program where they are growing their own fruits and vegetables in conjunction with the children in the Police Athletic League, and they are canning their own fruits and vegetables that they grow themselves. So, his work has been so broad and so expansive, and I want to thank him personally for his efforts. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

Recognizing:

Hunter Howe, of Durham, a member of Boy Scout Troop No. 45, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations to him on this achievement;

(HLS 985)

Presented by Representative CHACE of Durham.

Cosponsored by Senator MASON of Androscoggin.

On **OBJECTION** of Representative CHACE of Durham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Durham, Representative Chace.

Representative **CHACE**: Thank you, Madam Speaker. I am very honored today. Our youth are very important to us, and it's amazing when we come across some outstanding leaders at a young age.

I met Hunter Howe two years ago when presenting the Secretary of State eighth grade award, two years ago, to Hunter. He was noted as being very compassionate with his classmates, helping them before he helps himself. He was noted for being a risk taker, and when he made mistakes he would get right back up on his feet and take on tasks and challenges again. He's a good citizen with his schools, everybody likes him. He's very mature for his age, and so imagine my surprise when two years later here he is receiving his Eagle Scout at 15 years of age. Very proud of Hunter's accomplishments. He's been part of the National Leadership Training in the Scouts. He landscapes for Yankee Yardworks landscaping. I'm very proud of Hunter, his family is very proud of him, the community is very proud of him; so I want to thank Hunter for his achievements at such a young age and being so civically involved, and I wanted him to be recognized by the body. Thank you, Madam Speaker.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Eleven Members of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-388)** on Resolve, To Establish a Task Force To Examine Agricultural Issues (EMERGENCY)

(S.P. 646) (L.D. 1747)

Signed:

Senators:

DAVIS of Piscataquis
DILL of Penobscot
SAVIELLO of Franklin

Representatives:

DUNPHY of Old Town
ACKLEY of Monmouth
BLACK of Wilton
HIGGINS of Dover-Foxcroft
MARTIN of Sinclair
McELWEE of Caribou
O'NEIL of Saco
SKOLFIELD of Weld

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-389)** on same Resolve.

Signed:

Representative:

CHAPMAN of Brooksville

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Resolve.

Signed:

Representative:

KINNEY of Knox

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ and ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-388).**

READ.

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Protect Maine's Economy by Slowing the Rate at Which the State's Minimum Wage Will Increase and Establishing a Training and Youth Wage" (EMERGENCY)

(H.P. 1210) (L.D. 1757)

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DOORE of Augusta
HANDY of Lewiston
MASTRACCIO of Sanford

SYLVESTER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-666)** on same Bill.

Signed:

Senators:

VOLK of Cumberland
LANGLEY of Hancock

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

READ.

Representative FECTEAU of Biddeford moved that the House **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: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Men and Women of the House. I stand in opposition of the current motion. Having talked with hundreds of Maine employers and workers from all corners of our state before, during, and after the hearing to slow down the fastest-increasing minimum wage in the country, we cannot afford to do nothing, and under this current motion that's exactly what we would be doing.

The 30%, and soon to be over 60%, increase in mandated wages, in conjunction with increased energy costs, stagnant population growth, and a much smaller percentage of tourism traffic than other parts of the state are forcing drastic changes in many business models, especially in rural Maine. The directors, human resource staff, and owners of over a hundred Maine businesses, nonprofit organizations, and educational institutions have communicated with us in describing to us so many unintended consequences from the skyrocketing labor cost. These concerns must be heard.

One testimony in particular summed up what so many of the others are telling us about how their business model has had to change to make up for these labor costs. Larry Geaghan shared with us in an email, he says, "In October of 2016, after 40 years in business, we stopped serving breakfast. Jobs eliminated: 11. In December of 2016, after ten years, we stopped participating in a program which offered a real-world jobsite environment for disabled and intellectually challenged adults. Jobs eliminated: 1. In January of 2017, Peter, Pat, and I increased our hours in the kitchen. Because of our increased presence in the kitchen, we have eliminated kitchen jobs. This is the painful part of running a business. We worked daily with all of these folks, but we have to find savings everywhere. Jobs eliminated: 4. In March of 2017, we went to the bank and borrowed in order to purchase a new bottling line. The new line is far more automated. Jobs eliminated: 2. In September of 2017, we looked at every job for savings. By staggering employee start times and reducing hours of operations we found savings. Jobs eliminated: 4. In February of 2017, we made the decision to postpone an expansion project at our pub in Bangor. The project would've

added 20 new jobs in Bangor. Presently, we are talking to a point-of-sale company called Toast. The investment in a new, state-of-the-art point-of-sale system will allow us to totally rethink how orders are taken and paid for, obviously with the intention of reducing the number of employees needed in the dining room. We are also talking with our wholesalers and commercial bakeries with the intent to outsource more of the work done by our employees in the kitchen. We are talking with a company about automating our system of storing, measuring, and milling barley in the brewery. This investment in automation will eliminate another job in the brewery."

So, Madam Speaker, many of us have heard from dozens of employers having to do many of these very same things in order to keep their doors open. Daigle Oil, with 177 employees from Fort Kent to Bangor, is an employee-owned business, started in the 1950s. They are currently having to consider options that will result, in their words, "in reduction of our labor force." Smith's General Store in Springfield, Call's Shop'n Save in Cornish, and others in Dover-Foxcroft and Corinth have told us about having to reduce employee hours and benefits to make ends meet, including profit sharing, retirement accounts, vacation, and health insurances. Businesses from Caribou to Rangeley, Rumford, Skowhegan, Waterville, Winslow, Belfast, and beyond told us they are having to raise prices in combination with cost-cutting measures. Rick Crowe of Princeton provided us invoices, showing us, proving to us that wholesalers are explaining to them their cost increases due to rising labor costs.

Madam Speaker, one of the most destructive, unintended consequences to the future of our state is the pricing of many young people out of part-time jobs, many times their first job. Business after business after business who have historically employed high school and college students are telling us over and over they just can't do it. Several in my area alone, Canaan Superette, Quinn Hardware, West Front Market, Snack Shack, Maine Fire Equipment, and the list goes on and on, are telling us that, under the current law, they will not hire another student.

Just this past week one of Maine's most famous businesses, Gifford's Ice Cream, came out in support of LD 1757 so they can continue their long history of providing students their first jobs.

Madam Speaker, we cannot afford to do nothing. Since the public hearing, the University of Maine and our community colleges have informed us they are also having to make tough decisions. Student work-study programs are a form of financial aid that provides part-time employment as tutors, cafeteria and grounds staff, among others. With a set amount of government dollars for the programs, and the increase in the minimum wage, students are either getting less hours and/or there are students who just don't get the aid when the money runs out.

We all want Maine workers to make more money. We all want our young folks to have every opportunity possible to be successful and prosper. We all support our local businesses and promote shopping local, but there is a simple principle we must remember. Every business, profit or nonprofit, requires more money coming in the door than going out. The minimum wage is going up too fast. We need to slow it down and take careful look at the results of the law, and act accordingly. One thing we need to take a look at seriously, that we learned during the public hearing and work session, is that other states who have implemented their own minimum wage increases also have many exceptions and exemptions that Maine does not have: exemptions for nonprofits, exemptions for

agriculture, waivers and exceptions for educational institutions, students, and the disabled. Some states even have different minimum wages by county or geographical locations. Maine's current law has none of these. We need to slow down the wage increases and search for solutions for the nursing homes and the direct care worker organizations that are telling us they are struggling with these rapid increases. We need to take it very seriously when people like Sammie Angel, owner of Front Porch Café in Dixfield, and the folks who own the Ugly Moose in Industry or Rapid Redemption in Windsor, when they tell us the minimum wage hike was the last nail in the coffin. Those businesses are no longer open.

I think today the question, number one, is: do we believe what all these people are telling us? And, secondly: what are we willing to do about it? Myself, I believe them, and I think we need to do something about this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Warren, Representative Sutton.

Representative **SUTTON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. I'm a member of the Maine Farm Bureau, and I was recently at the Knox County Annual Dinner. After enjoying the most amazing food, we had some lively discussion, and an area of concern to all of the farmers in attendance was a lack of ability to hire students on their farms. With profit margins being so low, they were just having a really hard time, and with the minimum wage scheduled to increase further, many were justifiably concerned. I took this opportunity as a Farm Bureau member to discuss LD 1757, and educated the members about the details and explained how it might be helpful to the current situation. After learning more about the bill, I was very pleased to gain the official endorsement of the Maine Farm Bureau, and you will all find a handout at your desk. I believe we all have members of the Farm Bureau in our districts, and they understand how important it is to make sure that our youth are able to be hired where they will begin to develop their work ethic. They know that, without a student wage, that farmers will not be able to hire them, depriving youth of their important opportunity to develop job skills that will help them later on in life.

In the last 13 months, wages and hour costs for our small businesses have gone up \$2.50 an hour, which translates to a 33% increase. This is a substantial amount, and too much for a farm to be able to absorb into their business model. The only alternative for farmers is to reduce production and eliminate labor jobs, which puts our farms at risk of going out of business. So, please join me opposing the pending motion so that we may help save our Maine farms. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Grohman.

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. We all want to make more money. I learned just this morning that we're in line for a raise. But I think that we have to understand that this minimum wage increase is hard on rural economies in ways that we wouldn't necessarily expect. I've definitely received a lot of feedback on this, and I think it's a very tough vote. I get that; and one thing that people have said to me is, look, if you've got a business and you can't afford to pay minimum wage, well, you don't deserve to be in business. But, I mean, tell that to a rural Maine lumberyard that's been in business for 40 years. I mean, Madam Speaker, I know we work hard to create rural jobs, I know that you work hard to create rural jobs, and it is not easy to do. And when we make them go away, they're not coming back, despite anything we could do. If I could, just for

a second, though, let me go back to my comment about deserving to be in business, and perhaps you could argue that a business can or should raise prices, but what about a rural YMCA? I mean, what are they supposed to do? And I think that the kind of infrastructure or core of our rural communities, that it's getting caught up in this unintentionally. So, I understand it's a tough vote, and probably few of us in this chamber have received more scrutiny on this than I have, but on behalf of our rural economies I think it's a measure that we have to support. Thank you, Madam Speaker.

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

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Shortly after taking office, President Truman met with his economic advisors, and after they left the room, he turned to his Chief of Staff and said, "The next time you send an economist here, make him a one-armed man." The Chief of Staff said, "Why?" And he said, "So he can't say 'On the other hand...'"

Neoclassical economics held an orthodoxy for centuries, which showed that increasing minimum wages led over time to decreased employment. But it merely took one study in the '90s by Card and Krueger, after New Jersey raised its wage 75 cents, by studying fast food industries along the Pennsylvania and New Jersey border, for people to believe that this orthodoxy had come to an end, and they had found a way to make this work. At the same time, David Newmark was showing the opposite effect of New Jersey's very -- increase in the minimum wage. But, make no mistake, this was taking place in the '90s when the economy is driving up wages everywhere. And for some reason, at times, we think that we can take a fixed point in time and overthrow centuries of orthodoxy. The phrase 'don't shovel blank against the tide' didn't come into play, because the tide was going out. The recognition is: the tide will come back. At some point, we are going to see an economic downturn. And the minimum wage that Krueger studied was 50 cents between Pennsylvania and New Jersey, not Maine, that sets up in the corner of the country with its own series of problems that go with that, not the rural economies that existed here, unlike those, and not a minimum wage that is about to become regionally so far out of whack it would make that seem like a Sunday School picnic. The central planners, at least, decided if they were going to control wage and price, they would try to run the whole economy. That was an abysmal failure. But what we have held to as a society is, somehow, we can take a couple parts of that, wage and price control, and we can make it work. Well, as one economist said, "If we've learned nothing about economics, that wage and price control doesn't work, we've learned nothing about economics."

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I hadn't intended on rising to speak today, but I have been motivated by both the Representative from Biddeford and the Representative from Farmington. I do not live in rural Maine, but I used to live in rural Maine, and I frequently drive right through the town I grew up in, and I can tell you that Maine shares a long border with New Hampshire, and nothing has changed in decades. When I was a little girl, there was a little convenience store struggling in the town of West Newfield, and that little convenience is still struggling in the town of West Newfield, and just a few miles over the border, it's boomtown. We have now required the business owners do a 33% raise from \$7.50 to \$9.00 an hour.

The biggest raise I've ever received is 5%. And not only did they get a 33% raise to initiate this, it then jumps to 11% the next year, 10%, and then 9%, and then indexed to inflation. We really need to think long and hard about the ramifications of this, the financial and economic impact on our rural parts of the state, and it's going to start to hurt other parts of the state as well. Thank you.

The SPEAKER: 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 address my good friends on the other side of the aisle. If you are still pondering your position on the pending motion and want to work together, as we often tell our constituents when campaigning, I respectfully ask you to listen carefully to my testimony today. I will be sharing part of the testimony from one of my business's customers and one of my constituents. He owns a small supermarket located in the middle of a dairy farm field in Corinth, Maine. His testimony reflects the conversations I have had over the counter at my business with dozens of Maine's small businesses. The pending motion will hurt our Maine-owned small businesses more than any other sector, and I would ask you to consider looking at an alternative compromise measure instead. Here is Blaine Whitney's testimony. "The minimum wage increases we are forced to implement are putting my small business in jeopardy of failure. In central Maine, our economy is not robust even in good times. Increased competition combined with shrinking populations has its challenges. In my two small grocery stores, I pay out 1,850 hours per week, and an annual payroll of approximately \$1,250,300. The hours I use are pretty much split 50/50 between part-time and full-time employees. This year's minimum wage will cost me an additional \$87,500 in staff costs. Where does that money come from? It will not come from increased sales or margins. Many small businesses such as myself are located in smaller populated areas where there is not enough food dollars available to the chain stores to locate here. I have tried hard to have a benefit package which includes health care, but this is one of the things that may be forced to go away for this increase. This is also disturbing the morale of the full-time associates as they see what is happening. Where we have a substantial rate of pay difference based on ability and responsibility, we can no longer afford to have this rate gap. It is much smaller. We try to provide a service to the community and a decent job to our employees. The minimum wage increases will eventually cause my business to go away. There will be no resale value, as profits will be minimal at best. I might as well go to work for my previous employer and sleep at night. It goes without saying, but I lost my ability to reinvest in the business when the recession in 2009 took place. Now, I am just forced to repair what is broken, and hopefully I do not have to get a loan. Minimum wage as it is slated to be implemented will and has had a devastating effect, especially on small businesses, and we make up the majority of the employment numbers."

Ladies and gentlemen, please join me in rescuing Maine's small businesses, healthcare facilities, universities, farms, and Maine workers' jobs by voting against the pending motion, and pursuing a more manageable approach to wage increases while still reflecting the will of the voters. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hudson, Representative Duchesne.

Representative **DUCHESNE**: Thank you, Madam Speaker, Men and Women of the House. I fully concur with everything that Blaine Whitney just said in regards to the testimony

offered by my fellow Representative from Glenburn. I had the same conversation with him, and I completely agree with his point of view. Having said that, I would say the statewide average salaries, a lot of businesses could probably absorb this. In rural areas it is going to be just as tough, I think, as has been explained by several Representatives already, so I'm really concerned about it. It's a fast rise in a rural economy, and I think that's difficult.

I could've supported virtually any of the lower and slower bills that came to this Legislature over the last four years. I could've even supported a more moderate lower and slower minority report on this bill. But it stuck a poison pill in there for me: the training wage. I can't support that for a number of different reasons. So, if those are my only choices, I'm afraid I'm going to have to support the pending motion. It is no wonder the voters took this issue away from us. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes -- there are nine people in the queue. The Chair recognizes the Representative from Searsport, Representative Gillway.

Representative **GILLWAY**: Thank you, Madam Speaker, Men and Women of the House. I will not stand up in this chamber just to repeat what someone prior to me has said; and I do want to say I am from a rural town, coastal, Waldo County, but I can smell the saltwater so they think we're rich, but we're not. I just want to point out to everybody, this wage affects the small towns of Waldo County, and just bear with me for a second while I stumble through it. We have a lot of volunteer firefighters and ambulance attendants and even a few police officers that are paid under that -- that started out paid under the wage. Every January, I have to go to my bookkeeper and say, you know, "What's in front of us? What's going to hurt us this year? What do I have to cut to make up for?" Because in small towns, when the minimum wage goes up and we have to increase the pay for these generally volunteer people... We give them a check because we have to give them a check, otherwise they would probably volunteer to save your life at an accident scene. But we do pay them, and that wage is going up, and the only place that we have in small towns to make up for that is your local taxes. So I do want everyone to think about the unintended consequences, that even though this put more money in your pocket, many of the small towns in Maine are taking it back out, because we have to make up for the difference. So, I appreciate you giving me a minute to talk about that.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have to say that I believe that you have heard some very, very strong and compelling testimony thus far. I would like to repeat to you one comment that the good Representative Stetkis mentioned. He asked a question, and I think we all need to ask ourselves that question again. Do we believe what the businesses have told us? What they have sent to us in messages and phone calls and in testimony in our Committee. In LCRED, in our Committee, we heard from grocers from as far away as Lubeck. The folks from the lovely -- I love to call them hamlets, of northern Maine, are really panicked. You could hear it in their voice. They spoke with deep passion. Some of these grocers and some of these small stores and businesses are second generation, perhaps even third. They see this as lifeblood being drained from what their family has invested in for years and years within our wonderful State of Maine. The little grocers mentioned that they are the lifeblood of the community.

The grocer, the little corner store for bread, milk, and Pampers, along with our elementary schools in those small little places, really are where people meet and greet and really keep up with their neighbors. Buying Pampers, bread, and milk at the corner grocery store versus maybe a 20- to a 30-mile round trip is quite an advantage, but I wouldn't call it a luxury. So, I believe those folks that spoke to us for hours and hours, who made the trips, who gave up their day at the job, the owners in the store, to come down and talk to us -- they meant it. They feel it, and they're worried about it, and they are worried about, even if they get through one session of this, can they ever make another as it comes along in another year. So, all I ask, I won't tell you how to vote, I just ask you to ask yourself, do you believe what you heard from the people? Thank you.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. This is really kind of near and dear to my heart. I am an eighth-generation farmer in the State of Maine, and what minimum wage has done to the farming industry in the State of Maine is really -- is really amazing, and it's not what it's done in the last year or so, but what the farmers that I talk to are looking to into the future and what's happening. You've got to remember, our local farmers, the farmer in your community, is working on not just a local rural market, but he's working on a global market, a United States market. And I'm not talking about China and other third-world countries that are paying an abstract minimum wage. I'm talking about other states in the United States that we have to compete against, that are paying -- that are hiring laborers at a lower rate. Now, our family invested a lot of money within the last year in new cider equipment, to compete to be more efficient in what we did, and we still lost it to an out-of-state company because they could produce their product for less money. Now, our local stores, the Walmarts, the Hannafords, the Shaws, would like to buy local, but they're not going to buy local if they have to pay a lot more money for the product than what they can buy from New Hampshire and Vermont and Massachusetts and New York. And what we're proposing, and I'm asking you to oppose the existing motion and support this, what we're proposing is to let our rural farmers in the State of Maine compete. Compete on a statewide market, because this is global, and you're affecting us in a way that I ask you to look down deep in your heart to look at. You folks don't see what's happening to the dairy industry in the State of Maine. We've gone from 3,000 farmers to 300 farmers. I'm looking at what's happening to the blueberry industry in the State of Maine, the potato industry in the State of Maine, even the maple syrup industry in the State of Maine is starting to feel the effects of this global market. And we have a great natural resource in the State of Maine, and we have great people. You all have great constituents within your communities that are working very hard, and all they ask is for a little bit of help from you to support.

Now, maybe the good Representative was right that we should've done something three years ago or four years ago or five years ago. Maybe he was right. Maybe we made a mistake. Maybe we did it wrong. But I'm asking you today to maybe fix part of the wrong that we're putting on our rural communities in the State of Maine. And it's not just rural, because some of these farmers are coming out of even our municipalities, our bigger municipalities, and this is having an effect. And our farm employs an awful lot of kids to come pick blueberries in the summer and do other things, and we're no longer going to do that. We're pulling out 125 acres of crop

this year because of the labor issue. We're reducing our farm, and that's happening all across the State of Maine, not just at my operation; but there's not a farmer you won't talk to that is relying on youth help or even lower labor to harvest these crops that isn't reducing it, because they can no longer compete.

So, I ask you to really take a long look at this. Usually I have a big booming voice and kind of maybe even give you the devil a little bit. I'm not doing that. I'm asking you to really think about supporting us, the farmers, all of them all over the State of Maine this year, by opposing the pending motion. Thank you very much.

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

Representative **ACKLEY**: Thank you, Madam Speaker, Friends of the House. I think I'd like to pick up where my good friend from Hudson left off. "It's no wonder the voters took this away from us." Because here we are again, Madam Speaker: another proposal to substantially undo a vote by the citizens of Maine. These are the same citizens who, in the face of gridlock in Augusta, exercised their constitutional right to use the citizens' initiative process to create law, and that was because the leaders here could not do so.

Madam Speaker, I'll be voting to support the motion, because no matter how each voter feels about minimum wage policy, what is clear to this elected Representative is the basic principle that votes on citizens' initiatives should count just as much as votes that elected us. Thank you, Madam Speaker.

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

Representative **LYFORD**: Thank you, Madam Speaker. We've had some great debate here this morning. We have a lot of small, part-time businesses in this state that rely on high school students to help them get through their season. I'd like to kind of try to put it in perspective for the members. So, enter my granddaughter, a junior in high school, who decides to get some extra money for the summer. She applies at Dairy Queen because she loves ice cream, but after she has the meeting with the manager for the job, the manager says, "Is there anything that you would like to contribute?" And she said, "Yes." She says, "I want you to understand I can't work nights, I can't work weekends, and I'm going to Camp Jordan for two weeks." These are the type of young folks that we deal with that don't understand the word commitment, on time, trust. So, we're not asking to wipe away the minimum wage, we're just asking to slow it down, because we owners understand what these young folks need to go through, and we need to work with those folks. So I ask you to follow my light on this one. Thank you.

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

Representative **DAUGHTRY**: Thank you, Madam Speaker, Women and Men of the House. I had not intended to speak today, but recent experiences of mine really compel me to stand. Over the past few years, I've been working, when not here, to start my own brewery in Brunswick. From the very start, my partner and I sat down and wanted to make a commitment to paying more than minimum wage. We wrote it into our entire business plan, from start to opening. We wanted to make sure that our employees were able to make a livable wage. If we were able to invest in our labor pool, then hopefully they would invest in us and stay along for a long time. Especially opening a new business, these employees are the public face of us when we're not there to be able to run our own business. About two weeks ago, we opened our

doors for the first time. I'm still spinning on a rollercoaster of excitement and fear and really looking forward to the future, but I have to say, in those two weeks, it's been an incredible learning experience, and we're making it work. It's a little tight, like the beginning of any new business, but due to planning and a commitment to invest in our employees, we're making it work, and I hope pretty soon we'll be able to pay even more to be able to keep these folks on. We want to invest in our employees so that they in turn can turn around and invest in our community. We're not alone. In 1914, Henry Ford announced that he'd pay his workers a whopping \$5.00 a day. But, at that time, it's double what other workers were making. He wrote that paying high wages was good for business, since low wages made workers feel doubtful about their economic future. But, more importantly, in his opinion, if his employees were making double, they could actually afford to buy Model T's. This is nothing new. Economists call this the virtuous circle of growth: well-paid workers generating consumer demand that in turn promotes businesses in our small communities.

I also have to say, I have to speak up for my friends in my district who run farms. Every one of them has made a commitment to pay more than minimum wage. I'm also greatly disturbed by the idea of having a youth wage. The high school students that I've worked with in other jobs are some of the hardest-working individuals I've ever worked with. I am wholeheartedly in favor of this motion, and I urge you to vote down LD 1757. Thank you.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker and fellow Members of the House. I wasn't going to stand up and speak on this, but as I sat here, I was thinking that I would not be doing my job by not standing up and speaking. The other day I received a phone call from one of my constituents. He said, "You need to come to my gym." I arrived at his gym, who he had been owning for 28 years, and he says, "If we vote this through, or if we do not vote this through, then I'm closing my doors. I can't afford to pay \$12 an hour to a high school student." Okay, I got it. He says, "Because I'm competing with other big companies all over the country. What am I to do? I'm 56 years old." While I was sitting there listening to him, someone else called me and said, "Mike, could you come to my redemption center?" Sure, I'll go. Comes down to the redemption center, he says, "I get paid 6 cents a bottle or 7 cents a bottle, and I'm giving back 5 cents. How do I hire these high school kids who need a job, because I can't afford it, because soon minimum wage will go up?"

In reference to dairy farmers, I have gone to many dairy farmers. I was born and raised on a dairy farm, and very pleased and proud of that. And thinking about the farm, not a one of the farmers I've been to, these are some of the biggest farms in the State of Maine and one of them happens to be one of the biggest farms in New England, are relishing the thought of paying minimum wage to a high school student. I think we really need to take and think about our businesses, our small businesses in the State of Maine. A number of them are the only reason why these towns survive. Thank you, Madam Speaker, for the time.

The SPEAKER: Before we move to the next person, everyone has done a really good job of being quiet in the chamber so we can hear each other, but I hear the noise level start to rise a little bit, so I just want to remind people to take conversations outside. The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. I rise, I echo the comments from the Good Representative from Searsport on how this will affect Waldo County. I have two children, one in the middle school and one in the high school. And one of the issues that we see greatly in our area is the drug crisis. Sadly, at this point we're pricing our businesses out of being able to hire students, which in turn takes away opportunities on our farms, to instill a work ethic in these students; so in turn they turn to drugs, and I'm seeing it. I've been seeing it since my kids were in elementary school. I would much rather have them help us throw hay in the summer, or walk my woods and help me find leaks in my tubing in my maple business this time of year. So, for this and for many other reasons that have already been said in this chamber, I ask you to please follow my light in opposition to the pending motion, and save our children. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, in the words of Republican President Abraham Lincoln, who led the charge to eliminate the exploitation of slavery in the United States of America, "Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration." Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to pose a question through the Chair, if I may; but first, I just wanted to address a comment regarding the training wage. So I looked up the text of the bill that is before us, and the current minimum wage, the federal minimum wage, is \$7.25. The text of the bill says that the minimum wage for a training wage would be 80% of current state law or the federal minimum wage, whichever is greater; and currently, given the current minimum wage, that would be \$8.00 an hour, so the \$8.00 an hour for the training wage would still be higher by 75 cents an hour than our neighbor New Hampshire. And my question, if I may pose one through the Chair?

The **SPEAKER**: The Representative may proceed.

Representative **SIROCKI**: Thank you. Is -- I understand that this bill was heard in the Labor, Commerce, Research and Economic Development Committee, but I wondered if perhaps there may have been comments made in any other Committees regarding the compression factor. This is far more than just a minimum wage effect on the training wage and new hires and people just entering the workforce. I'm hearing reports of businesses that are having trouble hiring because the minimum wage is so high now, and people that have been employees are looking for a raise as well, and the difficulties perhaps with the nursing homes and direct care worker industry; and I wondered if anyone here in the chamber might be able to speak to that. Thank you.

The **SPEAKER**: The Representative from Scarborough, Representative Sirocki, has posed a question through the Chair if there is anyone who is able to answer. The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, and I'd like to thank the Representative from Scarborough for posing that question. Yes, we've heard a

tremendous amount of testimony over the last two years in the Health and Human Services Committee of which I serve -- on which I serve, and a lot of it is coming to us looking for increased reimbursement rates, because with the implementation of the minimum wage, they're finding it very, very difficult, in respect to what we reimburse, to make ends meet. And what that is equating into is either reduced hours or reduced employees. There also is what they call a compression -- the compression factor included in that. As you raise those folks up, you may have, let's say for example a CNA in a nursing home, who's been serving and working there for several years and is now at -- came in at minimum wage and is now at \$11-12 an hour. Now you've got people coming in at \$10 an hour, brand new. That compression factor mandates that they need to increase that wage as well, and then that bumps up on the people above them as well, so you get the entire staff that is affected by that compression factor. So, it's causing a big amount of problems, fiscal problems for our nursing homes, for our assisted living facilities, for our home health agencies; and, you know, that's a big problem within the -- with increasing the minimum wage legislatively versus letting the market, because a lot of these folks are highly reliant on what we do here at the state level for reimbursement, and if anybody thinks that we will ever, ever be able to keep up with the rate of reimbursement to accommodate these wage increases, I just don't know what world we're living in, because we're not doing it now well. Thank you.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen. A lot of eloquent speeches this morning. I concur to most of them. Madam Speaker, Ladies and Gentlemen, as you know, I grew up in the forest products industry. I had the opportunity, when I was 13 years old, to start working because of the student wage. The six years that I worked in that industry, by the time I was a senior in high school, I had bought my first piece of equipment, went to school half a day, and with the experience that I got from that student wage, it allowed me, at that time back in 1980, to earn over two and a half times the minimum wage. So, I say that because my daughter, last summer, trained for eight/nine weeks at Tim Hortons. It cost the owner, Angie Belk, a lot of money. This year, will she be working? No. So, this very same bill, that was passed to help, is hurting a lot of people on the other end because, yes, we have the means to support our daughter, but for those families that need that extra income for that child to pay for their insurance, to help pay for their automobile, that is out of the equation; so this very same bill that was passed to help, it's having the unintended consequences on the other end. And, free market and capitalism is the best way to govern any business. And, Madam Speaker, I am very reluctant or -- I have seen a shift in this state, in this country in the last 20 years, and if we can continue down this road, I'm afraid that the next generation that's coming is not going to be able to have the free rights and the opportunities that we had as children growing up. And, Madam Speaker, if I could pose a question through the Chair?

The **SPEAKER**: The Representative may proceed.

Representative **HANINGTON**: Madam Speaker, being on the town council I have seen a lot of negative impact, but I would like to know, I have heard a lot of different things in that position. What are the reimbursement rates based on the federal minimum wage versus the state minimum wage? How much impact is that going to be having on the state budget and

the federal -- and the town budgets? Does anybody -- I understand that the reimbursement rates are based on a 7.5% minimum wage federally; is that going to have an impact on what we receive from the feds?

The **SPEAKER**: The Representative from Lincoln has posed a question through the Chair if there is anyone who cares to answer. The Chair recognizes the Representative from Durham, Representative Chace.

Representative **CHACE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I hope not to bring too many points up that haven't already been brought up. I do want to respond to Representative Hanington. He's -- in the world of pharmacy, our Medicaid rates that we receive in the pharmacy, and our contracted PBM rates from Aetna, US Healthcare, Anthem, does not change. They do not care whether our prices -- they don't even -- when we submit our claims to the pharmacy benefit managers, they respond with what our contract price is. So, when minimum wage goes up, there is no increase in the return; none, zero. There's no ability for us to go to any of those payors and pass on an increase due to minimum wage.

I want to say, with all due respect to everybody in the chamber, everyone comes with different experiences. Mine is 37 years in retail pharmacy; 37 years as a retail pharmacy owner and executive at a chain level with significant financial experience, and I can tell you that the former chain, Rite-Aid, that is no longer in this state, you'll see the signs but they're now Walgreens, those 79 Rite-Aids... It's not just the minimum wage increase. We had to increase wages to every single technician in the group, basically, because you have to -- you can't -- somebody that just worked their way up to \$9 an hour is not simply going to sit there at \$10 an hour, after taking two years to get there, and just roll over when the minimum wage goes up. So the highest cost to Rite-Aid was actually in the additional payroll costs to the other existing employees. Secondly, a company like Rite-Aid, we were using technicians as a stepping stone to find out if they were capable of moving on to the next level, of being a shift supervisor or somebody that could be the next, you know, technician supervisor. This is an absolute stepping stone that we've lost, because what companies like this are doing now is, they are constricting. So, I won't hire a 16- to 18-year-old now because I have too -- I can't pay that unless they take on far more responsibilities, and in many cases they can't take on the responsibilities that I need to give them. So, at this point, we're already seeing less 16- to 18-year-olds finding opportunities to get into the market. I got in as a technician at 16 years of age. That's how I started. That wouldn't be possible today. As a hiring pharmacist now for the last eight years, I've interviewed over 7,000 pharmacy graduates for positions. Thirty percent of those candidates are eligible for future consideration of jobs. Those 30% all had childhood job experience at 16 to 18 years of age. The candidates that did not have work experience in that age group were automatically at the bottom of the list of the candidates we were looking for, because when you come into my pharmacy as a pharmacist, I need you to be articulate, I need you to be polite, I need you to be prepared that the people that come into the pharmacy don't want to be there. They're going to yell at you, they're going to scream at you because their insurance card went up. It's not their fault, but I need to make sure they can stand there and take that, and that takes five, six, seven years of customer service. My best hires in the pharmacy are girls that worked at Dairy Queen for six years. There's a particular -- they have a skillset of being able to deal with people in a queuing, responsibility environment that's fast-

paced, and they learned to deal with their fellow human beings and workers and to be able to take that stressor on, and that happens in every rural area. And no disrespect for the Representative from Hudson or Representative Ackley from Monmouth, but we have to slow this down. The rate that this is moving, we're only going to see internet companies come more into play, and watch all these businesses that are going out of business.

Macy's decision to leave the state was made much easier with a mandated minimum wage increase. We're going to find out that our stepping stones for the future of our students, though, our kids... this is huge. This is how they get in the system. I cannot pay a 17-year-old a \$12 an hour wage. They're not worth it. And I don't know if they're capable of doing it. So, the other thing we've done from a management perspective is we've reminded all of our managers, you know what, you would give somebody a six-month or nine-month trial to see if they were just -- needed a little extra encouragement or help to get along. We're not doing that now. Now they've got the 90 days. As an employment-at-will state, if they cannot get to the level that we need, like that, we have to let them go. So, there's a lot more of that taking place. So, Madam Speaker, I apologize for the length of my speech, but this is from reality. I've lived this, I've done this, may God help us all and drop the roof on my head if I'm lying. This is the way it is, and we need to take this seriously. Thank you, Madam Speaker.

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

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. I wanted to respond briefly to Representative Sirocki's question about what we've seen in other Committees about this, and I have to say, in Health and Human Services, I am extraordinarily proud that we're going to give people in the Health and Human Services arena a raise. They deserve it. They work hard. They're people who take care of our most vulnerable people in their homes and as service providers, and they struggle. They need a living wage. They take care of their families, they give to their communities, they travel far distances. These are people that you want to take care of your loved ones, or you, when you get older. But we need to pay them better. So, I'm proud to give them a raise. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Athens, Representative Grignon.

Representative **GRIGNON**: Thank you, Madam Speaker. I've been in the water well business since the mid-80s with my family business. You know, I remember digging ditches by hand for about \$1.75-\$2.00 an hour, never questioned what minimum wage was, I just accepted what my father paid me. Fast forward to now, over time, with employees, understanding their needs, understanding costs and relationships in business, it's easy to say we should just throw money out and give people wage increases, but the direct result of the increased minimum wage has had the opposite effect of a positive outcome. Those in the professional trades, like myself, being water well driller, pump installer, a plumber, a heating technician; they felt this the most. When the government has a sanctioned increase in wages, the result is the trained person's wage gap closes between the person who's untrained. So, the person who is trained is automatically going to defend their argument that they need an increase in wages, because you just had somebody walk in and close a gap of \$2, maybe \$3 an hour. So, this seems to be an unfair advantage for someone that never trained and the person who is trained. The final

result is basic economics. As wages are artificially increased, the public pays through it -- for it. Increased -- so this results in the increased cost of services. This has harsh effects on low-income wage earners and the elderly who have fixed incomes, when you have to pay for needed services to repair their homes, or go down to the pharmacy, or anything. The end game for business owners is simple: run a skeleton crew and get by, adopt technology and automate, or increase the cost of service to the public. I just ask everyone to really think about this when they go to vote for it, because it directly affects all the voters in the State of Maine. Thank you, Madam Speaker.

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

Representative **FECTEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. On November 8, 2016, 420,892 voters, who are indeed our neighbors and our constituents, casted ballots in favor of question four, which proposed to increase the minimum wage to \$12 per hour by 2020, and thereafter adjust it to the consumer price index, otherwise known as CPI. There were 13 counties out of Maine's 16 counties where the yeas outnumbered the nays. There were nine counties that favored then Republican presidential nominee Donald Trump and also favored question four. The increase from \$7.50 per hour to \$12 per hour will result in one in three Mainers receiving a wage increase by 2020. Ninety percent of the workers who would benefit from the increase are over the age of 20. As Coastal Enterprises Inc., CEI, noted at the public hearing on LD 1757, a 2017 report from the University of Massachusetts and the Economic Policy Institute analyzed 137 state minimum wage increases. The study, contrary to theories that raising wages hurts overall employment, concluded that wages of affected workers rose, and the number of jobs for those same affected workers were unchanged over a five-year period.

Madam Speaker, as a result of the voter-approved law, an estimated 63,000 children will benefit from one or both parents getting a raise. One in four workers over the age of 55 will see a wage increase as a result of the voter-approved law. More than one in three single parents will receive an average wage increase of \$3,355 per year as a result of the voter-approved law. 420,892 of our neighbors approved a law that pressed against the tide, and injected a renewed sense that Maine's economy can work for all its people; whether you're an attorney, the person working behind the gas station counter, or the home healthcare worker taking care of our state's seniors. 420,892 of our constituents made it clear. If the Legislature could not pass LD 92 in the 127th Legislature, which increased the minimum wage to \$9 by 2018, then the wait, the long wait for economic fairness was going to end, because they voted. They voted, the people of this state, voted yes on November 8, 2016, and by doing so, Madam Speaker, Mainers increased their wages by 4.7% between 2016 and 2017, the largest increase since the great recession. Employment increased in nearly every sector in 2017 as well. The cost of goods have been increasing for years and wages have not. I know there is an argument that grocery store bills have skyrocketed in a way that is out of step with inflation since the voter-approved law passed. Unfortunately, the US Bureau of Labor Statistics publishes regional data rather than state-specific data.

The SPEAKER: The Representative will defer. The Chair recognizes the Representative from Naples, Representative Cebra, and asks why he rises.

Representative **CEBRA**: Madam Speaker, which bill are we talking about at the moment? I'm a little confused. It seems like we're not on the topic.

On **POINT OF ORDER**, Representative CEBRA of Naples asked the Chair if the remarks of Representative FECTEAU of Biddeford were germane to the pending question.

The SPEAKER: The Chair would answer the Representative from Naples that, as is displayed on the board, we are talking about LD 1757. Through the hour approximately of debate that we've had in this chamber, I have allowed a wide amount of latitude to every member in respect to their positions on this issue, and I will continue to do so.

The Chair advised Representative CEBRA of Naples that the remarks of Representative FECTEAU of Biddeford were germane to the pending question.

The SPEAKER: The Representative from Biddeford should continue.

Representative **FECTEAU**: Thank you, Madam Speaker. Unfortunately, the US Bureau of Labor Statistics publishes regional data rather than state-specific data. Despite claiming grocery store bills have enormously increased, the Maine Department of Labor could not substantiate the claim with data, either, during the work session. However, looking at the regional data, one could conclude that the northeast region is not outpacing other parts of the country in food price increases. In fact, the Ellsworth American published an article last month, which it does, by the way, quarterly, with the average item cost at the Ellsworth Hannaford, Shaws and Walmart, and then compared those costs to the previous quarter averages. In January 2018, compared to October 2017, ground beef decreased by 2 cents, peanut butter decreased by 13 cents, milk increased by 8 cents, white bread decreased by 53 cents, butter increased by 7 cents, eggs increased by 58 cents, and good old, cholesterol-lowering Cheerios remained the same price.

The bottom line here, Madam Speaker, these are real costs. Putting food on the table is a real cost, and for too many people, for too many families, the costs have been increasing and earnings have not followed. We know that deaths have exceeded births since 2010 in our state. We know that by 2024 our workforce is projected to decline by 1%. MIT released a wage calculator that documents what it costs for food, child care, medical, housing, transportation, and miscellaneous expenses per year for each of Maine's 16 counties. Washington County, for example: for a single parent to raise a child and meet the expenses of daily living, that parent would need to earn \$38,946. If that parent worked eight hours a day, five days a week, he or she would need to earn \$22 per hour. If it were a two-adult household with one child, each parent would need to earn \$12 per hour. The point being, stagnant wages will not solve economic woes. Employers need a population to serve, and a workforce to serve it. Those planning to start families need to be able to afford the expenses of doing so. If they can't earn it in Maine, they will earn it somewhere else. We cannot address our economic troubles when, according to the 2010 US Census Bureau data, nearly half of our 16 counties have between 25 to 49% of its residents living in poverty. Impoverished families create barriers to the long-term successes of our small businesses. Study after study concludes an impoverished workforce is a less efficient workforce. Despite the troubles and anxieties Maine families face to meet household expenses, Mainers consistently work more hours on average than those in any other New England state. Nearly 421,000 voters tipped their hat, or in this case cast a favorable ballot to

this hard work, this long work in 2016. There are too many changes in LD 1757 to the voter-approved law, and it's without hesitation that I join those voters and support the motion before us today. Thank you, Madam Speaker.

The SPEAKER: There are three Members in the queue. The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker. I also was not going to address this issue today, but I feel that I must. It's been obvious from the conversations we've heard this morning that some segments of our economy can probably afford the increase in minimum wage, but obviously not everyone can. Merely increasing the minimum wage does not somehow miraculously create an increased or broader market for our products or services. A couple cases in point: A couple days ago, I attended the local Farm Bureau legislative reception, I think several of the members of this body were there with me, and before I left, I asked the representative there, the farmer who was the head of the organization, "Is there anything that I can do for you?" And she said, "The first thing you can do is to support this bill to negate the adverse effects of the minimum wage," and I promised her that I would try to do that.

Secondly, some time ago, I talked to a constituent of mine who ran a bottle redemption center, and he said he and his wife had been working ten years and finally they could afford to hire someone, and now with the increase in the minimum wage they could no longer do that, they'll be forced to close it, and probably they already have. I hope that we all understand the burden that this places on many small business people, and if you don't understand it, please listen to those who do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Madam Speaker, Ladies and Gentlemen of the House, I'm going to tell you what happens when you raise minimum wage. You go from 14 women packing on our packing line to 4 women packing on the packing line, because we put in equipment that now scans the apples for internal bruising, scans the apples for color, scans the apples for size, scans the apples for weight, so that we can afford to pay what little bit we can to compete in the global market. I can tell you what happens when you start increasing the minimum wage when you have to compete in a global market. You have to put in a new cider press that takes five people, men who used to press cider, down to one man pressing cider, for what five men used to produce in a week will produce in an afternoon. That's what happens. You keep it up, you keep going, and they're all going to be replaced by a computer, by something modernized beyond your belief. I love to employ the people of my community. We have been a family that has supported the town of Turner and Green and Leeds, and the surrounding kids have come to our farm to work for years, to pick brush, to help pick drops, to help out on the farm. We now rake our brush with a modernized rake on a tractor, because we can't afford to pick it with the kids, and it deprives these kids, during their February vacation and their April vacation, from coming to the farm and getting a job.

I can tell you what you've done by doing what you're doing, you're putting these kids who really enjoyed it, working at the farm -- you know how many kids come up to me and say, "I can remember working with you, Mr. Timberlake, 20 years ago on the farm and we had so much fun, do you remember doing this?" We're not going to have that anymore, because we have worked, put these kids out of a job. That's what you're

doing. I'm telling you the facts, because I'm living it and every farmer in the State of Maine is living it; and if they can't afford to do what we're doing, their other option is to close the door and go to work somewhere else, and these places are going away. Your scenic views, your scenic vistas, are all going, because the last thing planted on that farm is a house, and once it's there it's gone. Those views you ride by on the hill when you're riding by the field and you look over onto the western mountains? You take these farms, away and trees are growing up, and you're not going to see anything when you drive down that road. Keep it up, folks, and they're all going to be gone. That's a promise. I oppose this, and please join me.

The SPEAKER: The Chair will remind Representatives, and I have not interrupted anybody during their speeches today, but both sides of the aisle have transgressed on this issue of, when you are speaking, please direct your comments towards the Chair. The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, did not plan to rise on this vote this morning, but I do rise in opposition of it. I fully agree that, when the vote was taken, that many of the votes that were cast for the minimum wage referendum vote were people who believed they were going to get a raise in pay and have more money to run their families and take care of their family issues. And that being said, I think what we've seen since this has gone into effect has been a reverse to that feeling, because many of these same people who voted to get a raise, at least in my district, have spoken with me numerous times about, "I thought I was getting a raise but instead I got a cut in hours. I had a full-time job, I got my hours reduced to a part-time employee, I no longer have my benefits, I'm making less money than I was before." And the reason is because the business owner had a choice; raise the prices or cut back on the hours and still be able to sell their product. This is not something that can be taken lightly. This minimum wage issue is something that we have to take head-on and not just let it go the way it is. It's hurting our state, it's hurting our business people, it's putting people out of jobs, and we need to do something about it. We can't just sit on our hands. So, thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker. I, like so many others today, had absolutely no intention of rising, but I feel that I actually must. As a small business employer at a rural but extremely busy property maintenance company in my rural hometown of Lebanon, I am in strong support of this legislation. We are fortunate to be busy at our business by providing services to a lot of municipalities all over York and Cumberland County as well as schools, cutting, mowing, weed whacking and such overall property maintenance services. I know this issue because I live it, and my family lives it, each and every spring when we need to hire our seasonal help. Five years ago, we were fortunate enough to hire a young 17-year-old former student of mine who had, and still does, an amazing, dedicated work ethic. He's been with us all through his high school and now his college years, and we pay him very well. This summer he will actually be earning \$15 an hour, and I think that's a great wage for a student. This hire is a rarity. I'll give you another, more common example of the type of applicants that we unfortunately get. Last year we had one, we hired a teen who didn't even last a week in our company because, in using his words, "It was too hot outside to work." Generally, today's young people simply do not have

the work ethic or commitment to be worth this wage. This wage issue disallows small business owners to raise wages for employees who are worth the higher wage. Thank you.

The SPEAKER: 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. 529

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, Gattine, Golden, Grant, 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, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, 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, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Sherman.

Yes, 81; No, 69; Absent, 1; Excused, 0.

81 having voted in the affirmative and 69 voted in the negative, with 1 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**.

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, March 20, 2018, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Ensure Continued Coverage for Essential Health Care

(H.P. 1015) (L.D. 1476)
(C. "A" H-595)

TABLED - March 15, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

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

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker, Men and Women of the House. I stand out of respect for the thoughtful, bipartisan work of our committees, in

this case the Insurance and Financial Services Committee, where LD 1476 was heard and worked. It was carried over from last year to give it careful consideration, and that's just what happened. I also stand to clarify some key points about the bill.

The title tells the story. It's "An Act To Ensure Continued Coverage for Essential Health Care." This is a bill that provides consistency and access to evidence-based health care, preventative health care, the health care that helps us stay healthy by preventing what is preventable, and by catching illnesses early so that we can receive earlier treatment and better health outcomes. We could lose this protection with the stroke of a pen. This is also a bill that adds no cost to those with insurance, those buying insurance, those selling insurance, or our Maine businesses. It simply provides continuity of our access to preventative health care; the care that Maine families count on, that Maine employers benefit from because of a healthier workforce.

The bill passed in Committee with a unanimous vote and went under the hammer in both the House and Senate. The provisions of this bill, the protection of our access to preventative health care, is good for all Mainers, and I respectfully ask you to vote for -- to override the Chief Executive's veto. Thank you, Madam Speaker.

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: 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. 530V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Golden, Grant, Grohman, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Wadsworth, Ward, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Campbell, Cebra, Craig, Dillingham, Espling, Ginzler, Grignon, Guerin, Haggan, Hanley, Johansen, Lockman, Lyford, O'Connor, Parry, Perkins, Pickett, Reed, Sampson, Sanderson, Simmons, Sirocki, Stetkis, Strom, Sutton, Theriault, Turner, Vachon, Wallace, White, Winsor, Wood.

ABSENT - Fredette, Sherman.

Yes, 115; No, 34; Absent, 2; Excused, 0.

115 having voted in the affirmative and 34 voted in the negative, with 2 being absent, and accordingly the **Veto** was **NOT SUSTAINED**. Sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Define the Age of Consent for Alcohol or Drug Treatment and Mental Health Services"

(H.P. 826) (L.D. 1189)

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HEAD of Bethel
MADIGAN of Waterville
MALABY of Hancock
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-662)** on same Bill.

Signed:

Senator:

HAMPER of Oxford

Representative:

SANDERSON of Chelsea

READ.

On motion of Representative HYMANSON of York, the Majority **Ought Not to Pass** Report was **ACCEPTED** 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-663)** on Bill "An Act To Improve Housing Support in the Bridging Rental Assistance Program"

(H.P. 1193) (L.D. 1713)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

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

READ.

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

Representative ESPLING of New Gloucester **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: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. The BRAP program, this is what this is, it's a traditional and rental subsidy program developed by the Health and Human Services Office of Adult Mental Health Services. And it was established for people with psychiatric disabilities, who are often unable to afford rent or housing of their choice in their community, and so this was created to help them afford that. Under the BRAP program, the program pays 49% of a market rate of a rental in subsidy, to help these folks with mental -- persons with mental illness find housing. What this bill wants to do is align BRAP with the Section 8, which pays for -- which the member is only required to pay about 30% of that housing. Well, as well-intended as this bill is, we've all heard the saying, "no good deed goes unpunished," and unfortunately, should this pass, thinking we're doing a good deed, it won't be us who are punished, but what it will be is the people who the BRAP program is intended to help. Currently we have a wait list under the BRAP program, and under the testimony from Sheldon Wheeler from the Department, he said this will increase the wait list. It could increase the wait list 15-20%, which would be approximately 150-200 people. Right now we have a wait list of approximately 125 people. They are divided into four priorities. You have priority one, and those are the folks with mental illness who are coming out of hospitals and PNMLs. Now, under them, there is no wait list; however, under priority two, three, and four, two being homelessness, three being subsidized -- substandard housing, and priority four, those are folks with mental illness who are coming out of our prisons and jails, those folks are who are on the wait list. By adding extra money onto this and by changing that, what we will be doing is we will be probably creating an even longer wait list. That is absolutely what we don't want to do for these people with mental illness who are coming back into the community, who live in substandard housing and need better housing, who through their mental illness have probably been incarcerated in our corrections systems and now they're getting out. Having a good home and stability in our community is one of the best things that we can do for some of these folks. I urge you to vote no on this motion. Keep the wait list low, and help the folks in our communities. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Madam Speaker. I rise in support of the pending motion, and as the sponsor of this bill, I want to provide perhaps a little bit more detail and clarification to some of the things that my friend the Representative from Chelsea just said.

I brought this bill based on circumstances that are happening out in the community with respect to providing safe and affordable housing for people with mental illness, and providing those people the best opportunity to live safely in the community, as they deserve and I think as all of us desire. The BRAP program is a state-funded housing voucher program that currently requires people receiving the vouchers to pay 51% of their income towards their rent. So, unlike Section 8 housing, federally funded, which has got some similarities, Section 8 requires people to only pay 30% of their income for housing. BRAP requires people to pay 51%, an extraordinarily high amount given the fact that most of these people are people of very low incomes already. So, the fact of the matter is, because that threshold is so high, that people who are providing housing to people under the BRAP program, Madam Speaker, are seeing a higher incidence of those people failing as they live in the community; more so than under Section 8, more so than under other housing programs focusing on people with mental illness. So, what this bill does is it brings the amount -- that threshold for BRAP down to the same as Section 8. So, Section 8 would have a 30% requirement, BRAP would have a 30% requirement.

The testimony from the Department about increasing the wait list was the original version of the bill, which did not contain an appropriation. So, the version of the bill amended by the Committee, that is now before the body, contains an appropriation designed so that the wait list will not increase. I think this is a good bill. I think we all care about providing supports for people with mental illness so that they can thrive in the community, live complete lives as they deserve, live safely; and that's why I think that this bill is important, and I hope that people will support it this morning -- this afternoon. Thank you, Madam Speaker.

The SPEAKER: 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. 531

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, 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 T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

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

ABSENT - Campbell, DeChant, Fecteau, Fredette, Frey, Harlow, Sherman.

Yes, 76; No, 68; Absent, 7; Excused, 0.

76 having voted in the affirmative and 68 voted in the negative, with 7 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-663)** 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-663)** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "C" (H-660)** on Bill "An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits"

(H.P. 446) (L.D. 630)

Signed:

Senators:

CYRWAY of Kennebec
CARPENTER of Aroostook
WOODSOME of York

Representatives:

DUCHESNE of Hudson
ALLEY of Beals
LYFORD of Eddington
MASON of Lisbon
NADEAU of Winslow
REED of Carmel
STEARNS of Guilford
THERIAULT of China
WOOD of Greene

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "D" (H-661)** on same Bill.

Signed:

Representative:

HARLOW of Portland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "C" (H-660)** 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 "C" (H-660)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-657)** on Resolve, Directing an Independent, Nonpartisan, Objective Evaluation of the Provision of Indigent Legal Services (EMERGENCY)

(H.P. 1257) (L.D. 1812)

Signed:

Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
GUERIN of Glenburn
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:

Representatives:

BRADSTREET of Vassalboro
JOHANSEN of Monticello

READ.

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

The Resolve was **READ ONCE. Committee Amendment "A" (H-657)** 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-657)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Expand Job Opportunities for People Working in Maine"

(H.P. 1203) (L.D. 1723)

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-654)** on same Bill.

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
TEPLER of Topsham

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide a Source of Revenue To Preserve the Integrity of Maine's Transportation Infrastructure"

(H.P. 1219) (L.D. 1765)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York

Representatives:

TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
STANLEY of Medway
TEPLER of Topsham
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-659)** on same Bill.

Signed:

Senator:

CUSHING of Penobscot

Representative:

POULIOT of Augusta

READ.

On motion of Representative TIPPING of Orono, the Majority **Ought Not to Pass** Report was **ACCEPTED** 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-665)** on Bill "An Act To Transfer Funds to the Maine Clean Election Fund To Provide Adequate Funding for Maine Clean Election Fund Candidates"

(H.P. 1226) (L.D. 1780)

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

LUCHINI of Ellsworth
HANINGTON of Lincoln
HICKMAN of Winthrop

LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

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

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

DILLINGHAM of Oxford
FARRIN of Norridgewock
WHITE of Washburn

READ.

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

Representative ESPLING of New Gloucester **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**: 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. 532

YEA - Ackley, Alley, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kurniega, 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, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

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

ABSENT - Austin B, DeChant, Fecteau, Fredette, Frey, Harlow, Harvell, Sherman.

Yes, 76; No, 67; Absent, 8; Excused, 0.

76 having voted in the affirmative and 67 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-665)** 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-665)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 639) (L.D. 1740) Bill "An Act To Establish the Crimes of Criminal Forced Labor and Aggravated Criminal Forced Labor in the Maine Criminal Code" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-385)**

(S.P. 645) (L.D. 1746) Bill "An Act To Ensure That Low-income Residents of the State Have Access to Telephone Services" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-390)**

(S.P. 650) (L.D. 1751) Bill "An Act Regarding the Victims' Compensation Fund" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-386)**

(S.P. 695) (L.D. 1842) Bill "An Act To Require Education and Training Regarding Harassment for Legislators, Legislative Staff and Lobbyists" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-387)**

(H.P. 1260) (L.D. 1818) Resolve, To Designate a Bridge in Gorham the Corporal Joshua P. Barron Memorial Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1145) (L.D. 1660) Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-655)**

(H.P. 1188) (L.D. 1708) Bill "An Act To Allow Qualifying Medicaid Recipients To Hire Relatives and Legal Guardians for Consumer-directed Attendant Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-664)**

(H.P. 1258) (L.D. 1813) Bill "An Act To Establish as a Class D Crime the Intentional Photographing of a Minor without Consent of the Minor's Parent or Guardian by an Individual Required To Register as a Sex Offender" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-656)**

(H.P. 1293) (L.D. 1855) Bill "An Act To Fund the Reorganization of the Department of Public Safety, State Bureau of Identification" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-658)**

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

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

ENACTORS

Emergency Measure

An Act To Authorize Regional Medical Control Committees To Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement

(S.P. 634) (L.D. 1735)
(S. "A" S-384 to C. "A" S-383)

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. 113 voted in favor of the same and 11 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Termination of the Authority To Issue a Permit for a Noise Suppression Device on a Firearm for Hunting

(H.P. 1266) (L.D. 1824)
(C. "A" H-639)

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. 114 voted in favor of the same and 8 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Allow Cash Prizes for Certain Raffles Conducted by Charitable Organizations

(S.P. 689) (L.D. 1837)
(C. "A" S-378)

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. 124 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 11.14: Atlantic Sea Scallop Limited Entry Program, a Major Substantive Rule of the Department of Marine Resources

(H.P. 1221) (L.D. 1767)
(C. "A" H-632)

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. 118 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 101: ConnectME Authority, a Major Substantive Rule of the ConnectME Authority

(H.P. 1243) (L.D. 1798)
(C. "A" H-633)

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. 112 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Increases in Reimbursement Rates for Certain Children's Habilitative Services under MaineCare

(H.P. 1262) (L.D. 1820)
(C. "A" H-642)

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. 120 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Create the Substance Use Disorders Cabinet

(H.P. 73) (L.D. 105)
(C. "A" H-645)

An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law

(S.P. 130) (L.D. 389)
(C. "A" S-362)

An Act To Establish the Maine Coastal Risks and Hazards Commission

(H.P. 769) (L.D. 1095)
(C. "A" H-625)

An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine

(S.P. 383) (L.D. 1162)
(C. "A" S-380)

An Act To Ensure Patient Protections in the Health Insurance Laws

(S.P. 431) (L.D. 1279)
(C. "A" S-377)

An Act To Lower the Costs of Broadband Service by Coordinating the Installation of Broadband Infrastructure

(H.P. 1011) (L.D. 1472)
(C. "A" H-643)

An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce

(S.P. 521) (L.D. 1492)
(C. "B" S-368)

An Act To Reduce Food Waste in Maine

(H.P. 1054) (L.D. 1534)
(C. "A" H-634)

An Act To Maintain Access to Property on Discontinued Roads

(H.P. 1092) (L.D. 1588)
(C. "A" H-646)

An Act To Authorize the Commissioner of Marine Resources To Limit the Number of Shrimp Licenses That May Be Used in Certain Seasons

(S.P. 609) (L.D. 1652)
(C. "A" S-376)

An Act To Preserve Medication Management for Persons with Mental Health Needs

(S.P. 636) (L.D. 1737)
(C. "A" S-379)

An Act To Continue the Maine Lobster Marketing Collaborative

(H.P. 1236) (L.D. 1791)
(C. "A" H-640)

An Act To Amend the Maine Uniform Trust Code Regarding Reporting by Trustees and the Duties of Trustees to Settlers

(H.P. 1269) (L.D. 1827)
(C. "A" H-636)

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

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 Tuesday, March 20, 2018, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Phyllis McDonough, of Portland

(HLS 889)

TABLED - February 13, 2018 (Till Later Today) by Representative GRANT of Gardiner.

PENDING - **PASSAGE**.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

Bill "An Act To Restore Maine's School-based Health Centers" (EMERGENCY)

(H.P. 1190) (L.D. 1710)

TABLED - March 15, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-635)**.

Representative HANDY of Lewiston **PRESENTED House Amendment "A" (H-667) to Committee Amendment "A" (H-635)**, which was **READ** by the Clerk.

The SPEAKER: The Representative may proceed.

Representative **HANDY**: Thank you, Madam Speaker, Members of the House. This amendment removes the emergency on the bill. Thank you.

Subsequently, **House Amendment "A" (H-667) to Committee Amendment "A" (H-635)** was **ADOPTED**.

Committee Amendment "A" (H-635) as Amended by House Amendment "A" (H-667) thereto was **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-635) as Amended by House Amendment "A" (H-667)** thereto and sent for concurrence.

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

An Act To Modernize and Improve Maine's Property Tax System (MANDATE)

(H.P. 1018) (L.D. 1479)
(C. "A" H-624)

TABLED - March 20, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **PASSAGE TO BE ENACTED**.

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

Representative **TIPPING**: Thank you, Madam Speaker, Madam Speaker, Ladies and Gentlemen of the House, we didn't get a chance to discuss this on the floor when we voted on this bill last -- two days ago, and I just wanted to make sure the Chamber was aware of what this bill is.

This bill is an attempt to make this state a better state for business. I'm going to quote a couple pieces of testimony here, but -- the first is from a tax specialist who worked on creating this bill in the first place, and it speaks to where this bill came from. "The ideas reflected in LD 1479 grew out of the pulp and paper summit that took place in 2015 and was attended by 250 people, including many Legislators, concerned about the decline of this industry in Maine. The summit was focused on how to help Maine's paper industry survive into the future. Many of the problems discussed at the summit, such as energy costs, are complicated and will take years to fix. Maine's property tax system was discussed at the summit, and in comparison with some of the other issues, it was felt that these issues were relatively easy to tackle." Now, the sponsor of this bill, the Representative from Medway, and some of the proponents of this bill found it wasn't quite as easy to tackle as they thought. Although people from Sappi, Verso, a natural gas company, all came in support of this bill, there was opposition at the public hearing, which led to the Committee asking for this bill to be carried over, and the opponents and the proponents to work together. What happened was the thing that every one of us hopes will happen when we ask groups to work out their differences and come back to us. They came back to us with a compromise that moves the ball forward on making this state a better place to do business for large industrial facilities, while also respecting municipalities. This reason this has a mandate is that there are small changes for how municipalities act with large industrial customers -- companies, but the part of the language that cues the mandate was actually written by the municipalities that will carry out this mandate. I was surprised at the vote two days ago, because, at its essence, this bill makes Maine a better place to do business. So, Madam Speaker, I hope you join me and the unanimous vote of the House Members on this Committee in supporting this legislation, helping it move forward. Thank you.

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

Representative **STANLEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a bill that deals with the State Board of Property Tax Review, which is the final stage you do if you have a lot of property or a lot of valuation, and it deals with the sales approach, the income approach, and the cost approach to value, and how these are determined. And under this scenario, this amendment, or law now, or whatever you want to call it, there's a true and perfect list. They've been looked at, and the process has been changed a little bit so that a business can put their true and perfect list in and it'll look different. There's also the confidentiality restrictions that a lot of times goes with an appeal process in one of these big major cases -- you know,

big valuation places. And what it does, it allows the confidential information to be distributed, but just to the people that are involved with the process of how we're doing it, and it's not revealed to the public, because a lot of times there are proprietary issues that companies do not want them -- people to know about. And the other thing is, it's going to add a public figure, member to the Board of Property Tax Review, which has expertise in taxation, financial or property valuation matters; and that's... is very important, because you want people to know a little bit about a lot of different subjects on this board, to be able to do things that can be done so that the information that's provided by the taxpayer and by the municipality is out there and people can deal with it.

And it also has a mediation process. Before, there was so much process to this that it was very costly, not only to the business, but also the municipality. And what's going on now, we have a mediation process that will go take place here that can solve -- maybe solve this before it goes to the Board of Property Tax Review, or before it goes to the State Supreme Court. It also would serve as a task force to restructure and improve the efficiency of the State Board of Property Tax Review, and its duties are to study, assess, and evaluate the process of, and duties assigned to, the State Board of Property Tax Assessors... State Property Tax Review. Because one of the problems we have is, we have processes in place or procedures in place that cost a lot of money, not only to the municipality, but also to the business, and if we can help that out, we're helping both the municipality and we're helping both -- the business. And, I'll tell you, what we have is basically large businesses. This deals with large businesses, it doesn't deal with little mom and pop places, it deals with large, big corporations that have big valuations. And, like I said, we use the cost approach, the sales approach, or the income approach, and all these different values are depending on how you want to look at it; and if you have a cost approach, then you're going to use a true and perfect list, and if you're going to use the income approach, then you got to have all this confidential information to look at, to see where you stand as far as your value of your business is, and how you should be taxed. So, this is basically a win-win for the businesses and also for the municipalities and, like the Representative from Orono previously mentioned, that we had a bunch of people that got together -- assessors, businesspeople, and municipal officials -- sat down, and this is what they came up with. It's not nothing we just came up out of the spur of our minds, it was professional people that dealt with this all the time. And the process is that we should be helping businesses and helping municipalities, because we have a property tax problem in this state, if nobody realizes that yet; because the things we have to do are the little things like this, to improve upon the system that we have, to make the property tax system better for not just the people that are being assessed a tax, but also for the municipality that's assessing the tax. And, to me, this is something going in the right direction for both parties involved, because we're all in this together, and what's good for one side is good for the other. And the other thing is - I was a selectman, I became a certified tax assessing technician back 30 years ago, and I don't do it no more because of this, but the thing is, I learned, as being a selectman, the most valuable thing that I could ever have learned was about valuation. Valuation is the key to that mill rate, and how you determine that valuation determines how that mill rate goes. And that's why I think this is a very important step in the right direction, because valuation is the name of the game; and we talk about property taxes rising,

we've talked about this and all that stuff, but I'll tell you what, the more you know about valuation and how it's determined and how it goes, the better off not only you're going to be, but better off your whole community is going to be; because I tell you what, that determines where you are, and by determining where you are makes it better for not just you but the citizens. They know that everybody is being assessed fair and wise, and taxed right, you know, whether how much you spend or not, that's irrelevant, that's up to the city council and things like that; but the valuation is the key to what we have to be looking at in property taxes. So, with that, I'm not going to say no more, but I want to thank you, Madam Speaker, for allowing me the opportunity to speak on this.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I concur with my good friends from Orono and Medway. These groups actually got together to fix this bill, and it's supported by Maine Municipal Association, the pulp and paper industry, and also the business community through the State Chamber of Commerce.

All this bill does, in its simple form, is it has the assessor meet with the taxpayer to see if they can resolve the property tax dispute before the business or entity has to spend tens of thousands of dollars going to Superior Court. There should be no additional cost for the municipality, because the assessor is already supposed to be at the mercy of the taxpayer. Again, the Maine Municipal Association, the business community, pulp and paper, all agree on this. The study was agreed to, the study examines the efficiency and the structure of the board. There's no one with any business or financial expertise currently on the board. The per diem that the board is paid is lower than other boards, and it's not enough to attract the qualified candidates that need to be attracted. There's too many board vacancies. This study was a compromise, again. It's going to enable exploration and implementation of the best practices for the board. Madam Speaker, I ask that the Clerk read the Committee Report. Thank you.

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Chace.

Representative **CHACE**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **CHACE**: I'm reading through the testimony again, and Maine Municipal Association was strongly against this bill, so I'm wondering if and when that changed after amendment creation, if that's what took place. Thank you.

The SPEAKER: The Chair recognizes -- well, the Representative from Durham has posed a question through the Chair. The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Yes, Madam Speaker. I would like to thank the member for asking the question. We actually asked that the parties get together and work in the off session, and we brought this bill back this year, and they came up with a work group amendment, which is what we're currently voting on. They -- both groups gave testimony while presenting the amendment, saying they were in support of it.

In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in

favor of the same and 25 against, and accordingly the Mandate was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS

The following Joint Order: (S.P. 716)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, March 27, 2018 at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

Bill "An Act To Amend the Maine Life and Health Insurance Guaranty Association Act"

(S.P. 718) (L.D. 1875)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Beebe-Center.

Representative **BEEBE-CENTER**: Madam Speaker, I request unanimous consent address the House on the record.

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed.

Representative **BEEBE-CENTER**: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, in reference to Roll Call No. 527V on LD 1725, had I been present I would have voted yea.

The SPEAKER: The record shall so reflect.

Non-Concurrent Matter

Bill "An Act To Expand the Areas Subject to Municipal Residency Restrictions for Sex Offenders"

(H.P. 1309) (L.D. 1877)

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on March 22, 2018.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

On motion of Representative McLEAN of Gorham, the House adjourned at 1:08 p.m., until 10:00 a.m., Tuesday, March 27, 2018, pursuant to the Joint Order (S.P. 716) and in honor and lasting tribute to Henry J. Laviolette, of Lebanon.