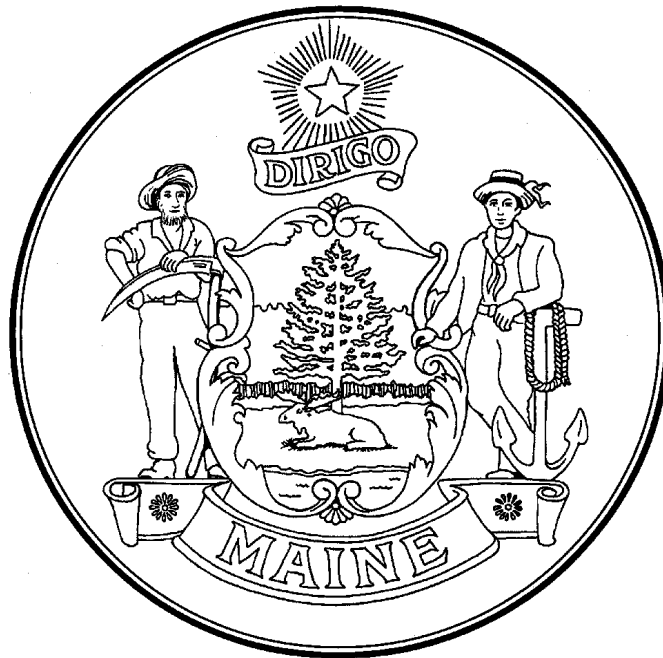


# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**  
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE  
FIRST REGULAR SESSION  
29th Legislative Day  
Thursday, April 11, 2019

The Following Communication: (H.C. 143)  
**STATE OF MAINE**  
**OFFICE OF THE STATE AUDITOR**  
**66 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0066**  
**Letter of Transmittal**

The Speaker resumed the Chair.  
The House met according to adjournment and was called to order by the Speaker.  
Prayer by Dr. Gary Winn, Messiah Christian Church, Wells.  
National Anthem by Dr. Gary Winn, Arundel.  
Pledge of Allegiance.  
Doctor of the day, Gary Winn, D.O., Arundel.  
The Journal of Thursday, April 4, 2019 was read and approved.

Honorable Troy D. Jackson  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House of Representatives  
Honorable Janet T. Mills  
Governor of Maine  
I am pleased to submit the Single Audit of the State of Maine for the fiscal year ended June 30, 2018. The audit was conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States; the requirements of the Single Audit Act Amendments of 1996; and Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our audit complies with 5 MRSA §243 and is also a prerequisite for the receipt of federal financial assistance. During fiscal year 2018, \$3.1 billion in federal financial assistance was received by the State of Maine.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.  
Representative **RUDNICKI**: Thank you, Madam Speaker. I would like to speak on the record.

This document contains the following reports and schedules:

The SPEAKER: The Representative from Fairfield has requested permission to speak on the record. Hearing no objection, the Representative may proceed on the record.

Representative **RUDNICKI**: Thank you, Madam Speaker. The Lawrence boys' basketball team is here today. They are the 2019 Class A Northern Maine champions. These young men started the season with an 0-4 record but ended the season with a 10-4 record, in fourth place, to go on to win the Northern Maine Championship. This is the first regional title since 1999 that Lawrence High School boys have won. So these are a very impressive group of young men and along with their coach, Jason Pellerin, they're in the gallery today and I want to just thank them for being here.

- Independent Auditor's Report
- Basic Financial Statements, Management's Discussion and Analysis, Notes to Financial Statements, and Required Supplementary Information
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements performed in accordance with *Government Auditing Standards*
- Independent Auditor's Report on Compliance for Each Major Program and on Internal Control over Compliance Required by the Uniform Guidance
- Schedule of Expenditures of Federal Awards
- Schedule of Findings and Questioned Costs
- Financial Statement Findings
- Indexes to Federal Program Findings
- Federal Findings and Questioned Costs
- Corrective Action Plan
- Summary Schedule of Prior Audit Findings

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

On behalf of the Office of the State Auditor, I thank employees throughout Maine Government who assisted us during the audit.

Please contact me if you have questions or comments about the 2018 Single Audit of the State of Maine.

Respectfully submitted,  
S/Pola A. Buckley  
State Auditor  
March 29, 2019

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

**COMMUNICATIONS**

The Following Communication: (H.C. 148)  
**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**SPEAKER'S OFFICE**  
**AUGUSTA, MAINE 04333-0002**

April 9, 2019  
Honorable Robert Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Hunt,  
Pursuant to my authority under Title 3, MRSA, Ch. 1, §2B, I am pleased to appoint the following people to the State Compensation Commission, effective immediately:

Kay Rand of Bar Harbor  
Timothy Schneider of Falmouth  
If you have any questions, please don't hesitate to contact my office.

Sincerely,  
S/Sara Gideon  
Speaker of the House

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

The Following Communication: (H.C. 144)  
**STATE OF MAINE**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0002**

April 11, 2019  
Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Education and Cultural Affairs has approved the request by the sponsor, Representative Talbot Ross of Portland, to report the following "Leave to Withdraw:"

L.D. 760 An Act To Prohibit the University of Maine System, the Maine Community College System and the Maine Maritime Academy from Considering the Criminal Records of Applicants

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Representative Pierce of Falmouth, to report the following "Leave to Withdraw:"

L.D. 462 An Act To Provide Paid Family Leave to Public School Employees

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Representative Higgins of Dover-Foxcroft, to report the following "Leave to Withdraw:"

L.D. 422 Resolve, Directing the Department of Transportation To Increase the Number of Signs on the Mt. Katahdin Trail

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Representative Pebworth of Blue Hill, to report the following "Leave to Withdraw:"

L.D. 1335 An Act To Require the Department of Transportation To Place Official Business Directional Signs at Certain Intersections

Sincerely,  
S/Robert B. Hunt  
Clerk of the House

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

The Following Communication: (H.C. 145)

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

April 11, 2019  
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. 449 An Act To Impose a Mandatory Sentence for the Crime of Aggravated Unlawful Operation of a Methamphetamine Laboratory

L.D. 974 An Act To Amend the Penalties for Engaging in Prostitution

L.D. 1018 Resolve, To Review the Laws Governing the Enforcement of Protection from Abuse Orders

Education and Cultural Affairs

L.D. 664 An Act To Organize Biannual County Meetings for Local School Boards

L.D. 729 An Act Regarding the Probationary Period for Teachers

L.D. 979 An Act To Provide Consistent Data Regarding Education Funding  
Environment and Natural Resources

L.D. 818 An Act To Reduce Greenhouse Gas Emissions (EMERGENCY)

L.D. 975 Resolve, Directing the Department of Environmental Protection To Review and Update Its Report on Emissions from Marine Vessels

Health Coverage, Insurance and Financial Services

L.D. 66 An Act To Prohibit Hospitals from Discussing Alternative Payment Options with Hospitalized Patients

L.D. 884 An Act To Repeal the Board of Licensing of Dietetic Practice

L.D. 943 An Act To Allow Laser Spine Surgery in the State

L.D. 1082 An Act To Provide for Alternative Pain Treatment before Treatment with Opioids

Inland Fisheries and Wildlife

L.D. 891 An Act To Preserve Maine's Heritage by Expanding Maine Youth Hunting

L.D. 1179 An Act To Expand Coyote Hunting to Every Day of the Coyote Hunting Season and To Eliminate Fees

Labor and Housing

L.D. 584 An Act To Convert Stipends to Base Pay for Child Protective Workers

L.D. 670 An Act To Increase the Minimum Wage for Large Employers

L.D. 1008 An Act To Include State Employee Stipends as Earnable Compensation

L.D. 1107 An Act To Promote Workforce Development and Community Integration

Marine Resources

L.D. 914 An Act To Enhance the Recruitment and Retention of Marine Patrol Sergeants

L.D. 1241 An Act To Improve Survival Rates of Salmon and Other Migratory Fish Transitioning from Freshwater to Saltwater Environments

L.D. 1286 An Act To Allow the Deposition of Oyster Shell Culch To Ameliorate Ocean and Coastal Acidification

State and Local Government

L.D. 144 An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone

L.D. 730 An Act To Create the Substance Use Disorders Cabinet

L.D. 928 An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature

Taxation

L.D. 6 An Act To Amend the Laws Governing the Home Accessibility Tax Credit

L.D. 118 An Act To Direct Vehicle Excise Tax Revenue for Local Transportation Infrastructure

L.D. 119 An Act To Base the Motor Vehicle Excise Tax on the Sale Price

L.D. 483 An Act To Improve the Maine Seed Capital Tax Credit Program

L.D. 561 An Act To Exempt from Taxation Certain Out-of-state Pensions

- L.D. 604 An Act To Create an Electric Vehicle Tax Credit
- L.D. 824 An Act To Allow a Municipality To Opt Out of Collecting Personal Property and Business Equipment Taxes
- L.D. 1031 An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value
- Transportation
- L.D. 108 An Act To Protect Historic Places and Structures on the Federal Aid Highway System
- L.D. 436 Resolve, Directing the Secretary of State To Review Standards for Vision Tests
- L.D. 478 An Act To Allow All-terrain Vehicles To Be Used on a Public Way
- L.D. 526 An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors
- L.D. 668 Resolve, Directing the Department of Transportation To Convene a Work Group To Study Improving Traffic Safety for Colorblind Drivers
- L.D. 707 An Act To Require the Clearing of Vegetation along Roads
- L.D. 783 Resolve, To Require an Independent Analysis of the Department of Transportation's I-395/Route 9 Connector Project (EMERGENCY)
- L.D. 826 An Act Regarding Motor Vehicle Registration Plate Numbers
- L.D. 850 Resolve, Directing the Department of Transportation To Erect Signs on Interstate 95 in Island Falls

Sincerely,  
S/Robert B. Hunt  
Clerk of House

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

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

---

The Following Communication: (H.C. 147)

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

April 11, 2019

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

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:

On March 29, 2019

Lisette Belanger of Portland and Michael Pulsifer of Cape Elizabeth to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Barbara Trafton of Brunswick for appointment to the Land for Maine's Future Board.

Pursuant to Title 5, MRSA §6204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,  
S/Sara Gideon  
Speaker of the House

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

---

The Following Communication: (H.C. 146)  
**MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL**

April 4, 2019  
Honorable Sara Gideon  
Speaker of the House  
129th Maine Legislature  
Augusta, Maine 04333  
Dear Speaker Gideon:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Somerset County Commissioners on April 3, 2019:

Gwendolyn Hilton of Starks

The County asks that this nomination be considered to fill the four-year term that begins July 29, 2019. This position is scheduled to be filled by Somerset County.

Pursuant to 12 MRSA 683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,  
S/Grant T. Pennoyer  
Executive Director

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Establish a Fund for Portions of the Operations and Outreach Activities of the University of Maine Cooperative Extension Diagnostic and Research Laboratory and To Increase Statewide Enforcement of Pesticide Use"

(H.P. 1111) (L.D. 1518)

Sponsored by Representative STANLEY of Medway.

Bill "An Act To Establish the Maine Food System Investment Program To Create Quality Jobs and Support Farms, Fisheries and Food-related Businesses"

(H.P. 1114) (L.D. 1531)

Sponsored by Representative TALBOT ROSS of Portland.

Cosponsored by Senator MOORE of Washington and Representatives: HICKMAN of Winthrop, JAVNER of Chester, MAXMIN of Nobleboro, O'CONNOR of Berwick, O'NEIL of Saco, PLUECKER of Warren, ROBERTS-LOVELL of South Berwick, Senator: DILL of Penobscot.

Bill "An Act Concerning Timber Harvesting on Public Lands and in State Parks, Historic Sites and the Restricted Zone of the Allagash Wilderness Waterway"

(H.P. 1123) (L.D. 1540)

Sponsored by Representative DUNPHY of Old Town.

Cosponsored by Senator DILL of Penobscot and Representatives: HICKMAN of Winthrop, MAXMIN of

Nobleboro, O'NEIL of Saco, PLUECKER of Warren, Senators: BLACK of Franklin, DAVIS of Piscataquis.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.  
Sent for concurrence.

---

Bill "An Act To Amend Maine Fireworks Laws To Include Flame Effects"

(H.P. 1117) (L.D. 1534)

Sponsored by Representative WARREN of Hallowell.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.  
Sent for concurrence.

---

Bill "An Act Regarding Compensation Equity for Positions in the Maine Community College System"

(H.P. 1121) (L.D. 1538)

Sponsored by Representative DAUGHTRY of Brunswick.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.  
Sent for concurrence.

---

Bill "An Act To Allow a Municipality To Choose Its Power Provider"

(H.P. 1125) (L.D. 1542)

Sponsored by Representative DENK of Kennebunk.

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

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.  
Sent for concurrence.

---

Bill "An Act To Eliminate Single-use Plastic Carry-out Bags"

(H.P. 1115) (L.D. 1532)

Sponsored by Representative STOVER of Boothbay.

Cosponsored by Representatives: GROHOSKI of Ellsworth, McCREA of Fort Fairfield and Representatives: BABINE of Scarborough, BRENNAN of Portland, GRAMLICH of Old Orchard Beach, MAREAN of Hollis, McDONALD of Stonington, MEYER of Eliot, O'NEIL of Saco, Senator: SANBORN, L. of Cumberland.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.  
Sent for concurrence.

---

Bill "An Act Regarding Persons Who Are Found Not Criminally Responsible and Are Sent out of State for Treatment"

(H.P. 1105) (L.D. 1512)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator BREEN of Cumberland and Representatives: McCREIGHT of Harpswell, O'CONNOR of Berwick, TALBOT ROSS of Portland, WARREN of Hallowell, Senator: SANBORN, L. of Cumberland.

Bill "An Act To Provide Maine Children Access to Affordable Health Care"

(H.P. 1122) (L.D. 1539)

Sponsored by Representative CARNEY of Cape Elizabeth.

Cosponsored by Senator MILLETT of Cumberland and Representatives: CUDDY of Winterport, FARNSWORTH of Portland, GATTINE of Westbrook, HANINGTON of Lincoln, MILLETT of Waterford, Senators: BREEN of Cumberland, CLAXTON of Androscoggin, SANBORN, L. of Cumberland.

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 Clarify Fishing Laws between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources as They Relate to Striped Bass in Inland Waters"

(H.P. 1126) (L.D. 1551)

Sponsored by Representative NADEAU of Winslow.

Cosponsored by Senator DILL of Penobscot and Representatives: FAY of Raymond, MARTIN of Sinclair, MASON of Lisbon, ORDWAY of Standish, PAULHUS of Bath, STEARNS of Guilford, THERIAULT of China, Senator: DAVIS of Piscataquis.

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.  
Sent for concurrence.

---

Bill "An Act To Improve Efficiency in Communication in the Court System" (EMERGENCY)

(H.P. 1109) (L.D. 1516)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Senator SANBORN, L. of Cumberland and Representatives: BAILEY of Saco, DUNPHY of Old Town, GATTINE of Westbrook, TALBOT ROSS of Portland, WARREN of Hallowell, Senators: GUERIN of Penobscot, KEIM of Oxford, LAWRENCE of York.

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed.  
Sent for concurrence.

---

Bill "An Act Concerning Nondisclosure Agreements in Employment"

(H.P. 1112) (L.D. 1529)

Sponsored by Representative HARNETT of Gardiner.

Cosponsored by Senator BELLOWS of Kennebec and Representatives: CARDONE of Bangor, MADIGAN of Waterville, PEBWORTH of Blue Hill, RECKITT of South Portland, WARREN of Hallowell, Senator: CARPENTER of Aroostook.

Bill "An Act To Increase the Portion of Retirement Benefits to Which the Cost-of-living Adjustment Applies"

(H.P. 1120) (L.D. 1537)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by President JACKSON of Aroostook and Representatives: DUNPHY of Old Town, GATTINE of Westbrook, PIERCE of Falmouth, Senator: BREEN of Cumberland.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

**REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent for concurrence.

---

Bill "An Act To Improve Enforcement in the Elver Fishery"

(H.P. 1107) (L.D. 1514)

Sponsored by Representative McCREIGHT of Harpswell.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws"

(H.P. 1127) (L.D. 1552)

Sponsored by Representative ALLEY of Beals.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Committee on **MARINE RESOURCES** suggested and ordered printed.

**REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent for concurrence.

---

Bill "An Act To Facilitate the Deployment of Small Wireless Facilities in Maine"

(H.P. 1110) (L.D. 1517)

Sponsored by Representative PIERCE of Falmouth.

Cosponsored by Senator BREEN of Cumberland and Representatives: JORGENSEN of Portland, KESCHL of Belgrade, WADSWORTH of Hiram.

Bill "An Act To Require Municipalities To Maintain Access on Public Rights-of-way"

(H.P. 1119) (L.D. 1536)

Sponsored by Representative KESCHL of Belgrade.

Bill "An Act To Establish 'Ballad of the 20th Maine' as the Official State Ballad"

(H.P. 1124) (L.D. 1541)

Sponsored by Representative CUDDY of Winterport.

Cosponsored by Representatives: ALLEY of Beals, FAY of Raymond.

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

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.

Bill "An Act To Expand Incentives To Live and Work in Maine through a Tax Credit for Certain Student Loans"

(H.P. 1113) (L.D. 1530)

Sponsored by Representative BABBIDGE of Kennebec.

Cosponsored by Senator CLAXTON of Androscoggin and Representatives: CROCKETT of Portland, HANDY of Lewiston, MATLACK of St. George, McLEAN of Gorham, PEBWORTH of Blue Hill, TERRY of Gorham, TUCKER of Brunswick, ZEIGLER of Montville.

Committee on **TAXATION** suggested.

The Bill was **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**, ordered printed and sent for concurrence.

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Bill "An Act To Amend the Date by Which an Applicant for Funds under the Local Road Assistance Program Must Provide Certification to the Department of Transportation"

(H.P. 1106) (L.D. 1513)

Sponsored by Representative McLEAN of Gorham.

Cosponsored by Senator DIAMOND of Cumberland.

Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act To Eliminate Registration Plate Decals"

(H.P. 1116) (L.D. 1533)

Sponsored by Representative McLEAN of Gorham.

Submitted by the Secretary of State pursuant to Joint Rule 204.

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

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

Sent for concurrence.

---

Bill "An Act To Allow Sports Wagering in Maine"

(H.P. 1108) (L.D. 1515)

Sponsored by Representative WHITE of Washburn.

Cosponsored by Senator FARRIN of Somerset and Representatives: COLLINGS of Portland, GRIGNON of Athens, O'CONNOR of Berwick, ORDDAY of Standish, STROM of Pittsfield, Senators: President JACKSON of Aroostook, LUCHINI of Hancock.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

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#### ORDERS

On motion of Representative FARNSWORTH of Portland, the following Joint Resolution: (H.P. 1104) (Cosponsored by Senator MILLETT of Cumberland and Representatives: BLUME of York, COREY of Windham, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, GRIFFIN of Levant, MAREAN of Hollis, RUDNICKI of Fairfield)

#### JOINT RESOLUTION RECOGNIZING APRIL 2019 AS AUTISM AWARENESS MONTH

WHEREAS, autism is a spectrum disorder, which means no 2 people with autism are affected the same way, and it is a complex developmental disability that usually appears during the first 3 years of life and results in a neurological disorder that affects the functioning of the brain and social interaction and communication skills; and

WHEREAS, in the United States, one in 59 children is diagnosed with this spectrum disorder and prevalence has increased 30% since the United States Centers for Disease Control and Prevention's study in 2008; and

WHEREAS, autism knows no racial, ethnic or social boundaries and neither income nor lifestyle nor education affects its occurrence and it is estimated that more than 3,500,000 people live with autism spectrum disorder in the United States; and

WHEREAS, autism costs the United States over \$137,000,000,000 in annual health care costs, most of which are in adult services, and these costs are anticipated to increase; and

WHEREAS, while a single specific cause of autism is not known, current research links it to biological or neurological differences in the brain, and outdated theories and myths, such as autism being a mental illness, have been proven to be false; and

WHEREAS, with support, people with autism can live full lives and make meaningful contributions to society; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause in our deliberations to acknowledge that the month of April 2019 is Autism Awareness Month and to pledge our support and encouragement to all those affected by autism; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Autism Society of Maine as a token of our respect and support.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. This particular Resolution is to deal with April as Autism Awareness Month. However, I do want to point out that with the syndrome of autism, we are long past the time when it needs to be a matter of awareness. This is a part of our society, they are a part of our daily exposure, and we need to recognize the fact that we need to learn a little bit more about how to interface with this particular population. So, on your desk, you have a very nice Supporting Someone with Autism handout. Take a read at some of the things that you can do when you encounter somebody who has autism, and how you can adjust the way you interact in order to make sure that those interactions are more positive.

People with autism have tremendous potential in this world, especially in a job situation like we have in Maine, a workforce situation. These people are very employable with appropriate reasonable accommodations, and so I think we need to take and study a little bit about how we can interact more effectively in order to bring them not only into the community but also into the workforce. Thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

On motion of Representative FARNSWORTH of Portland, the following House Order: (H.O. 22)

ORDERED, that Representative Michael F. Brennan of Portland be excused March 12 and 14 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused March 28 and April 2 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Diane M. Denk of Kennebunk be excused April 4 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Michelle Ann Dunphy of Old Town be excused April 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Victoria Foley of Biddeford be excused April 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Allison Hepler of Woolwich be excused April 2 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Lawrence E. Lockman of Bradley be excused April 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Donald G. Marean of Hollis be excused April 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph C. Perry, Sr. of Bangor be excused March 19 and 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Tiffany Roberts-Lovell of South Berwick be excused March 19, 21, 26 and 28 for health reasons.

**READ and PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the Cheverus/Kennebunk/Old Orchard Beach Girls Hockey Team, of Portland, which won the State Championship. We extend our congratulations and best wishes;

(HLS 205)

Presented by Representative BABBIDGE of Kennebunk. Cosponsored by Senator CHIPMAN of Cumberland, Senator SANBORN, H. of Cumberland, Representative DENK of Kennebunk, Representative GRAMLICH of Old Orchard Beach, Representative BRENNAN of Portland, Representative FARNSWORTH of Portland, Representative MOONEN of Portland, Representative SYLVESTER of Portland, Representative TALBOT ROSS of Portland, Representative JORGENSEN of Portland, Representative COLLINGS of Portland, Representative CROCKETT of Portland.

On **OBJECTION** of Representative BABBIDGE of Kennebunk, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BABBIDGE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to recognize the girls state championship ice hockey team, a team that had representatives from Cheverus, Kennebunk, and Old Orchard Beach.



You know, when I was in high school, we would -- I didn't know it at the time because I wasn't paying attention, but there was a debate going on on whether girls should be running the full length of the court or not. A few years later, we had Title 9 and in 1984 when the women's first marathon was run, it was won by a Mainer. Today, we have the eleventh girls ice hockey state championship. It is a struggle to field a number of teams and in order to do so we have joined many communities together and I wanted to point that out to you. Mt. Ararat and Morse have a team together; Greely/Gray-New Gloucester have a team; Winslow and Gardiner; York and -- Yarmouth and Freeport; Edward Little, Leavitt, and Poland field a team; Biddeford, Thornton, and Wells is a team; Gorham, Bonny Eagle, Massabesic; Portland and Deering; York, Traip, and Marshwood; Cape Elizabeth, Waynflete, and South Portland have one team; and then Cheverus, Kennebunk, and Old Orchard Beach.

I got to tell you, as a South Portlander, it does pain me a little bit to root for a big Cheverus "C" on the jersey, but we do rely on our young people to heal old divisions.

I wanted to say that there used to be a saying, "Play like a girl." Well, this team had some really outstanding young athletes. Names like Mazur, Noyes, Pompeo. Trinity Atwater was the goalie that had 31 saves in the state championship game against an undefeated Lewiston team. But a girl from Kennebunk, by the name of Abby Lamontagne, I know in January of last year she scored her one hundredth goal. She scored the go-ahead goal in the semi-finals to go ahead of Scarborough and she scored the team's two goals in the state championship game.

I just stand today to recognize these young women for a great accomplishment, so congratulations to Cheverus, Kennebunk, and Old Orchard for their fine performance in 2018/19.

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

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**Recognizing:**

Jon and Rosemary Hentz, of Georgetown, who celebrated their 50th Wedding Anniversary on March 27, 2019. We extend our congratulations and best wishes;

(HLS 207)

Presented by Representative HEPLER of Woolwich. Cosponsored by Senator VITELLI of Sagadahoc.

On **OBJECTION** of Representative HEPLER of Woolwich, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

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**Recognizing:**

Dale Chadbourne, of Woolwich, who has been inducted into the Maine Motorsports Hall of Fame. In 2013, Mr. Chadbourne, who has been involved in racing for 50 years, was honored by the Northeast Motorsports Expo for his efforts in keeping the Wiscasset Speedway open. We extend our congratulations and best wishes;

(HLS 208)

Presented by Representative HEPLER of Woolwich. Cosponsored by Senator VITELLI of Sagadahoc.

On **OBJECTION** of Representative HEPLER of Woolwich, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Woolwich, Representative Hepler.

Representative **HEPLER:** Thank you, Madam Speaker, ladies and gentlemen. Although it looks like all Dale does is racing, he is indeed a valued member of the Woolwich community. He's been on the Select Board longer than he or any of us can remember and is always looking out for the needs of Woolwich residents. I'm proud to call him a colleague on the Woolwich Select Board. Thank you.

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

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**Recognizing:**

Will Hays, of Winthrop, who has received both the Evans Spear Award and the Class B South Goaltender of the Year Award from the Class B Coaches Association. We extend our congratulations and best wishes;

(HLS 210)

Presented by Representative FECTEAU of Augusta.

Cosponsored by Senator BELLOWS of Kennebec, Representative HICKMAN of Winthrop.

On **OBJECTION** of Representative FECTEAU of Augusta, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Augusta, Representative Fecteau.

Representative **FECTEAU:** Thank you, Madam Speaker, Ladies and Gentlemen of the House. It is with enormous pleasure that I rise today to recognize one of Maine's most incredible student athletes. Will Hays of the Maranacook/Winthrop High School hockey team is a natural leader and was the four-year starting goalie for his team.

I've had the extreme pleasure of being Will's coach throughout his high school hockey career. This past season, Will was the undisputed captain of his team and proudly wore the "C" on his chest. For anyone who knows hockey, wearing a "C" as a goalie is something reserved for only the game's absolute greatest. This year, Will won it all. He took home his team's MVP award, he was named a First Team Class B All-Star, as well as the Class B South Goaltender of the Year, the Hobey Baker High School Character Award, and the Evans Spear Award, which is given to the league's top senior player. Moreover, he was the busiest goalie in all of Maine high school hockey for the past three seasons. Will made 2,360 saves in his four-year career and some initial research may place him at the top for saves in the entire country. His head coach, Jack Rioux, his parents, and I, couldn't be prouder of this young man. Because of kids like Will, I'm proud to be a Hawk. Thank you.

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

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

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**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Joint Order**

Report of the **Joint Standing Committee on Veterans and Legal Affairs** on Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes

(S.P. 458) (L.D. 1495)

Reporting **Ought to Pass** pursuant to Joint Order 2019, S.P. 381.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Report was **READ** and **ACCEPTED**. The Resolve **READ ONCE** and **TOMORROW ASSIGNED FOR SECOND READING**.

**Refer to the Committee on Judiciary Pursuant to Public Law**

Representative BAILEY for the **Joint Standing Committee on Judiciary** on Bill "An Act To Correct Errors and Inconsistencies Related to the Maine Uniform Probate Code and To Make Other Substantive Changes" (EMERGENCY)

(H.P. 1118) (L.D. 1535)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Public Law 2017, chapter 402, Part G, section 2.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

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

**Change of Committee**

Representative MARTIN from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations"

(H.P. 582) (L.D. 777)

Reporting that it be **REFERRED** to the Committee on **LABOR AND HOUSING**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR AND HOUSING**.

Sent for concurrence.

Representative McLEAN from the Committee on **TRANSPORTATION** on Bill "An Act To Advance Children's Cancer Research in Maine"

(H.P. 774) (L.D. 1044)

Reporting that it be **REFERRED** to the Committee on **TAXATION**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

Sent for concurrence.

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

**Divided Reports**

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-30)** on Bill "An Act To Align State Law with Current Practice Regarding Required School Attendance"

(S.P. 38) (L.D. 151)

Signed:

Senators:

MILLETT of Cumberland

CARSON of Cumberland

Representatives:

KORNFIELD of Bangor

BRENNAN of Portland

DODGE of Belfast

FARNSWORTH of Portland

INGWERSEN of Arundel

McCREA of Fort Fairfield

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford

FECTEAU of Augusta

RUDNICKI of Fairfield

SAMPSON of Alfred

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-30)**.

**READ.**

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

Representative STEWART of Presque Isle **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 Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Madam Speaker. This bill changes the age at which children are required to attend school from seven years of age to six years of age. However, there is a part of this bill that allows parents if they don't think their child is ready at age six to homeschool. The idea is if you are age six and you start preschool or kindergarten, then you need to come. If you are not going to come regularly, then you have to withdraw. Attendance patterns are set very early and it's important that the message is not given to young children that they can come and go when they want to. Thank you very much.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As the Good Representative from Bangor already mentioned what the premise of this bill is, however, I stand in opposition. And there's really no reason for this. They can already make the choices, the parents can make the choices, and I would argue that there has already been some significant studies done on students who enroll later versus those who enroll earlier and that as my favorite principal told me many years ago, that those who start earlier compared to those who come into school later, that by about third grade, they all level out. And the interesting -- and that's been verified by research since the decades ago that I spoke with this principal. And I would also mention that oftentimes the students that come in later are the

ones who actually are not so tired of school that they actually are more engaged for the longer duration.

Now, there are arguments, there's research done on both sides, and I would like to just present to this body the idea that the commonality between the research on both sides, the early starters and those later starters, is that for the early starters, what they are finding is it's not the learning that's happening, it's the consistent safe, engaging environment that they're in that prepares them for when they are at the age where learning can actually happen, academic learning, now, that they are more ready. But if they're in a setting at home where they're allowed to engage and they're in that safe, consistent environment, they should -- they're going to come in later, oftentimes, and be completely ready.

So the forcing students to have to come in early, that compulsory age being lowered, I find it unnecessary and I would vote Ought Not to Pass on this measure. Thank you.

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. 38**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Lyford, Madigan C, Martin J, Mastraccio, Matlack, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stearns, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Maxmin, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Pluecker, Prescott, Reed, Riseman, Rudnicki, Sampson, Skolfield, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Verow, Wadsworth, White D.

ABSENT - Cuddy, Doore, Grignon, MartinR.

Yes, 87; No, 58; Absent, 4; Excused, 1.

87 having voted in the affirmative and 58 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-30)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-30)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-66)** on Bill "An Act To Provide Funding for a Ranger Pilot Position in the Maine Forest Service"

(H.P. 167) (L.D. 204)

Signed:

Senator:

DILL of Penobscot

Representatives:

HICKMAN of Winthrop

HALL of Wilton

MAXMIN of Nobleboro

McCREA of Fort Fairfield

PLUECKER of Warren

ROBERTS-LOVELL of South Berwick

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

Signed:

Senator:

BLACK of Franklin

Representatives:

KINNEY of Knox

KRYZAK of Acton

SKOLFIELD of Weld

**READ.**

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act To Ensure the Availability of In-person Visitation in County Jails"

(H.P. 572) (L.D. 767)

Signed:

Senators:

DESCHAMBAULT of York

CARPENTER of Aroostook

Representatives:

WARREN of Hallowell

BEEBE-CENTER of Rockland

COOPER of Yarmouth

MORALES of South Portland

RECKITT of South Portland

SHARPE of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-65)** on same Bill.

Signed:

Senator:

ROSEN of Hancock

Representatives:

COREY of Windham

COSTAIN of Plymouth

JOHANSEN of Monticello

PICKETT of Dixfield

**READ.**

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

The Bill was **READ ONCE**.

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** and sent for concurrence.

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Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-84)** on Bill "An Act To Establish Regional School Leadership Academies" (H.P. 315) (L.D. 406)

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

KORNFELD of Bangor  
BRENNAN of Portland  
DODGE of Belfast  
FARNSWORTH of Portland  
INGWERSEN of Arundel  
McCREA of Fort Fairfield

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford  
FECTEAU of Augusta  
RUDNICKI of Fairfield  
SAMPSON of Alfred

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-84)** 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-84)** and sent for concurrence.

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Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-83)** on Bill "An Act To Provide Traffic Safety Education in Schools" (H.P. 354) (L.D. 470)

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

BRENNAN of Portland  
DODGE of Belfast  
FARNSWORTH of Portland  
INGWERSEN of Arundel  
McCREA of Fort Fairfield  
SAMPSON of Alfred

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

Signed:

Representatives:

KORNFELD of Bangor  
DRINKWATER of Milford  
FECTEAU of Augusta  
RUDNICKI of Fairfield

**READ.**

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

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Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-64)** on Bill "An Act To Provide Funding for the Naval Museum and Gardens in Brunswick" (H.P. 454) (L.D. 626)

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

KORNFELD of Bangor  
BRENNAN of Portland  
DODGE of Belfast  
FARNSWORTH of Portland  
INGWERSEN of Arundel  
McCREA of Fort Fairfield

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford  
FECTEAU of Augusta  
RUDNICKI of Fairfield  
SAMPSON of Alfred

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-64)** 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-64)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Allow Eating Establishments To Permit Smoking Tobacco in Designated Outdoor Eating Areas"

(H.P. 325) (L.D. 416)

Signed:

Senators:

GRATWICK of Penobscot  
CLAXTON of Androscoggin  
MOORE of Washington

Representatives:

HYMANSON of York  
CRAVEN of Lewiston  
MADIGAN of Waterville  
MEYER of Eliot  
PERRY of Calais  
STOVER of Boothbay  
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-62)** on same Bill.

Signed:

Representatives:

GRIFFIN of Levant  
JAVNER of Chester  
O'CONNOR of Berwick

**READ.**

Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative ANDREWS of Paris **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 Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today in support of the Amended Minority Report.

This bill is not about smoking so much as it is pushing back against the nanny state that constantly seeks to tell businesses how to operate and free individuals how to live their lives. That is not what this country was founded upon. This nation was founded upon individual liberty and built on the freedom to allow businesses to run and operate as their owners see fit. It's their risk, not the government's.

This bill is about the liberty for adults of legal age to engage in whatever legal activities they want to in a provided space and to put into their bodies whatever legal products they see fit to consume. That is no one else's choice but their own. All this bill as amended does is allow bar or restaurant -- and only if that establishment wants to --

The **SPEAKER**: The Representative will defer. The Chair recognizes the Representative from Biddeford, and asks what his Point of Order is.

Representative **PECTEAU**: Thank you, Madam Speaker. I believe the body is not to speak to an amendment on a Minority Report. The motion before us is the Majority Ought Not to Pass Report.

On **POINT OF ORDER**, Representative PECTEAU of Biddeford asked the Chair if the remarks of Representative ANDREWS of Paris were germane to the pending question.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford's comment and the Chair will advise the body that when - and this has been the way I've operated as Speaker in the past - when we have an Ought Not to Pass motion in front of us, I will allow debate on the substance of the bill. That is in fairness to the Minority and that is a ruling of the Speaker.

Subsequently, the Chair **RULED** that the remarks of Representative ANDREWS of Paris were germane to the pending question.

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

Representative **ANDREWS**: Thank you, Madam Speaker. I'm speaking against this bill because I feel that if a free and independent business wants to set up an outdoor area on their private property for legal adults to engage in a legal activity, they should most assuredly be allowed to do so. I would ask you to help me push back against an ever-encroaching nanny state and vote to empower small businesses to operate freely and secure individual liberty by following my light. 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. 39**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Riley, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, White D.

ABSENT - Cuddy, Doore, Grignon, Martin R.

Yes, 91; No, 54; Absent, 4; Excused, 1.

91 having voted in the affirmative and 54 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Strengthen Small Businesses in Rural Maine by Changing the Minimum Wage"

(H.P. 334) (L.D. 425)

Signed:  
Senators:

BELLOWS of Kennebec  
GUERIN of Penobscot  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
AUSTIN of Gray  
BRADSTREET of Vassalboro  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
MORRIS of Turner  
PEOPLES of Westbrook  
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-85)** on same Bill.

Signed:

Representative:

LOCKMAN of Bradley

**READ.**

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

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Promote Youth Employment"

(H.P. 440) (L.D. 612)

Signed:  
Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook  
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-80)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

**READ.**

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today in strong opposition to the pending motion.

We've had employers from all over the state come to us and say we'd love to hire younger people in their teens but the law prevents us from doing that in a reasonable way. What we have to pay them now under the current minimum wage law is just too much. It just won't work for us. The result is they're sitting at home, not working.

I'd like to point out too that also 30 other states have some sort of training wage. Maine doesn't have any. I can talk about my own grandson's situation to give you an example of what the minimum wage has done and why this particular bill would be important. He works at a small fast food place in Auburn. My wife and I were there some time ago when he was working, we wanted to see him, and he came and sat down with us to take a break. So we were talking and we said hey, do you get paid for this break? He said, you know, I used to, but since the minimum wage went up, I don't get paid for it anymore. The owners just cannot afford it. That's the reality. It's a sad fact but true; employers will simply not hire younger people if they're not able to pay the wage.

This is a modest proposal to decrease the minimum wage, there's a training wage for younger people. Ages 16 and 17 would be just a dollar less than the prevailing minimum wage, age 15 years old would be just two dollars less than the prevailing minimum wage, and 14 and younger would be three dollars less than the prevailing minimum wage. This is a commonsense bill. The state desperately needs it. We talked a few moments ago about how we've heard from the business community, but we're hearing from the business community as well. I ask that you follow my light and vote no on this because I'm asking for a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I started working at such a young age, I can't even remember when I started working. By the time I was a teenager, I had many years of work under my belt and I'm only 40 years old. This is very common for my generation, but that is not the case today. Since that time, it's become more difficult for kids to work. The final blow to all these regulations for the kids seems to be the minimum wage increase.

Employers aren't hiring these kids because they aren't skilled enough or experienced enough for the jobs so they're simply not getting the jobs. The minimum wage increases are intended to give people a living wage. If the goal is to give people a living wage, why not help the employers by offsetting that by reducing the cost -- the wage of youth employers? This will help families tremendously. Rather than the youth going unemployed, they will earn something and find opportunities to contribute to their families. Our policies are facilitating an environment where youth are going unhired and not working. They aren't learning the skills, the pride of having a job, the pride of earning a paycheck, the responsibility or the

opportunity of earning a savings for their future, and we are creating a generation that doesn't have the skills or experience to work as adults.

This is an extremely reasonable bill. This bill only makes 16- and 17-year-olds one dollar below the minimum wage, for 15-year-olds two dollars below the minimum wage, and for 14-year-olds three dollars below the minimum wage. That's a pretty reasonable amount to give these kids an entry level into the workforce.

I would urge the members to support our youth and vote no on the motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, this is a major issue in rural Maine. I've been hearing from constituents and businesses for years on this issue. It's very unnerving to hear businesses say I will never hire another high school student. These young adults need these opportunities to learn the soft skills required to move up, to get their next job, to enter into a career. And one of the issues, one of the major issues is the restrictions that we have all put on what minors can do in the workplace. If you just go on the Maine.gov Bureau of Labor site, you can see what some of these restrictions are. Minors are limited to hours, the number of hours that they can work in a week, the number of days that they can work in a week. They need to ask permission if they're able to work through a work permit. They can't work in manufacturing, they can't drive a motor vehicle of any kind, they can't operate hoists or any other machinery except office machinery. They can't work repairing highways or roofing occupations, they can't cook, they can't run food slicers, grinders, choppers, or even bakery food mixers. They can't work in freezers or coolers. They can't run lawnmowers. They can't work in warehouse occupations, loading or unloading of trucks. They can't work in welding, brazing, or soldering. They can't work on amusement rides or even sell tickets. These restrictions go on and on and on, which having to pay a minor with all these restrictions the same wage as an adult that has none of these restrictions, is a very easy choice for businesses to make. And over and over and over they're choosing adults much more than they are the minors that truly need this opportunity to get started in life. Thank you.

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

Representative **AUSTIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. What you're hearing today is the result of a lot of wage bills that we have worked over the last few weeks. I'd like to share that parents have written me and have really kind of poured out their souls, saying I have a young person in my home who is so eager to work and earn money. They have gone out to seek a job and no one will hire them. And the mother goes on to say that what she sees happening is the spirit of her young person, who is eager to work, full of energy, excited to make some money, have a little spending cash on the side, their little spirit to work is actually being frowned upon and discouraged. And she goes on to say that at the level and the age of her child, she feels this is the perfect time for working ethics, skills, and behavior to be instilled. She fears that with each summer that that young person sits at home, watches more TV, plays with more IT and gadgets, that that enthusiasm will wane and wane.

We've had the actual employers come to us and say I have a farm. It's a healthy farm and a healthy place for a

young person to work and gain skills; cooperation, a little bit of labor, a little bit of sweat and toil to prepare them for life, but I can't hire them. Some of our famous in-state Maine ice cream shops have said it's a great job for our young people, we value them coming back year after year, we treat them well, they treat us well, and our customers well. There's the farm stands after the produce has been grown and harvested from the farms. The farm stands say we can't do it. I just don't have that margin. I can't give them that opportunity.

I hope you're hearing a repeated cry from not only our employers but our parents who want their children to learn how to be self-sustaining and successful. And over the years, I've often gone back to a very substantial gentleman in construction at one of our largest companies, and that's Peter Vigue(sp?). We were at the Cianbro site in Brewer and that was when the Cianbro Brothers came up with a way to make those huge floating apparatuses, I think for bridges, and they floated them down the east coast. They were, as we all know, very creative and very, very talented. And he turned to us as a legislative group and he said, "my biggest challenge is protecting my staff that is based in Maine that goes all up and down the east coast to these projects and they have a golden star work ethic and the companies that work with them on these huge bridges, they want to take my workers away. Gold standard work ethic; we have enjoyed that as a state. We have been known across the country for that. And I really fear if we do not allow our young people to go out and develop as workers, safe working situations, we will lose that incredible reputation for the value we give for a day's work". Thank you, Madam Speaker.

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

Representative **SAMPSON**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. For decades I've run a children's program, ski school. And I initiated a junior instructor program and this became an extremely successful program. So I was hiring 14- and 15-year-olds and I would even have 13-year-olds that were so eager because they would see what was happening with the 14- and 15-year-olds, they would come along and just volunteer their time. And this program just continued to grow and grow and during the recession of 2008 to 2010, there were three years that we had -- you know, it was pretty intense and pretty tight. This program was the only program that was productive and made any kind of profit. And it was largely in part due to all these young, dynamic, well-trained instructors who just brought such energy to this program. It grew -- despite the recession, it grew 30% every year. Now, in the last few years, with the bill that was passed to raise the minimum wage, as of this year, this program has been gutted 70%. All of the junior instructors -- I would have a staff of 75 instructors and 60 of them were teenagers, the vast majority were the 14- and 15-year-olds. They're gone. The program is now gutted 70%. I would challenge all of us here; is this the road we want to go down? What the recession did not do to my program, the minimum wage has done. We need to think about this. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Madam Speaker and Women and Men of the House, very briefly, our youngsters are trying to get into college, they're graduating with \$30-100,000 in debt, and I don't know how they're going to save to even get into college when a state university almost costs 20-grand when you take the tuition and room and board into consideration. So, in order to get to work, they need to have a

vehicle, that's expensive, insurance, gasoline. So, I'm going to be supporting holding their wages to a level where they can save for their college. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Dolloff.

Representative **DOLLOFF**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been a bookkeeper for over 40 years for all small businesses and I know what this minimum wage is doing to the small businesses in the area. But I want to go back to this particular bill and kids. Because I brought my kids up that they had to go to work in the summertime. If you want new school clothes, you go to work. They saved themselves because they had to buy their own first vehicle and they went to work for it and they saved for it. They also -- so what we're doing -- we're doing such a disadvantage, I feel, because being -- working with small businesses, how this minimum wage, they're not going to hire high school students. They can't afford to. Even some small businesses that take care -- they hire high school kids, they hire them for in the morning and at night just so their businesses could run. If we keep increasing, we're going to lose our small businesses in the State of Maine also because they can't afford this. So my heart goes out to the kids. This minimum wage has got to come down so that they can find a job. I taught my kids how to save. I taught them how to be responsible. They never missed a day of work. And then when they got their first car, they had to work to put the gas to it, and I'll pay the insurance.

So, please, everybody, think about this bill, think about the kids. Let's not enable them so they -- you know, we need to help them get jobs and responsibilities. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker. I rise in opposition to this motion.

Building a resume is important for a young person. When our kids get a chance to work when they're younger, they get a chance to be able to have that resume when they go on. I remember my dad always saying if you got a job, it's easier to find another job, a better-paying job. And that's what we teach our kids, you know, is a way to build their resume. Again, I'll go back to using my own daughter as an example. When she went to college, her resume was quite long because she worked from the time she was 15 years old. I, like my fellow colleagues, had my children work when they were younger. You know what? You want something extra, you know what, you can work for it. I did it. I was raised on a farm. You wanted something extra, you had to work for it. And I think we're not giving our kids the opportunity to -- the same opportunities that we had and to earning that -- to earning that respectability of having your own money. And I think that we're coming up short with our kids when we are putting forth a minimum wage like this because small businesses can't afford it.

I run a small business. You can't afford to hire a teenager in the summer when they can only do limited things. So I think that we really have to think if we're going to continue on this path what it's doing to our young people because they can't go on and -- because they're not showing that they have a -- that they can be stable, that they can be reliable, that they're going to show up on time, because they've got nothing to show for it, because our small businesses aren't hiring them anymore. So, I thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Sylvester.

Representative **SYLVESTER**: Thank you, Madam Speaker. I would -- like the Good Representative who spoke before, I've been working since the age of 11, and I'm pretty sure I can be open because I think the statute of limitations has passed in terms of some of the jobs that I did at those ages. I was -- I worked cleaning using a buffer at the age of 11, at 12 I was making donuts over a hot fryer, at 13 I was pretty much the same size I am now except a little thinner and I was working construction demolition. I did these things, like many of the folks who have reached out in support of not changing what the people passed, not changing the bill that the people passed, from teenagers who wrote me to say that they, like me, were not using this money in order to buy an extra set of sneakers or to buy music or to buy online games. Like myself, they were putting that money into the coffer to put food on the table. At age 15, I was able to give my mother money in order to buy a car that we had not had for three years. And these are the stories that folks are sending me as the Chair of the committee, begging not to have their wage -- because students, while they are looking to get into employment, I agree a hundred percent, are also looking to raise the standard of their life, but not just their life but the lives of their families in many cases in a rural state like Maine.

Now, one of the factors that we looked at was in fact the very low unemployment in the State of Maine at the moment. We hear from employers all the time that they are looking for any worker that they can find. And so I ask myself this question; when we are looking to help small business, why must we always work off of a model where somebody has to lose for somebody else to win? If we are going to help small business, let's help small business. Let's pass bills that help small business. And so in the deliberation of this bill, we listened to the Department of Labor who said to us we need to know exactly what is going, we need this law to reach fruition. Because as one of the other Representatives said when we were going down this road, we need a map. We can't just ask have you seen -- do you know where we're going and get the regular Maine story, which is you're going to go by where that farm used to be, take a left where they cut down the tree, and then you're going to see it up right ahead the building that used to be yellow. We need to know what our economy is doing, we need to know what's happening with business, and we need to know what is happening with the data and so that is why I am supporting the Ought Not to Pass Majority Report. Thank you, Madam Chair.

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

Representative **FECTEAU**: Thank you, Madam Speaker and my esteemed colleagues. I'm a high school teacher and we all love our students to be involved in extracurricular activities. A summer job is a student's extracurricular activity. Without a youth wage, we're not only experiencing an academic summer slide, but a self-pride and self-sustaining summer slide.

Youth employment is pro student. I urge my colleagues to vote against this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. For many years I hired young people in my construction business and I think what they have remembered over the years is the fact that they got a chance to work, not how much they were paid. I hope I paid them properly. But let's just assume that this is the right amount to pay, this \$15 or whatever it's going to end



up being, and yet it leads to the fact that we don't hire young people. What benefit was that to make this artificially high number for people that aren't going to be working? Wouldn't we be much better off four or five years down the road if these same young people could say yes, I worked at this place or that place for two or three years and that is on their resume when they apply for college? I think we make a huge mistake of hanging our hat on a dollar figure when the actual work is so much more important. Thank you.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. A while ago the Good Representative said we need to let this go through fruition to see what happens. Several weeks ago we had several bottle bills come before us and it was to deal with them hemorrhaging because of the minimum wage. A good friend of mine up in the gallery, Representative -- Honorable Jeff Gifford(sp?), he could contest because we're on Town Council together, it has affected the municipal budgets. A lot in this chamber knows my back story, the history and how I obtained all my education through work and high school. I actually was running a business my senior year in high school. It was because of the training that I received and the minimum wage, the student wage. So, this is important. I mean, a couple years ago my daughter got a job at Angie Belt's at Tim Horton's in Lincoln. Last summer she did not be able to -- she was not able to gain employment there because Angie Belt made a decision that she wasn't going to hire any student workers. You know, we've got to face the fact, Madam Speaker, that we have a shortage clear across the spectrum with, I mean, you name it, doctors, lawyers, pediatricians, construction workers, loggers, truckers. There's a reason two weeks ago tomorrow that Pratt & Whitney and BIW came to Region 3 in Lincoln. They were looking for future workers. And they asked everyone in class who would be interested in going to work for BIW. There were two culinary students that raised their hands and they said you mean to tell you'd hire us, and they said yes, we'll train you. We need to train our students and one of the best ways we can do that is to lower the wage of this minimum wage so that small businesses can actually afford to hire and have the opportunity and say look, the State is going to get behind us so if I can hire that student at \$2 or even 50 cents less, it would help the small business.

So, Madam Speaker, we need to do whatever we can to help small businesses and I'm afraid right now as we see businesses hemorrhage, five years, you know, we're going to have a shortage in this state that we're not going to be able to rebound from it. So I urge everyone in this chamber to oppose this and really actually do what's right for businesses. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill, as well.

Like many of you, I started out at a young age in the workforce, learning as I went. And I thank those employers who were able to take me in and teach me how to get up in the morning and go to work. Eventually I ended up working the last 20 years of my career in one of the largest union employers -- for one of the largest union employers in Central Maine. And I know that many of those loyal union employees that worked alongside of me in that environment started out

basically the same way I did. They learned how to work as students, as young adults.

And I can tell you, I don't think the state needs to wait much longer to find out how this is all going to work out in rural Maine, in my part of Central Maine, because the businesses there are struggling. They are cutting full-time positions down to part-time, they are laying off workers because they cannot afford -- and I'm talking about small businesses, they cannot afford to keep as many as they used to because of the increase in minimum wage. But most importantly to this bill I have had them tell me I will not hire high school students any longer when I have to pay \$11 and I can get a person that's 30 years old that just got laid off down the street and he already knows how to work or she already knows how to work, I will hire them. I will not hire more students. So, Madam Speaker, I thank you for the opportunity to speak to this.

The **SPEAKER**: The Chair recognizes the Representative from Presque Isle, Representative Stewart.

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Originally I wasn't intending to speak on this bill but I was prompted by the comments from my friend from Portland when he explained that we need to figure out where we're going -- or we need to see what's going to happen in order to figure out, you know, where we're going to go and what we're going to do. But the reality is, I would equate that to suggesting that we need to chop off our leg, by that same logic, in order to see what it feels like. But if we get an inch in and we realize this hurts, this isn't good, I don't like this, we don't like this, this isn't benefiting us in any way, then we should stop. And that's what this bill presents an opportunity for in this chamber.

Small business, rural Maine, is crying out for help and they're looking to this chamber and this body, this legislature, for answers and for help. We have the opportunity to do that; to not lop the leg off of rural Maine and small business in our state, and I would respectfully request that our colleagues do just that today.

Thank you very much, Madam Speaker. I appreciate the opportunity to talk and I request that everyone follow my light.

The **SPEAKER**: The Chair recognizes the Representative from Cape Elizabeth, Representative Carney.

Representative **CARNEY**: Thank you, Madam Speaker. We've heard really powerful statements today about the importance of giving young people an opportunity to earn money for college and to support their families. We also heard, I think, really compelling testimony about the need for young people to develop and learn a work ethic. Those are both important issues that we as a state should address. But this bill -- there are two things that this bill doesn't take into account that I think we really need to take a hard look at before we act. And the first is the fact that there are young people in our state who do work to put food on the table for their families and this bill doesn't have any way to sort out those who are developing a work ethic from those who are actually feeding their siblings. And the second thing is that in Maine we have the Maine Human Rights Act and that statute protects older people from age discrimination, it also protects younger people from age discrimination. It's not like the federal law that just applies to people who are over 40, it applies to everyone. And my concern is that if we're adopting this law now that provides a special wage for younger people, are we acting in contrary to our statewide age discrimination law. And then also what precedent are we setting? Are we also going to start enacting laws that set a lower hourly minimum wage for older workers? I think those are two issues that we really need to look at and

address before we move forward on this issue, and I would ask people to vote Ought Not to Pass.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative DeVeau.

Representative **DeVEAU**: Thank you, Madam Speaker and fellow Members of the House. I wasn't planning on speaking today but a number of things that I've been hearing really seems to reflect the larger communities within the state. I've heard that Portland has a \$15 minimum wage down there. A lot of the issues where these minimum wage at \$11 and next year \$12 may not affect so much. What I can tell you that being from Caribou, it affects every business up there directly, more so than it may down here. And we're always talking about how we're one state, when a lot of people from back home, including myself, feel that there's a separation in the state. Some are in the Bangor, possibly even the Augusta area. The problem that we have is that it doesn't seem like anybody seems to care except for some of those from the county when issues like this come up. Now, we're not -- we're not alone. Washington County is a sister county that has a lot of the same issues that we do. There's a number of rural areas that it affects directly immediately.

When this bill went in, there's a store that my son and I go to because they've got these great chicken fingers. We went in, it went from one price to 70 cents more just because of minimum wage. That drastic affect also they cut the hours back, they've cut the number of employees, and it makes it very difficult. And when we're talking about this as the body of representatives for this state, we need to look at it as that instead of, well, it's going to be in Portland so we're going to do it down here, or we're going to do it in Auburn because we've got more than 4% of the population, we're going to do it there. These are things that we need to be able to say as a body that affects everyone, not just one group. Thank you.

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

Representative **LYFORD**: Thank you, Madam Speaker. Well, I'm not a small business; I own the largest hydroseeding business in the state of Maine and I would love to hire some 14- or 15-year-old kids. I've been trying since January in our Gorham office to hire such people and been unable to. I'd love to teach them the value of planting trees and shrubs, why we create vernal pools and wetlands, why we plant phragmites along streambeds. It's important for these young people to see that and I'd love to have them in the cab of our trucks in the summertime. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Madam Speaker. I've been listening to this debate with interest and thinking about the kinds of jobs that I held when I was a teenager. And all these jobs I was paid minimum wage and in fact, I would say that they all required adult responsibilities.

My first job was a day camp counselor where I was in charge of the care and protection of younger children but I also drove the bus that picked up many of these children - with no training, I should add. I worked at a dry-cleaning store, I was behind the desk, I didn't actually do the dry-cleaning but I got to say, it was 100 degrees in that store. I worked as a waitress at a country club so I was salaried, I did not get any tips. And I worked on a factory assembly line putting together cosmetics and other small products for Helena Rubinstein. All of these jobs were minimum wage and I put every dime of it away for college. So, some of the people that we worked with were adults. There was a mix of teenager, college students, and

adults. We were all in it together, we all did the same work, we all deserved the same wage. Thank you.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand today in opposition of this bill.

I am a small business owner and I deal with children everyday under the age of 18 at my establishment and doing so, the wage that we have to pay those people, it's really we're training those kids. I have to teach kids how to count money back at the cash register, I need to teach them how to wash a floor, I need to teach them how to clean a bathroom. All of these things we have to teach. If I was to hire adults, I would hope I wouldn't have to do that. So, please, follow my light. Thank you, Madam Chair.

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

Representative **STEARNS**: Thank you, Madam Speaker. We have a place in Sangerville, Maine, known as Stutzman's Farms. They've been there nearly a century, if not a century, owned and operated by Sid and Rainie Stutzman, and they've been known for decades to employ students from the area. Sometimes maybe a student and the parent would work side by side in their fields. I had a chance to talk to them around ten days ago and, you know, we talked about the experiences that those kids have; they learn the food cycle, a lot of the things that they grow are done organically, they have a restaurant on site, some of the students end up being able to work inside in the restaurant. They also are involved in several community programs where their food goes to the food cupboard and it also is available for some of the healthy food initiatives in the area, including the schools.

I asked what's -- how's this working for you? How's the minimum wage piece and what do you think about a student wage? And it was striking that Rainie said to me -- Rainie Stutzman said to me, Paul, you need to understand that many of the crops that we plant are in fields that we don't make any money on. It's really for the community. It's for training, it's to get the kids out there. She goes it's as simple as this; we're not going to plant them. That's a shame.

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

Representative **PLUECKER**: Thank you, Madam Speaker. My son is 13 years old. He goes out and he rakes blueberries in the summertime, doing piecework. He earns \$12 an hour doing so. He is able to go out, put in the hours, and he brings in the food. He brings in a wage that he is proud of for the work that he's put in. This past Monday, on Saturday, my wife and I and my son were in conversation and I unfortunately was arguing that we should pay him less to go out and do some work. It was snowing hard, it was wet, my wife and my son argued that we should pay him more. We ended up paying him more. He went out, he worked for four hours in the snow, clearing brush, stacking wood, and he was proud. And he worked harder because we paid him more. Because we recognized that he had a potential and we were going to value him for it. And I think the same thing is true here. Our children have potential, our children can be paid for that potential and it's a matter of us as adults stand up and say that we will value you and we will pay you what you are worth, because we know you're going to meet that standard that we expect of you. Thank you.

The SPEAKER: The Chair will remind Members to please address the Speaker at all times.

The Chair reminded all members to address their comments toward the Speaker.

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. 40**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Madigan C, Martin J, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Marean, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Cuddy, Doore, Grignon, Martin R, Martin T, McLean, Pierce T, Theriault.

Yes, 84; No, 57; Absent, 8; Excused, 1.

84 having voted in the affirmative and 57 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Help Small Businesses by Establishing an Alternate Minimum Wage"

(H.P. 544) (L.D. 739)

Signed:  
Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook  
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-81)** on same Bill.

Signed:  
Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

**READ.**

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative O'CONNOR of Berwick **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 Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Madam Speaker. Sixty-three percent of responding retailers have pointed to the state regulations such as minimum wage as causing costly and harmful increases on businesses. Since minimum wage increases, food retailers have cut hours of operation, cut employment by 28%, and increased cost to consumers. This disproportionately affects the poorest of poor. National Federation of Independent Business has reported hundreds of small businesses have tried to offset the harmful minimum wage increases by raising prices, reducing labor costs, or owners absorbing losses and, most troubling, the closing of businesses.

If we want to keep Maine competitive, we need to allow business owners to determine with potential employees what they should be paid. We should be allowing supply and demand to protect both businesses and employees, not by government edict by force. Thank you.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to the pending motion as well.

This bill is a modest proposal to answer some of the concerns of employers throughout our state. It calls for employees of a small employer in the first 90 consecutive days for those under the age of 20 to be paid a \$9.75 starting salary until 01/01/2020 and those under 18 to have the \$9.75 starting wage. And we talk a lot about the details of these but let's look at the big picture. Young people need to work. We heard a lot about some of the skills that they are not learning because they're not able to work. This bill would help young people to develop good work habits, responsibility, know how to handle finances, develop a budget, develop soft skills that will make them more valuable employees down the road. Let's give them a chance to merge into our workforce gradually the way they need to.

This is the scenario right now. You've got an employer who wants to hire a young person and the young person says I want to work for you. And the employer says I can pay you only \$9.75 an hour and the young person says, you know something, I'll take it. I'd rather do that than sit home. And the employer has to say I'm sorry, I can't do that because the people in Augusta say that I can't do it. That's what we've got here folks. That's exactly what we have.

If our young people don't know how to develop good work habits now, it's not their fault. It's our fault. Let's do something about this and let's vote this Ought Not to Pass.

The SPEAKER: A reminder to all Members to please address all of your comments to the rostrum.

The Chair reminded all members to address their comments toward the Speaker.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker. I rise in opposition to the motion. I'm going to go back to the fact that small businesses are hurting. I'm going to give you an example. There's a small business in Central Maine that hires a lot of young people. They're basically a seasonal business. Two years ago, they hired 36 young people to work that summer and it was great. They had plenty of staff, even overstaffed in some ways. Last summer, they only hired 18 because of the increase in minimum wage. So there's 18 kids that didn't get a job that they could've had for the summer. And this year he's already told me he's only hiring nine because of the increase in minimum wage.

What I think a lot of people do not understand, if you have never run a business, if you have never done a payroll, then you do not understand that it's not just about that one dollar an hour. It's actually about the taxes, the insurance, and everything else that goes along with that. And that's the one thing that you have to understand when you run a business. It's not just that. As a small business owner, I don't know if people think that small business owners are just raking in the money, because that's not what's happening. A lot of times our employees are making more money than we are because we're just trying to keep our business open. And that's what you have to stop and understand. When you try to -- when minimum wage continues to go up, employers are working more hours. We're closing one day a week because it's easier to do that than to hire somebody.

So, I really want people to stop and think. This particular bill has -- it's more than just a basic bill, it has some steps, it has some layers to it that will actually give some relief to small business owners. And I really want people to stop and think about that. So, I thank you for allowing me to speak and please follow my light.

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

**ROLL CALL NO. 41**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau J, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Mastraccio, Matlack, Maxmin, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Swallow, Tuell, White D.

ABSENT - Cebra, Cuddy, DeVeau, Doore, Grignon, Martin R, McCrea, Peoples, Theriault, Wadsworth.

Yes, 90; No, 49; Absent, 10; Excused, 1.

90 having voted in the affirmative and 49 voted in the negative, with 10 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Balance Maine's Minimum Wage for Small and Large Employers"

(H.P. 604) (L.D. 830)

Signed:

Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook  
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-79)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

**READ.**

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Sylvester.

Representative **SYLVESTER**: Thank you, Madam Speaker. I echo my previous comments but to this bill one of the concerns was the disparity between small and large employers in terms of hiring, which is another issue that we hear. Large employers already have an advantage in being able to hire employees and we worry that small employers would not be able to be competitive in a very tight employment market and so I ask that you support the motion on the floor Ought Not to Pass. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you once again, Madam Speaker. This bill is an attempt to give the small business leaders -- business owners a little bit of a chance to survive, a little bit better chance than they have right now. It calls for those with fewer than 50 employers -- employees, excuse me, starting October 1st of this year to have a minimum wage of \$10 an hour and starting at -- 50 plus to start \$11 an hour until 01/01/21, and then we go to \$12 an hour. It would also delay the COLA one year, the adjustment. I'm not

going to belabor it again why I think this is a good bill but what I would like to do, I'd like to add one more thing. Those people who have talked about how good businesses are having it now, I'd ask you to please, please go visit those small employers in our rural areas who are having a hard time. They are having a hard time. You can't base what you vote on just on what happens in the more prosperous areas. This is important. Please do that, then you'll find out what reality is like. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker. We all know there are substantial geographical and economic differences across our state and that Maine's small businesses are the backbone of our economy, providing jobs for all our families. In order for these businesses, including nonprofits, more money needs to come in the door than goes out if they are to continue to provide these jobs. In the past 28 months, Maine's mandated minimum wage has increased by \$3.50 an hour and in just another seven months will be increased another dollar to \$4.50 an hour. In most anyone's life, a 60% cost increase in anything is substantial.

Over the past four years, we have heard from hundreds of businesses about what they are doing to make the numbers work. Many have been forced to shorten business hours, raise prices, cut employee hours, their benefits, or even their positions altogether to make up for these increases.

Almost immediately after the initial \$1.50 an hour increase, we heard in a big way from wait staff and others who make a living on tips, that their hourly earnings took a sharp nosedive. Democrats, Republicans, and Independents believe what they were telling us, acted and corrected that harmful section of the minimum wage law, saving thousands of jobs and lots of take-home pay.

Over the last couple of years, a very noticeable change has been the amount of kiosks and self-checkouts throughout our state, primarily due to wage increases, but that is only a fraction of the equipment and technology replacing people that has had to be put into service.

January of 2018, the mandated wage increase hit \$2.50 in just 12 months and the impact became much more widespread. The ripple effect and cost increases with labor being a large factor from wholesalers to distributors all the way to the store shelf. Product and service increases became much more noticeable, especially in poor communities and by those seniors on fixed incomes. Many employees who received this additional dollar an hour increase didn't see a larger paycheck since the store or shift hours had to be decreased. Others saw an increase in pay but received less in profit sharing or had to pay more into their health insurance premiums.

Over the last year, we have seen seven nursing homes close, displacing patients and families, all pointing to the increased mandated wages as a contributing factor. Nonprofits like hospice services struggle to keep pace, especially those that depend a great deal on fundraising. Maine universities told us that less students have an opportunity to earn much-needed part-time income through their work study program. Since wages cost more, fewer students get a piece of the pie. Small hometown mom and pop grocery stores and restaurants appear to have taken the biggest hit, especially outside the urban areas in the parts of the state that do not see the influx of about 30 million tourists in the summer months. Keep in mind these neighborhood businesses do not have the deep pockets like Walmart or

McDonald's to remodel or purchase expensive equipment but still have to directly compete with them. Those who have been unable to keep pace have gone out of business and will continue to do so.

Three months ago Maine moved into the top seven highest mandated wage states in the country and of those seven, we are the poorest and least able to afford it. We are now seeing a compounded ripple effect. The taxpayers have also seen an increase in the cost at the municipal level, but more so at the state level where funding for direct care workers alone had to be increased by about \$50 million in the last biennium and will likely have to be doubled in this budget with mandated wages scheduled to keep increasing. In the past month on the legislative level there have been several bills sponsored by Democrats, Independents, and Republicans attempting to address the negative effects or unintended consequences of artificially inflating wages. The environmental resources -- Environment and Natural Resources Committee has been dealing with the closings and the ongoing struggles of bottle redemption businesses, Inland Fisheries and Wildlife Committee hearing about funding issues for nonprofit workers tasked with keeping our lakes free of invasive plant species. And then in Health and Human Services there's been bill after bill after bill requesting tens of millions of dollars to deal with wage disparities created by minimum wage increases.

These wage disparity issues aren't just happening within state government. These issues are all across the state, especially in those businesses that when forced to raise unskilled labor had to neglect more experienced staff in order to keep the business afloat or balance municipal budgets. After two years and watching less experienced, less skilled coworkers receive a \$3.50 raise, many workers are expecting an increase, putting even more pressure on the bottom line of our small businesses. We now know that a portion of these labor increase have had to shift the cost increases and that the higher the price of a product or service, the fewer people can afford to buy them, especially in the parts of our state that are economically depressed and have higher poverty rates.

All of this has gone on during a good economy. There is a recession just around the corner, there always is. What happens when households' budgets tighten and there's less disposable income? One advantage is other states have recognized that a one size fits all minimum wage won't work and have some form of tiered program and what we know now in Maine, Maine should be no different and we should adopt a tiered wage system program like this one.

I would ask everybody to follow my light and let's save some rural Maine businesses.

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

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. During the last legislature, the 128th, we passed a minimum wage bill that spelled out increases to this minimum wage. Although I thought at the time myself and I still think it today that the bill was seriously flawed, the bill, however, was passed and became law and we have it in front of us as the law of the land, the law of the state.

The minimum wage law that we passed and made law in our state is having a huge negative impact on our small businesses throughout the state and especially, especially in our rural areas. I believe wages and benefits are things best left entirely to the private sector. Jobs and population in the second district, at least down -- are down dramatically over the past 20 years. Our small businesses that remain open are

struggling to keep their businesses afloat. I believe that we can do something together. Thus, I ask you to consider voting this motion down and passing LD 830, a bill that establishes a minimum hourly wage for small employers that is less than the minimum hourly wage for large employers. And, if passed, beginning in October -- on October 1st of this year, for an employer with fewer than 50 full-time employees in Maine, the minimum hourly wage will be established at \$10 and the minimum hourly wage for an employer of at least 50 will remain at 11 until January 1, 2021 when it would increase to 12. This bill will also delay the indexing of the minimum hourly wage for cost of living adjustments by one year until 2022.

It may sound great to say to a constituent back home, no matter where we live, I just voted you a raise. This promise, however, has now been proven in many parts of our state and especially in the rural areas of our state, it's been proven to come with fewer jobs. That is a fact in my district. I ask each of you today, and I ask myself the same question; what good is a raise without a job? My constituents want the dignity that comes with employment, so please allow wages in my district to be marketplace driving, and I believe that LD 830 is a step in the right direction to have that happen. With this bill passage, we can then set our priority on introducing ideas to bring much needed good-paying jobs to our hardworking people and offer futures for their families.

I would end by saying this; in the last 18 months, I have seen three businesses -- two businesses close their doors and another who after the minimum wage in the last two years has had to cut a full-time employee down in hours, has had to cut on hours that they're staying open in the summer, and is looking seriously -- and he owns two businesses and he's told me he doesn't know if he can take another dollar cut in January. This is a real problem, Madam Speaker, in our rural areas, and I believe we all want to help our people. We want to help the young -- we've been talking about young people with trying to help them with starter raises -- I mean wages, and I believe we all want to do that. And I think we also have different ways we want to accomplish these things. But I ask us to just here today for one moment just stop and think; if we could take a bill such as this and we could pass it and ratchet it down for those smaller businesses and actually show them that we really want to give them a chance. A chance to be able to not only continue on, but a chance to also start thinking about maybe bringing some of these young people in for jobs. Because I tell you this, young people today in their jobs, we may be saying to them we're going to pay you a decent wage, but if they're not working, I ask you, where are they getting the money? And that's what's happening to us today. So, that being said, Madam Speaker, I would just ask that you follow my light and vote this motion down and we can look at LD 830. Thank you.

The SPEAKER: The Chair will remind Representatives to keep their comments aimed on the bill that is currently before us.

The Chair reminded all members to confine their debate to the question before the House.

Representative BRADSTREET of Vassalboro **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: 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. 42**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Madigan C, Martin J, Mastraccio, Matlack, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Ingwersen, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Marean, Martin T, Mason, Maxmin, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Verow, White D.

ABSENT - Cebra, Cuddy, Doore, Grignon, Martin R, Stanley, Theriault, Wadsworth.

Yes, 83; No, 58; Absent, 8; Excused, 1.

83 having voted in the affirmative and 58 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-78)** on Bill "An Act To Increase Accountability for Wage Violations"

(H.P. 631) (L.D. 857)

Signed:

Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook  
RYKERSON of Kittery

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

**READ.**

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

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Sylvester.

Representative **SYLVESTER**: Thank you, Madam Speaker. This bill is "An Act To Increase Accountability for Wage Violations". And so the penalty in the state for wage violations has not been risen in many, many years, and so this bill seeks to make the penalties reach a level where, you know, where it isn't just a speed bump, where it isn't just part of the cost of doing business. And I just remind folks that these are penalties for wages that have already been earned but for whatever reason haven't been paid out. And there was an enormous amount of conversation in the committee and testimony about the fact between an earnest mistake that an employer might make and a bad actor. And many of the folks from the business community talked about that in terms of trying to give what was the liberty of the Department of Labor in determining that. And so I think one of the things that the Department of Labor does is it investigates just that, to see whether or not something is an honest mistake. And so in the bill, we tried to receive some flexibility for the Department of Labor to really be able to say what's the difference between a mistake and what's the difference between a bad actor. And so the bill is set up in such a way that a first violation would be found to be at \$500 and then subsequent violations there would be a range between \$500 and \$2500 that the Department of Labor could decide what was the appropriate fund.

And I -- one of the things that we discussed in this and I think is important for folks to know is that the Department already has layers of ability to have both flexibility and discretion and so -- I mean, both at the point of the investigation where they can decide whether or not to find a wage violation at all, but also later, you know, in the determination of whether or not something is a single violation and whether or not things are a willful violation. And so that was important to the committee in the discussion and in the crafting of the amendment of this bill.

And then the other important thing in this bill is that there are four positions that are put forward on this to help with investigations at the state level of violations of labor law. And this is not the last time you'll hear me speaking about this but in -- currently we have four investigators for the entire state for every labor law that we have in the state and I think that that is an incredible burden for over 50,000 businesses in the state and I think that when we talk with folks from the business community about being able to make sure we have a level playing field, that it's important that the Department of Labor is actually able to investigate things that when people call them on it, you know, when people call for violations. And so these four positions were put in by the committee. The original bill asked for ten, we asked for four.

There is a fiscal note on it of \$264 and some change in 2019-20 and \$358,471 in 2020-21, but it's the beginning of the discussion of whether or not we are adequately staffed in the Department of Labor and whether or not -- how we create that level playing field for businesses everywhere who are -- the businesses -- so that the businesses that are obeying the law are not undercut by businesses that are not obeying the law and the State gets to be the adjudicator of that.

So, I appreciate the time and I would ask you to support the Ought to Pass motion on the floor. Thank you.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise today in opposition to the pending motion.

First, I'd like to say that we recognize -- I recognize that these violations do occur and they need to be addressed. The problem is I think this bill is overkill. You heard the Representative from Portland has pointed out that it has increased the fines. Perhaps that should be done, but they've increased them up to 500% depending on the situation. But it also allows for double damages through civil actions. It should be the Department of Labor who handles all those violations of wage -- when it comes to wage payments. That's our contention.

We've got to remember that most businesses in Maine, they're the small mom and pop type, with no human resources department, and payroll checks are often made out on the kitchen table. For those people, the increased punitive limits are too high for a violation that may simply rise out of an honest mistake.

I have other problems with the bill as well. I think there's some lack of clarity on some issues, for instance what is a subsequent violation if you have a computer glitch and for some reason your payroll is wrong on more than one employee, is that one violation or are there subsequent violations there as well? I know we make it interpretation, but I think our small businesses deserve some clarity on that.

The other issue I have; it is my understanding that the 128th Legislature requested a wage violation to be reviewed and report given from the Department of Labor to the committee. We haven't had a chance to fully vet that yet. I do believe this bill is too onerous and I also believe it's premature. Thank you, Madam Speaker, and I ask for a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from North Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker. I would -- Ladies and Gentlemen of the House, I rise today to oppose the motion.

I would agree with everything that was just said by the Representative from Vassalboro and I would also add that in much of the testimony there seems to be a problem mostly in those parts of the state where the local municipality has opted for a higher minimum wage than the state minimum wage and that if the state does not have preemption law on preemption law, that I think that those municipalities that are charging a higher minimum wage that want to have a higher minimum wage, should be the ones to pay for the enforcement. As you know, the State cannot enforce a local ordinance, so I would request that you vote this motion down. Thank you.

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. 43**

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine,

Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Pluecker, Prescott, Reed, Riseman, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, White D.

ABSENT - Cebra, Cuddy, DeVeau, Doore, Grignon, Ingwersen, Lyford, Martin R, McLean, Theriault, Wadsworth.

Yes, 84; No, 54; Absent, 11; Excused, 1.

84 having voted in the affirmative and 54 voted in the negative, with 11 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-78)** 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-78)** and sent for concurrence.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-72)** on Bill "An Act To Restore the Former State of Maine Flag"

(H.P. 508) (L.D. 687)

Signed:

Senator:

CLAXTON of Androscoggin

Representatives:

MARTIN of Sinclair  
BRYANT of Windham  
EVANGELOS of Friendship  
HEAD of Bethel  
PEBORTH of Blue Hill  
RISEMAN of Harrison  
VEROW of Brewer

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

Signed:

Senator:

DAVIS of Piscataquis

Representatives:

KINNEY of Knox  
REED of Carmel

TUELL of East Machias

**READ.**

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

Representative STEWART of Presque Isle **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 East Machias, Representative Tuell.

Representative TUELL: Thank you, Madam Speaker. I rise in opposition to the pending motion, not because I don't appreciate where it's coming from, not because I don't appreciate Maine's history, not even because of my personal preference on flags. Rather, I rise in opposition because I've heard from many, many, many constituents that we really ought to be -- we really ought to be focused on more important things. And so I rise in opposition to the motion.

I also feel that as the committee worked through this and struggled with it and decided what to do with it, and ultimately sent the bill on to the Secretary of State to decide what a bicentennial flag should be, something totally different from the original bill, I may add, I just find that the committee itself struggled with it and kind of dumped it, for lack of a better term, on the Secretary of State. And I just wonder at some point this bill and bills like it maybe we should take a step back and use our time more constructively. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative COOPER: Thank you, Madam Speaker. I'm the sponsor of the original bill, which was to make the original flag of Maine, 1901, enacted by the legislature of Maine the official state flag.

As you know, the flag behind the Speaker is now the official state flag that was initiated in 1909. Like many flags, particularly in the northeast, it consists of the state seal on a solid background. The 1901 flag is a much simpler design. It consists of a kind of beige background with a blue star which stands for the North Star, and a green pine tree. That's it.

There was opposition in the committee to making this the official state flag. I think there were a couple reasons. One is many people were fond of the old flag and thought it better represented the agrarian and other -- and the fishing industries and the era from which it came. So, the outcome was to make it -- to have the Secretary of State, in consultation with others, design a special flag for the bicentennial. And it was done -- it was placed in his hands so as to take it out of the political arena.

Everyone who worked on this bill got emails that said don't you have anything better to do? My response to them was always yes, I do, and I do. And why aren't you writing me about the opioid crisis and why aren't you writing me about creating more jobs in Maine? It's a little testy, but that's the way I felt about it. Anyway, it is -- the bicentennial is not a small thing. We will be 200 years old next year. It's a time for celebration, it's a time for unity, it's a time to create symbols of our state that will bring people here to share in the beauty and joy of our state and whatever design the Secretary of State comes up with, I hope will reflect the -- those attributes as well as the history of our state. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Foster.



Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand before you in opposition to this bill.

Although I understand that we have a big anniversary coming up and it certainly is appropriate to have special items for that, such as a license plate, I feel that the current State of Maine flag which many of you probably, as I did, studied in eighth grade Maine history class to a great extent, I know Mrs. Brown made sure that we knew every detail of the current State of Maine flag and the meaning of each item that's on it. And I won't get into all of those, of course a couple of those were also on the original flag and do have a great importance and meaning to them. However, also on the new flag are some items that I think we cherish and two of those are the gentleman that represents the farmer and I also would equate that to the logging industry which, of course, the pine tree certainly signifies as it was the things that made the State of Maine a leader in the logging industry from its very beginning. But the farmers and the -- both in the beginning of the state were very important and even today we see a resurgence in that agricultural business of the state and it's extremely important in my district, agriculture, and I know in much of the state.

The other is the sailor, which also I think signifies and connotes the importance of the fisheries and any industry that recognizes the importance of the sea to Maine. The old saying goes that the man went down to the sea, went to the coast, and went out to sea. Some of that included farmers, like my father who served four years in the Navy, and myself who went to sea for a living, and many of us who derived our living from the sea.

This flag is flown proudly in front of parades, over the State House, and over the State of Maine during good times and bad since its inception, and I believe that it deserves the right to lead the effort as we celebrate this upcoming anniversary and I would suggest that if this bill passes that its future could be best served to remain as the flag and would suggest to the Secretary's office that he could save a lot of time and maybe a little bit of money by just declaring that it would be the 200th anniversary flag for the State of Maine as it has been our flag for many years. Thank you, Madam Speaker.

Representative **RISEMAN** of Harrison, moved that the Bill be **TABLED** until later in today's session pending the motion of Representative **BRYANT** of Windham to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative **MOONEN** of Portland **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending the motion of Representative **BRYANT** of Windham 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 to Table until later in today's session pending Acceptance of either Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 44**

**YEA** - Ackley, Andrews, Arata, Austin B, Babbidge, Bickford, Bradstreet, Campbell, Corey, Dillingham, Evangelos, Faulkingham, Fecteau J, Foster, Grohoski, Hanington, Hanley, Higgins, Keschl, Morris, Peabworth, Perkins, Pickett, Pluecker, Prescott, Riseman, Stover, Strom, Sylvester, Verow.

**NAY** - Alley, Austin S, Babine, Bailey, Beebe-Center, Berry, Blier, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Costain, Craven,

Crockett, Curtis, Daughtry, Denk, Dodge, Dolloff, Doudera, Drinkwater, Dunphy, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Griffin, Haggan, Hall, Handy, Harnett, Harrington, Head, Hepler, Hickman, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Javner, Johansen, Jorgensen, Kessler, Kinney, Kornfield, Kryzak, Landry, Lockman, Lyford, Madigan C, Marean, Martin J, Martin T, Mason, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, McLean, Melaragno, Meyer, Millett, Moonen, Morales, Nadeau, O'Connor, O'Neil, Ordway, Paulhus, Peoples, Perry A, Perry J, Pierce T, Reckitt, Reed, Riley, Roberts-Lovell, Rudnicki, Rykerson, Sampson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Swallow, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, White B, White D, Zeigler, Madam Speaker.

**ABSENT** - Cebra, Cuddy, DeVeau, Doore, Grignon, Martin R, Theriault, Wadsworth.

Yes, 30; No, 111; Absent, 8; Excused, 1.

30 having voted in the affirmative and 111 voted in the negative, with 8 being absent and 1 excused, and accordingly the motion to **TABLE** until later in today's session pending **ACCEPTANCE** of the Majority **Ought to Pass as Amended** Report **FAILED**.

The **SPEAKER**: The Chair recognizes the Representative from Harrison, Representative Riseman.

Representative **RISEMAN**: Thank you, Madam Speaker. I vote -- I will be voting as this ought to be passed as amended and, I'm sorry, I don't know the Member who spoke up earlier and said that they had heard a number of times that we should be working on more important things. Well, in talking with my constituents, yeah, they agree with that, but they also agree that every consideration is important. People don't ask for these things unless they think they're important and I would implore this body to bring this to a level of importance today that we vote Ought to Pass. Thank you.

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

**ROLL CALL NO. 45**

**YEA** - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Harrington, Hepler, Hickman, Higgins, Hubbell, Hymanson, Ingwersen, Kornfield, Landry, Madigan C, Mastraccio, Matlack, McCreia, McCreight, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Peabworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

**NAY** - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Head, Hobbs, Hutchins, Javner, Johansen, Jorgensen, Keschl, Kessler, Kinney, Kryzak, Lockman, Lyford, Marean, Martin J, Martin T, Mason, Maxmin, McDonald, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, White D.

**ABSENT** - Cebra, Cuddy, DeVeau, Doore, Grignon, Martin R, Theriault, Wadsworth.

Yes, 85; No, 56; Absent, 8; Excused, 1.

85 having voted in the affirmative and 56 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-72)** 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-72)** and sent for concurrence.

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Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-77)** on Bill "An Act To Improve Access to Property Tax Exemptions for New Homeowners"

(H.P. 404) (L.D. 560)

Signed:

Senators:

CHIPMAN of Cumberland  
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono  
CLOUTIER of Lewiston  
DENK of Kennebunk  
KRYZAK of Acton  
MATLACK of St. George  
TERRY of Gorham

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn  
MAREAN of Hollis  
STANLEY of Medway  
STEWART of Presque Isle

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-77)** 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-77)** and sent for concurrence.

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## CONSENT CALENDAR

### First Day

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

(S.P. 86) (L.D. 274) Bill "An Act To Allow the Sale of Ethanol-free Gasoline Statewide" Committee on

**ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(S.P. 25) (L.D. 72) Bill "An Act To Provide an Income Tax Exemption for Military Pay without Regard to Where the Military Service Was Performed" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-31)**

(H.P. 206) (L.D. 282) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 25) (L.D. 24) Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-76)**

(H.P. 34) (L.D. 33) Bill "An Act To Establish a Thanksgiving Youth Turkey Hunting Season" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-68)**

(H.P. 85) (L.D. 99) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-63)**

(H.P. 121) (L.D. 139) Bill "An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-82)**

(H.P. 159) (L.D. 196) Resolve, Regarding Legislative Review of Portions of Chapter 320: Electric Transmission and Distribution Utility Service Standards, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY) Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-75)**

(H.P. 162) (L.D. 199) Bill "An Act To Create the Water Resources Planning Committee" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-87)**

(H.P. 175) (L.D. 212) Bill "An Act To Provide a Source of Funding for the ATV Recreational Management Fund" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-86)**

(H.P. 266) (L.D. 340) Bill "An Act To Establish a Temporary Terminal Condition Medical Allowance for Lobster and Crab Fishing License Holders" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-70)**

(H.P. 292) (L.D. 383) Resolve, Regarding Legislative Review of Portions of Chapter 101: ConnectME Authority, a Major Substantive Rule of the ConnectME Authority (EMERGENCY) Committee on **ENERGY, UTILITIES AND**

**TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-74)**

(H.P. 307) (L.D. 398) Bill "An Act To Allow for Greater Flexibility in Addressing Energy Efficiency Needs in the State" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-73)**

(H.P. 385) (L.D. 528) Bill "An Act To Increase the Number of Clubs in Penobscot County That May Be Issued a Special Dog Training Area License" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-69)**

(H.P. 451) (L.D. 623) Bill "An Act To Amend the Charter of the City of Brewer High School District" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-71)**

(H.P. 550) (L.D. 745) Bill "An Act To Support the Northern New England Poison Center" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-67)**

(H.P. 694) (L.D. 939) Bill "An Act Regarding the Regulation of Rabbit Production for Local Consumption" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-88)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **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 Increase Opportunities for Hunters, Anglers and Sporting Camps by Extending the Seasons on Upland Game

(S.P. 77) (L.D. 265)  
(C. "A" S-26)

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. 121 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 38: Suicide Awareness and Prevention in Maine Public Schools, a Major Substantive Rule of the Department of Education

(H.P. 83) (L.D. 97)  
(C. "A" H-45)

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. 130 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 Provide Funding to the Department of Health and Human Services To Support Free Health Clinics in the State

(H.P. 144) (L.D. 181)  
(C. "A" H-11)

An Act To Increase the Amount of Time School Counselors and Social Workers Spend Providing Students Direct and Indirect Counseling

(S.P. 59) (L.D. 247)  
(C. "A" S-29)

An Act To Clarify Liquor Label Approval and Registration Requirements

(S.P. 66) (L.D. 254)  
(C. "A" S-27)

An Act To Raise Juror Pay to \$50 per Day

(S.P. 91) (L.D. 279)  
(C. "A" S-24)

An Act To Protect Job Applicants from Identity Theft

(H.P. 229) (L.D. 305)  
(C. "A" H-47)

An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores

(S.P. 106) (L.D. 365)  
(C. "A" S-22)

An Act To Amend the Archives and Records Management Law

(H.P. 378) (L.D. 521)  
(C. "A" H-52)

An Act To Change Municipal Campaign Contribution Limits

(S.P. 224) (L.D. 780)  
(C. "A" S-21)

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.

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

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

**SENATE PAPERS**

The following Joint Order: (S.P. 479)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 16, 2019 at 10:00 in the Morning.

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

**READ** and **PASSED** in concurrence.

Bill "An Act To Create a Victims' Compensation Fund for Victims of Property Crimes"

(S.P. 487) (L.D. 1550)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Expand Skill Development Opportunities for Maine Youth"

(S.P. 470) (L.D. 1521)

Bill "An Act To Increase the Supplement for Certain National Board for Professional Teaching Standards Certified Teachers in Maine"

(S.P. 486) (L.D. 1549)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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Bill "An Act To Use 10 Percent of E-9-1-1 Surcharges To Fund Public Safety Answering Point Staff and Projects"

(S.P. 484) (L.D. 1547)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

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Bill "An Act To Ensure the Quality of and Increase Access to Recovery Residences"

(S.P. 472) (L.D. 1523)

Bill "An Act To Increase the Availability of Foster Homes"

(S.P. 475) (L.D. 1526)

Resolve, To Promote Quality and Transparency in the Provision of Services by Assisted Housing Programs That Provide Memory Care

(S.P. 485) (L.D. 1548)

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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Bill "An Act Directing That the Towns Constituting Hospital Administrative District No. 4 Hold a Vote on the Proposed Merger with Northern Light Health" (EMERGENCY)

(S.P. 488) (L.D. 1553)

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

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act To Require Insurance on Motorized Watercraft"

(S.P. 474) (L.D. 1525)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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Bill "An Act Concerning the Establishment of Benefit Corporations"

(S.P. 468) (L.D. 1519)

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

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

**REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

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Bill "An Act To Amend the Laws Regarding Orders of Abandonment for Residential Properties in Foreclosure"

(S.P. 471) (L.D. 1522)

Bill "An Act To Enact the Maine Revised Unclaimed Property Act"

(S.P. 481) (L.D. 1544)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

**REFERRED** to the Committee on **JUDICIARY** in concurrence.

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Bill "An Act To Prevent Wage Theft and Promote Employer Accountability"

(S.P. 473) (L.D. 1524)

Bill "An Act To Protect State Employees When Their Contracts Have Expired"

(S.P. 483) (L.D. 1546)

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

**REFERRED** to the Committee on **LABOR AND HOUSING** in concurrence.

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Bill "An Act To Require That Certain Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways"

(S.P. 477) (L.D. 1527)

Bill "An Act To Amend the Laws Regarding Motor Vehicle Fees"

(S.P. 478) (L.D. 1528)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

**REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

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Bill "An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products"

(S.P. 482) (L.D. 1545)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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

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On motion of Representative KESCHL of Belgrade, the House adjourned at 1:26 p.m., until 10:00 a.m., Tuesday, April 16, 2019, pursuant to the Joint Order (S.P. 479) and in honor and lasting tribute to James G. Sappier, Sr., of Indian Island and Gabriel E. Stocco, of Belgrade.