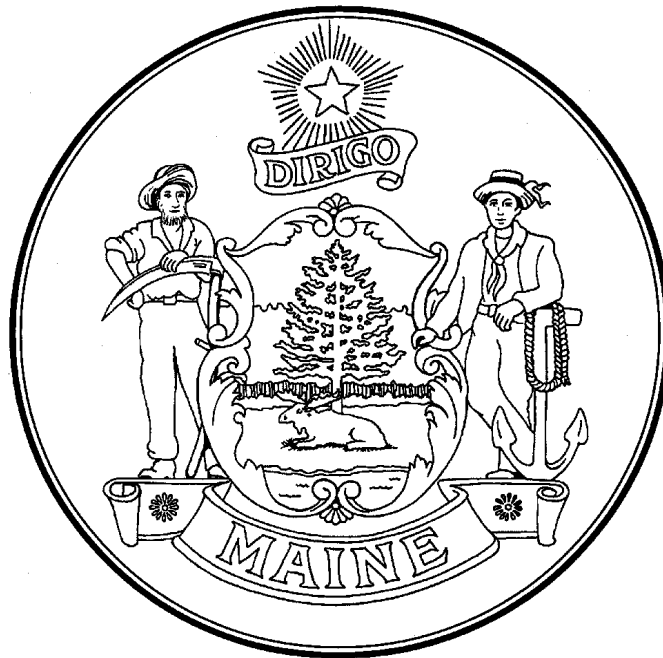


MAINE STATE LEGISLATURE

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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
31st Legislative Day
Thursday, April 18, 2019

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

Prayer by Reverend Tamara Torres, Woodfords Congregational Church, U.C.C., Portland.

Pledge of Allegiance.

Doctor of the day, Robert Chagrasulis, M.D., Casco.

The SPEAKER: Before we go any further on this day, I wanted to take a moment to allow us all to remember our friend and colleague, Dale Denno. We are one big family here and it is a terrible loss. It's terribly difficult to say goodbye to a wonderful friend. And so I thought we'll take a moment of silence but I also want to invite anybody if they would like to say a word about Dale or a memory of him to please feel welcome to press your light and I will call on you to do so. And I will just share very briefly my memory of Dale.

I first met him in 2014 and, as many of us have experienced, had the opportunity to see him in action as he was out in his community talking to people, listening to what was happening in their lives, for their families, with their jobs, what their struggles were and what their triumphs were. And I watched him do that in 2014, and in 2016, and again in 2018 even as he questioned with his cancer diagnosis if he should run because his real question was will I be able to serve the people of my community the way I want to. When Dale resigned just a couple of weeks ago, I kept urging him to just continue his battle and that we would help him on this front make sure that his constituents were getting everything he needed. But at some point he said this is what I need to do because it's what's right and I need to be with my family and I need to put all of my effort towards getting better and spending time with them. And so he did, and in memory of Dale, the Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker. Last summer, Dale and I worked on Health and Human Services together, we spent a lot of time together, and last summer we were at a conference about child welfare because that was so Dale, he showed up for everything. And he told me about his cancer and he said you know, my oncologist said I should do whatever I want to do and do my bucket list and go here and do that now. He said you know what, I want to be a legislator. And that was Dale, too. That was Dale. So, you know, he's a spicy guy so I got him some peppers and they're on his desk now, some nice spicy peppers for a spicy guy.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. We are like a family here and you make friends. And Dale became one of my best friends here. Funny; he has some dance moves that you guys don't know about, I have to tell you. He makes the best chocolate cake in the world; I know because he made one for me. He swore he was an amazing baker, and he was. And I don't know that I ever sat on committee and saw someone listen so intently to the people that came before us on the Health and Human Services Committee to tell us about their lives.

I miss him. I'll miss him in these halls. Thank you for doing this for all -- for us. Thank you, Dale.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Head.

Representative **HEAD**: Thank you. I worked with Dale for four years. We didn't always agree on things but I learned a great deal from him and he was a very generous man. He was kind, and he never disrespected my opinion and I certainly appreciated that. And I, too, could walk down the aisle and we always spoke. We were friends, and I appreciate that. I, too, will miss him.

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

Representative **COOPER**: Thank you, Madam Speaker. I think we're all creatures of habit and usually sit in the same place even if we don't have an assigned seat, and Dale and I always sat next to each other in Caucus. And because I was by then a third-term legislator and he was coming in, I offered to give him any advice as a mentor that he would ever need. But it quickly became apparent that our roles were not so clear, for he helped me understand things as much as I may have helped him. He was a really, wicked smart guy. And he could be gruff, but he was also very funny and very wise. He had a wide array of experiences. I didn't know until last year that he was a lawyer, for example. He had worked at HHS, he had done a whole number of things that made his background rich in experience that he brought to bear in his job.

So we always sat next to each other in Caucus and for the last few weeks when he's not been here, that seat has remained empty. We never -- nobody ever said anything about it, but I think we were saving a place for him at least in spirit. I know I felt his spirit.

Finally, I just want to end with a note of humor, as he would appreciate. He had his DNA tested and he found that he was some very small percentage Ashkenazi Jew. So he would always greet me by saying Shalom. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Bailey.

Representative **BAILEY**: Dale and I were seatmates and we were both freshmen legislators so we kind of figured this place out together. We did have a lot in common; we were both lawyers, we were both proud grandparents, but what I remember most, especially in those long sessions in the 128th, was he always made me laugh. He always found humor and helped me to get through some very long and difficult sessions and times, and I'm just going to miss him so much.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, over the years I knew Dale he -- I never served with him except here but he always treated me with great kindness and respect. And for some reason we had little funny conversations together. He was just very nice to me and I always remembered that kindness.

I think Dale's death and life should also remind all of us that this isn't the only place on earth. We have lives outside of here. Don't let this place eat you up and make you someone you shouldn't be. And, also, I wish him peace, that he would be in God's peace, and that may he rest in eternal peace. Thank you.

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

Representative **BABBIDGE**: Thank you, Madam Speaker. When we were newly elected, what, five years ago

now, I went over to the Representative from Cumberland because I had student-taught there half a century ago and met Dale. I mean, the theme, when I think of Dale, is big; big in stature, big voice, big intellect, which I appreciated, amazingly big heart. He was for the little guy and I loved him for it. Big laugh, generous with wit and humor. As an exclamation point, often he uttered under his breath a profanity that would leave us both laughing hysterically as we departed. There are a lot of smart people in this room, but Dale was blessed with wisdom and he was wonderful for his kindness and his wisdom.

Cumberland was well-represented, Mainers were well-represented, and for those us who had special affection for him, he will leave also a big hole. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker. I'd like to speak for some of us who are new here who maybe didn't get as much of an opportunity to get to know Dale as we would've liked. And I just want to say, and I'm sure that many of you freshmen will agree with me, he was just such a welcoming, kind person. And I always notice that when I'm in a new, strange environment, the person who takes the time to really greet you and make you feel welcome. And that's a very special quality.

The **SPEAKER**: The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Speaker. So, I want to say my fondest memory of Dale is that every time I had a piece of legislation he disagreed with and was going to vote against, he would actually come to me and he would tell me and we would talk about it and we'd have that conversation about it. And I think more of us should do that. I think, you know, that kind of respect is sort of a beautiful thing and I think he had that, he had a very kind heart, so that's what I have to say.

The **SPEAKER**: The Chair recognizes the Representative from Raymond, Representative Fay.

Representative **FAY**: Thank you, Madam Speaker. I got to look at the back of Dale's head most of last session and every now and then he would turn around and wink. Dale helped keep me out of trouble a few times and for that I really appreciate his -- the way he thought about things and looked at issues and shared that. And I do want to say he also kept me out of trouble by making a really great old-fashioned. So I recommend that if that's your thing that everyone toast to him with an old-fashioned. And the last time I saw him, he sent me home with one in a mason jar so that I wouldn't drink and drive.

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

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I first met Representative Denno in 2014 when we were both running for office. I had been elected, I was going into my second term, or hoping to run for my second term, and he was running for his first. And we met each other on a UMaine agricultural tour that was going around to show different candidates about our thriving agricultural sector. And he was my seatmate on the bus and we were getting to know each other and I realized very quickly into the tour that we should be friends as we both kept circling back through the lines to get seconds on like the samples of blueberries and the punch. And I remember spending the entire tour just talking to him, finding out about this passionate, brilliant, very, very funny and sometimes very foul-mouthed gentleman. And just feeling this sense of

sadness when he unfortunately didn't win his election in 2014 and not getting to serve with him. And I was over the moon when he first got elected and it was a pleasure to serve with him. He always said exactly what I wanted to, he had this ability that I was thinking something and he would passionately say what I wish I had the guts to say and so I definitely wanted to speak up today.

It was also really an honor to be his House Chair in the IDEA Committee. It will never be really quite the same looking across the horseshoe at Representative Higgins and not having Dale's strong voice there. I hope I can serve with half the passion that he always did and I think that's the challenge to all of us is to live every day with the way he did, with laughter, humor, passion, even in the face of cancer. Watching what he went through the past few months, he met everything bluntly, with honesty, and most importantly with humor. And especially, I have to say, the back-row Caucus will never be quite the same without Representative Denno.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Craven.

Representative **CRAVEN**: Thank you, Madam Speaker. I don't remember too much about Dale in this body but I do remember in the old days when he worked at the Department of Health and Human Services and it was always a relief when he came before us, as I was serving on the committee, to be honest and forthcoming with information from the Department with information that we needed. And so I do honor him for bringing us that information, and for always respecting us by bringing us the information we needed on the committee. Thank you, Madam Speaker.

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

Representative **FARNSWORTH**: Thank you, Madam Speaker. Dale and I went back about 20 years and so my experiences when I was in the other, you know, my real job years ago. And one of the things that I had worked with Child Development Services, was on an advisory committee and was also negotiating rates and so on, Dale was an AAG with the Department of Education and it was always such a pleasure to have a chance to meet with him and to work with him in order to get things done because he wanted to get things done. And it was not always easy when you are dealing with a large bureaucratic system. And then later on, when he was in the Department of Health and Human Services, I had similar experiences because, once again, he had integrity and he wanted to get things done. And we used to not only get things done but we also had a lot of fun doing it. And I always said that he helped us to work around some of the barriers that sometimes get in the way of getting things done. So I always compared him with the difference between a bureaucrat, which is telling you how many barriers there are for you to hurdle, and a public servant, who will tell you how to get around the barriers and get things done. That was Dale. Thank you.

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

Representative **HIGGINS**: Thank you, Madam Speaker. I had the privilege of sitting beside Dale for the first time in the IDEA Committee. I sat on the end and Dale comes in and he spreads out. Those of you who know him, he takes one and a half seats, literally hanging on to the end. He asked a lot of questions. A lot of questions. And then he would turn to me and say am I asking too many questions? And how do you tell him -- you'd like to say yes, but he's asking a lot of really good questions. I became really concerned because Representative Daughtry over here constantly was looking our way because

she was expecting him to ask one more question and then one more after that and then Madam Chair, can I ask another question, and then Madam Chair, can I follow up with that question? And she's laughing because that's exactly.

So, here's my last conversation. I knew he wasn't well, he'd shared that with me, and he'd shared with me that he wasn't sure he'd be able to continue much longer. In fact, that was the last day that he was at our committee. And this was his charge to me; he said Norm, if I'm not here, I expect you to ask that additional question. And I think that the Good Representative here would say I'm doing pretty well at carrying on that tradition in his memory because it's important to ask that additional question, and Dale never hesitated and that's, I think, the real loss to us as legislators, the example that he set, by having a very high standard for himself and for others as well. Thank you, Madam Speaker.

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

Representative **PERRY**: Thank you, Madam Speaker. I have some very fond memories of Dale, working in Health and Human Services with him and, yes, he did ask a lot of questions. We sort of looked at him first, and they were good. But the other things that I remember, is his great sense of humor and his pride in his family. He was always very prideful when his grandchildren came to serve and he would talk about how he had to snowmobile -- snow blow because his wife didn't do it and -- little things like that. And we had a running joke because at that time, I think there was a whole lot of things about Nips on the side of the road and fireballs and we were just joking back and forth. And one day I bought everybody a box of candy Nips and sent them out, and he truly enjoyed it.

He was just fun to work with. His family have got to miss him greatly. He loved them so much. So, that's my tribute.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, I never called him this but whenever he stood up to speak in Caucus, I said there goes Professor Dale. He was so professorial. He seemed to have spoken from the rafters but his values and his integrity and humanity were always so grounded. He was able to take the most complicated subject matter and strip it all the way down to that very simple kernel of truth and wisdom. And so I always respected his humor, he made me laugh when he didn't even intend to. He had a mouth, but he always spoke truth to power and as the conscience of our Caucus, I certainly will miss him and hope that his spirit is in the room and that he will carry on in some other way and the new class will become that conscience that our Caucus and all Caucuses need. I honor him and I wish his family well.

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

Representative **EVANGELOS**: Thank you, Madam Speaker. I have a note from my desk from Dale; Jeff, sorry I didn't have a chance to have a good conversation with you this morning. I would very much like to talk after session one of these days. I'm struggling with whether to resign, take a leave of absence, or just wait. I want all of you to know that when you're going through a tough time, we have a great Speaker and she will work with you. Thank you.

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

Representative **COLLINGS**: Thank you, Madam Speaker. Before I talk about Dale, I'm going to talk about the

Speaker and say one of the best decisions I think she made this year was not sitting me next to Dale again because there were a couple times, especially the last session, and the first day before we got our permanent seating where we might've gotten some looks because we may have been encouraging each other a bit too much, so -- and the Good Representative from Saco, Representative Bailey, had Representative Denno on her side and I was behind her and I don't know why she even ran again or she may have had had to get therapy because we kind of -- but that speaks to Dale's humor and there's a vacuum left behind and everyone has mentioned this; his wits and his humor, and I can't really do much with the wits but I'll do my best to try to keep people laughing like he did. But he was a great guy and he always gave me a hard time with being kind of a radical liberal in Portland and I would give it back, but I think we both shared the same value that we didn't take ourselves too seriously but we took our jobs here seriously and wanted to help people, and no matter what we thought about different issues, if I ever asked them to help a constituent, within minutes, he'd get on a call, call someone at the Department of Human Services, and make an impact in that person's life. So his work was very meaningful.

And the last thing I'll say is, which applies to Dale, where I grew up in Fort Kent, it's still on the wall in my kitchen, there's a saying that says you never leave a place you love, you leave a part of yourself behind and you take a part of it with you, and that's true of Dale and he'll be greatly missed and we can all carry his on by doing good work here. Thank you.

At this point, the Members of the House stood and joined in a moment of silence in honor of the Honorable Dale J. Denno, of Cumberland.

The Journal of Tuesday, April 16, 2019 was read and approved.

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

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

**ENACTORS
Emergency Measure**

An Act To Provide a Source of Funding for the ATV Recreational Management Fund and To Establish the ATV Enforcement Fund

(H.P. 175) (L.D. 212)
(C. "A" H-86)

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. 123 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

SENATE PAPERS

The following Joint Resolution: (S.P. 503)

JOINT RESOLUTION DECLARING APRIL 14, 2019 MAINE AMATEUR RADIO OPERATORS DAY

WHEREAS, there are more than 700,000 licensed amateur radio operators in the United States and approximately 3 million worldwide; and

WHEREAS, more than 4,500 Maine citizens hold amateur radio operators licenses; and

WHEREAS, Maine amateur radio operators provide communications locally and statewide in times of emergency; and

WHEREAS, Maine amateur radio operators provide these services at no cost to local and county governments, State Government and nonprofit organizations; 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, take this opportunity to recognize these dedicated individuals and their valued contributions and to declare April 14, 2019 as Maine Amateur Radio Operators Day.

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

Bill "An Act To Amend the Maine Uniform Building and Energy Code"

(S.P. 480) (L.D. 1543)

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

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 Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses"

(S.P. 469) (L.D. 1520)

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 151)

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

April 16, 2019

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

Pursuant to my authority under House Rule 201.1 (l) (a), I have temporarily appointed Representative Michelle Dunphy of Old Town to the Joint Standing Committee on Labor and Housing,

replacing Representative Donna Doore of Augusta, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,
S/Sara Gideon
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 152)

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

April 18, 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 Energy, Utilities and Technology has approved the request by the sponsor, Representative Hubbell of Bar Harbor, to report the following "Leave to Withdraw:"

L.D. 1465 An Act To Diversify Maine's Energy Portfolio with Renewable Energy

Pursuant to Joint Rule 310, the Committee on Energy, Utilities and Technology has approved the request by the sponsor, Senator Libby of Androscoggin, to report the following "Leave to Withdraw:"

L.D. 1547 An Act To Use 10 Percent of E-9-1-1 Surcharges To Fund Public Safety Answering Point Staff and Projects

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

L.D. 938 An Act To Provide for Sustainable Transportation in Maine

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

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

The Following Communication: (S.C. 287)

**MAINE SENATE
129TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 16, 2019

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

Dear Speaker Gideon:

In accordance with 3 MRSA §158 and Joint Rule 506 of the 129th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs,

- Morten Arntzen of Norwalk for reappointment, to the Maine Maritime Academy, Board of Trustees;

- Arthur K. Watson, Jr. of New Canaan for reappointment, to the Maine Maritime Academy, Board of Trustees;
- Mary O. Shea of Brownfield for appointment, to the Maine Maritime Academy, Board of Trustees;
- Jason A. Oney of Falmouth for reappointment, to the Maine Maritime Academy, Board of Trustees.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Allow the Dissolution of Regional School Units Composed of a Single Municipality"

(H.P. 1151) (L.D. 1592)

Sponsored by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator FARRIN of Somerset and Representatives: AUSTIN of Skowhegan, CURTIS of Madison, PERRY of Bangor, Senators: CHENETTE of York, DILL of Penobscot.

Bill "An Act To Support Infrastructure Improvements in Schools"

(H.P. 1152) (L.D. 1593)

Sponsored by Representative BRENNAN of Portland.

Cosponsored by Representatives: BERRY of Bowdoinham, CRAVEN of Lewiston, DENK of Kennebunk, STANLEY of Medway.

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

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 Amend the Laws Governing the Educators for Maine Program"

(H.P. 1160) (L.D. 1601)

Sponsored by Representative PIERCE of Falmouth.

Cosponsored by Senator MILLETT of Cumberland and Representatives: DAUGHTRY of Brunswick, FECTION of Biddeford, MOONEN of Portland.

Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative KORNFIELD of Bangor, the Bill was **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**, ordered printed and sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 507)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 23, 2019 at 10:00 in the Morning.

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

READ and PASSED in concurrence.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Establish a Stewardship Program for Consumer Batteries"

(H.P. 1153) (L.D. 1594)

Sponsored by Representative FAY of Raymond.

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 To Enhance the Child Welfare Ombudsman Program"

(H.P. 1154) (L.D. 1595)

Sponsored by Representative MASTRACCIO of Sanford.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: FAY of Raymond, FECTION of Biddeford, GATTINE of Westbrook, HYMANSON of York, KORNFIELD of Bangor, MADIGAN of Waterville, Senators: BELLOWS of Kennebec, BREEN 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 Provide Access to Health Care for Maine Citizens"

(H.P. 1150) (L.D. 1591)

Sponsored by Representative BRENNAN of Portland.

Bill "An Act To Allow Certain State Regulators To Lower Fees by Order"

(H.P. 1158) (L.D. 1599)

Sponsored by Representative KESCHL of Belgrade.

Cosponsored by Senator HAMPER of Oxford and Representatives: ARATA of New Gloucester, DILLINGHAM of Oxford, MARTIN of Eagle Lake, MILLETT of Waterford, REED of Carmel, WADSWORTH of Hiram.

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

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Protect the Liberty of Immigrants and Asylum Seekers in Maine"

(H.P. 1148) (L.D. 1589)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Senator BELLOWS of Kennebec and Representatives: BABBIDGE of Kennebunk, CARDONE of Bangor, CLOUTIER of Lewiston, HARNETT of Gardiner,

MORALES of South Portland, RECKITT of South Portland, TALBOT ROSS of Portland, Senator: MIRAMANT of Knox.

Bill "An Act To Enhance the Long-term Stability of Certain At-risk Youth" (EMERGENCY)

(H.P. 1155) (L.D. 1596)

Sponsored by Representative BAILEY of Saco.

Cosponsored by Representatives: CLOUTIER of Lewiston, EVANGELOS of Friendship, TALBOT ROSS of Portland.

Bill "An Act To Define the Responsibilities of Property Owners for the Maintenance and Repair of Private Roads"

(H.P. 1157) (L.D. 1598)

Sponsored by Representative McLEAN of Gorham.

Cosponsored by Senator POULIOT of Kennebec and Representatives: BAILEY of Saco, MARTIN of Sinclair, Senator: LIBBY of Androscoggin.

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

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

Sent for concurrence.

Bill "An Act To Create a Registration Process and Permits for Vacation Rentals"

(H.P. 1147) (L.D. 1588)

Sponsored by Representative ZEIGLER of Montville. (BY REQUEST)

Cosponsored by Representatives: ALLEY of Beals, DODGE of Belfast, DOUDERA of Camden, HOBBS of Wells, HUBBELL of Bar Harbor, VEROW of Brewer, Senators: CHIPMAN of Cumberland, CYRWAY of Kennebec.

Bill "An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder"

(H.P. 1159) (L.D. 1600)

Sponsored by Representative DILLINGHAM of Oxford.

Cosponsored by Senator HAMPER of Oxford and Representatives: ARATA of New Gloucester, GATTINE of Westbrook, KESCHL of Belgrade, MILLETT of Waterford, MOONEN of Portland, Senator: DESCHAMBAULT of York.

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

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 Provide a Sales Tax Exemption for Purchases Made by Nonprofit Seasonal Camps"

(H.P. 1156) (L.D. 1597)

Sponsored by Representative SAMPSON of Alfred.

Cosponsored by Representatives: DOLLOFF of Rumford, DRINKWATER of Milford, FOSTER of Dexter, HANLEY of Pittston, McLEAN of Gorham, PRESCOTT of Waterboro.

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

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

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

Sent for concurrence.

Bill "An Act To Amend the Laws Relating to Harness Racing"

(H.P. 1149) (L.D. 1590)

Sponsored by Representative MAREAN of Hollis.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested.

The Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, ordered printed and sent for concurrence.

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

ORDERS

On motion of Representative FARNSWORTH of Portland, the following House Order: (H.O. 23)

ORDERED, that Representative Anne M. Carney of Cape Elizabeth be excused April 2 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas H. Martin, Jr. of Greene be excused April 4 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Kayla Thayer, of Auburn, on her being named the Central Maine Community College Student of the Year. We extend our congratulations and best wishes;

(HLS 250)

Presented by Representative BICKFORD of Auburn.

Cosponsored by Senator CLAXTON of Androscoggin, Representative MELARAGNO of Auburn, Representative SHEATS of Auburn, Representative ORDWAY of Standish.

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

READ.

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

Recognizing:

The Camden Herald, part of Courier Publications, based in Rockland. *The Camden Herald*, which serves the communities of Camden, Rockport, Hope, Appleton and Lincolnville, is celebrating its 150th Anniversary. We extend our congratulations and best wishes;

(HLS 251)

Presented by Representative DOUDERA of Camden.

Cosponsored by Senator MIRAMANT of Knox, Senator HERBIG of Waldo, Representative BEEBE-CENTER of Rockland, Representative PLUECKER of Warren, Representative ZEIGLER of Montville.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker. This year marks the 150th anniversary of the

Camden Herald, my hometown newspaper, which has served Camden and the surrounding towns since 1869. That's incredible; 150 years of dedicated journalists churning out local news. The paper's mission is to provide fair and accurate coverage of local events and to take stands on important local issues on the editorial pages. I think that all of us would agree that now more than ever our hometown newspapers play a critical role.

Warren Buffet invested more than \$300 million in local newspapers and here's what he had to say; if you want to know what's going on in your town, whether the news is about the mayor, taxes, or high school football, there's no substitute for a local newspaper. Wherever there is a pervasive sense of community, a paper that serves the special informational needs of that community will remain indispensable. And let's face it, while our attention is constantly pulled towards national issues, it's easy to forget that what's going on in our local communities is what's really important. That's what really has the greatest impact on our quality of life issues. As people become fatigued with the national dialogue, with the endless debates over what's real and not real, fake and not fake, our local news is delivering ground truth and it's more important than ever.

So today let's celebrate with the Camden Herald on their 150th anniversary, not just for this one special newspaper but for all of our local newspapers in all of our towns who perform such a critical role in our democracy. Thank you.

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

Recognizing:

Alec Byron, of Farmingdale, a student and a member of the boys basketball team at Hall-Dale High School, who recently scored his 1,000th career point. We extend our congratulations and best wishes;

(HLS 256)

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator BELLOWS of Kennebec, Representative WARREN of Hallowell.

On **OBJECTION** of Representative HARNETT of Gardiner, was **REMOVED** from the Special Sentiment Calendar.

READ and **PASSED** and sent for concurrence.

Recognizing:

Ashtyn Abbott, of Farmingdale, a student and a member of the boys basketball team at Hall-Dale High School, who recently scored his 1,000th career point. We extend our congratulations and best wishes;

(HLS 257)

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator BELLOWS of Kennebec, Representative WARREN of Hallowell.

On **OBJECTION** of Representative HARNETT of Gardiner, was **REMOVED** from the Special Sentiment Calendar.

READ and **PASSED** and sent for concurrence.

Recognizing:

Ashtyn Abbott, of Farmingdale, a senior at Hall-Dale High School, who has been named the Boys Basketball Player of the Year by the *Kennebec Journal*. We extend our congratulations and best wishes;

(HLS 258)

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator BELLOWS of Kennebec, Representative WARREN of Hallowell.

On **OBJECTION** of Representative HARNETT of Gardiner, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: Thank you, Madam Speaker and good morning, Men and Women of the House.

It is my pleasure to rise this morning to recognize the accomplishments of two remarkable student athletes from the Hall-Dale Varsity boys basketball team; Alec Byron and Ashtyn Abbott.

Both of these young men, teammates, through hard work, dedication, and countless hours of practice scored over 1,000 career points in their high school careers. Having one player on a team score over 1,000 points in a career is pretty rare. To have multiple players on the same team do it is almost unheard of. Speaking from my personal experience, I am not sure if I even scored 1,000 points in my driveway while I was growing up. It is no surprise that the Hall-Dale Varsity boys basketball team has excelled in recent years, including earning a gold ball for a state championship in 2018. In addition, Ashtyn Abbott was recently recognized as the Kennebec Journal Boys Basketball Player of the Year. What a wonderful way to top off his high school career.

The athletic achievements of these two seniors bring great pride to their families, their teammates, their school, and our communities. I thank you, Madam Speaker, for the opportunity to recognize these young men and congratulations to them both.

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, the Hall-Dale boys basketball team had a lot to celebrate this season. The group was talented and had a deep roster, going 17-1 in the regular season. And as the Representative from Gardiner said, it is not often that a team has two 1,000-point scorers in one season. And this year that happened, with the two players reaching that amazing career milestone.

The first player is Ashtyn Abbott. Ashtyn is versatile, a proven leader who plays multiple positions on the basketball court. Other teams already knew what he was capable of and they intended to stop him. That proved to be easier said than done. Ashtyn reach 1,000 points in a season where he averaged over 21 points and eight rebounds per game. For his incredible efforts, Ashtyn was named Kennebec Journal's Boys Basketball Player of the Year.

As I said, the Hall-Dale boys basketball team had a lot to celebrate and, secondly, we are honoring today Alec Byron. Alec also has reached the 1,000-mark point -- excuse me, the 1,000-point mark. Congratulations, Alec.

Both players are seniors this year. This is really great news for the rest of the league who will not have to try to contain them next year. And so I just want to wish a hearty

congratulations to Ashtyn and Alec on making our communities proud and achieving this great recognition. Thank you.

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-37)** on Bill "An Act To Amend the Law Governing MaineCare Coverage of Chiropractic Treatment"

(S.P. 41) (L.D. 154)

Signed:

Senators:

CLAXTON of Androscoggin
MOORE of Washington

Representatives:

CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
MADIGAN of Waterville
O'CONNOR of Berwick
PERRY of Calais
TALBOT ROSS of Portland

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

Signed:

Senator:

GRATWICK of Penobscot

Representatives:

HYMANSON of York
MEYER of Eliot
STOVER of Boothbay

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-37)**.

READ.

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

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

Representative **HYMANSON**: Thank you, Madam Speaker, Ladies and Gentlemen. You'll notice that I'm not on the Majority Report. I try always to move the Majority Report in respect for the committee vote but I will draw attention to the committee amendment because I have been getting a lot of questions about it. So, just for understanding, that the amendment asks the Department of Health and Human Services to apply for a state plan amendment which would allow for Medicaid reimbursement for chiropractic services within the scope of practice. And what that means is that the Department applies to the federal government to ask are there more codes than we are already accepting for chiropractic

treatment within the scope of practice that we can use to bill for -- the chiropractors could use to bill for their services. To my understanding, there has not been an okay given by the federal government to any state that has applied for expansion of the codes so I just wanted people to know that this is not an expansion of the chiropractic services, scope of practice, but rather something that requests the Department to ask the federal government for an expansion of codes which, to my understanding, has never been accepted. It also comes with a fiscal note so it will go on the appropriations table. Thank you.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-37)** 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-37)** in concurrence.

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

(S.P. 244) (L.D. 808)

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** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

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. Madam Speaker and Ladies and Gentlemen of the House, I rise today in opposition to the pending motion.

This bill would establish a minimum wage for persons who are under 18 years of age and who are enrolled as a student in school at 75% of the prevailing minimum wage. Many people say that the current availability of good jobs,

because of that, there's no need for the bill. However, when our economy slows down, which it surely will, I think we'll realize that this bill should've been passed. I don't want to look back someday and say that, you know, now we need a government program to take care of something which we can do right now. We can do this right now and it would be the private sector that pays for it rather than the public sector. Passage of this bill would do that.

I'd also like to tell a little story about a young man who learned to work and developed good work habits at an early age. Many years ago I had a small business and I hired a high school student to work after his mother requested that -- you know, asked if I had a job for him. She worked for us and I said yeah, I'll be happy to give him a job. And I paid him a little bit more than minimum wage. He was a high school student at the time. He worked that job, he worked some other jobs, he was a good worker, he developed good work habits, and later on he applied and was accepted, was appointed to the Air Force Academy. He had a very distinguished career there and his last assignment was the pilot for Air Force II. Pretty good for a little kid from Vassalboro, Maine. He learned those work habits as a teenager. This bill would help do that. Please join me in voting against the bill and, Madam Speaker, I do ask for a roll call. Thank you.

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 Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think what I'd like to do is share an excerpt of a communication I had with the CEO of the world-famous Gifford's Ice Cream. I think we're all familiar with them, Lindsay Gifford, when it comes to this topic of students and being able to get them into the workforce. It's probably not going to flow real well because of the way I had to pull it out of the conversation, but Ms. Gifford goes on to say if wages for scoopers reach \$12 per hour, Gifford's will not be able to give students their first job as we will be forced even further to hire folks with experience at these pay rates or we will have to move towards other options like other companies are using with technology, robots, kiosks, which is not something that we want to do but we may be forced to by folks putting these laws/bills in place. She goes on to say positions that have been eliminated due to the labor cost increases, yes, we had to eliminate assistant manager positions at some of our ice cream stands, we had to eliminate our mini golf/batting cage manager for Skowhegan and Waterville, we have had to be much more selective in our hiring process on focus on applicants that have experience. At our manufacturing plant in Skowhegan, we have had to use more automation to eliminate the need for further positions. We continue to look into further equipment that will reduce the need for some future seasonal positions such as semiautomatic tub fillers. We also eliminated a delivery driver position due to the increase in cost and are now outsourcing this -- outsourcing this year to a distributor to deliver to our five family-owned ice cream stands. We eliminated having a secretary at our manufacturing plant. We also made changes in our marketing department and eliminated a position down from three to a two-person crew. We made some strategic changes to work with more consultants versus hiring folks that have experience in certain segments of our business, which again would have been -- we would've been hiring more Mainers, which we did not do. As

some of our family members are nearing retirement in our manufacturing end of the business, we are already planning not to replace all of these individuals, we are going to get more technology and shift things to avoid this.

I'm sure you are seeing the trend that Gifford's is, slowing their hiring of Mainers due to the labor increases and moving towards more technology. We continue to look to adults versus teenagers as we need to get higher productivity per person. This might lead to less opportunity for students in Maine as some businesses will look to adults and seniors who have retired but might want a part-time job. In the past, we have taken great pride in being high school students' first job. We felt that we were helping to guide and teach them the basic work ethic that would launch them into their future endeavors. This has and continues to be more challenging. Thank you, Madam Speaker. Please join with me and vote this down so that we can help these students gain employment in the future. Thank you very much.

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. 48

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, 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, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Reckitt, 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, Cebra, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Ingwersen, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Martin T, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Campbell, DeVeau, Doore, Grignon, Hanington, Marean, Martin R, Peoples, Pierc eT, Riley.

Yes, 83; No, 56; Absent, 10; Excused, 1.

83 having voted in the affirmative and 56 voted in the negative, with 10 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Help Small Employers by Making the Minimum Wage Increase More Gradual in Nonurban Areas"

(S.P. 330) (L.D. 1098)

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" (S-40)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

Came from the Senate with the Majority **OUGHT NOT TO PASS Report READ and ACCEPTED.**

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 once again, Madam Speaker. I rise today in strong opposition to the pending motion.

This bill would create an alternative minimum wage for certain nonurban areas starting January 1, 2020, and for those areas the hourly rate would be \$11 an hour, increasing by 50 cents each January 1st until it reaches \$12 an hour on January 1, 2022. It also delays the cost of living adjustments until January 1, 2024.

The bill recognizes the reality that what is a reasonable minimum wage in part of the state and the more urban areas is just not realistic in the nonurban areas. If we can see all the reasonableness of this bill, I think we'd vote against the pending motion. We seriously need to address this important issue. We talk a lot about what we need to do, how different it is in parts of Maine, and yet we don't do anything about it. This is a chance for us to do something about it. Please vote no on this pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

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

The genesis of all these bills about minimum wage, of course, is due to the forcing of the wage up by government instead of by the decision of the business that's involved in these transactions. And I'll give you an illustration of this. In the town of Wiscasset there's an establishment that a man I spoke with, he said he hires a man who's intellectually challenged and he counts bottles. And he said at \$11 an hour he can just barely pay his wages and benefits and other costs that are associated with hiring someone. He said with the new wage increases, he said I have to make a decision either to lose money or to lay this man off. He can't increase his ability to count bottles but he can lose his job because of these bills' unintended consequences. I ask you to reconsider, follow my light, and defeat this.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Speaker, Members of the House. It's with a little bit of personal disbelief that I am speaking in support of the Ought Not to Pass motion.

While I support slowing increases in the minimum wage, after all, it's creating a burden on small businesses statewide, this bill creates an economic disadvantage for my region of the state. The bill specifically puts Cumberland County businesses at a disadvantage due to entwining higher labor costs for businesses in my county except for those in four specified towns.

I'll tell this chamber that there isn't a heck of a lot of difference between running a business in Windham versus Lewiston/Auburn. I'd like to ask Members to support the pending motion.

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. 49

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, 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, Ordway, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Reckitt, 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, Cebra, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Ingwersen, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Martin T, Mason, Maxmin, Millett, Morris, O'Connor, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - DeVeau, Doore, Grignon, Hanington, Marean, Martin R, Peoples, Pierce T, Riley.

Yes, 87; No, 53; Absent, 9; Excused, 1.

87 having voted in the affirmative and 53 voted in the negative, with 9 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Allow Local Flexibility in Teacher Assignment To Enhance Student Achievement"

(H.P. 493) (L.D. 672)

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 to Pass** on same Bill.

Signed:

Representatives:

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

READ.

Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **STEARNS**: Thank you, Madam Speaker. I wish to speak in favor of the bill and in opposition to the motion on the floor.

I put this bill in having had the experience of being a superintendent of schools and a principal. In very small or quite small rural schools, it's often very difficult to take a small faculty, particularly in middle school and high school, a small faculty and to be able to meet the needs of students in order to give them the opportunities that they need to succeed. Currently, the situation -- this bill would've allowed the local superintendent of schools if a -- you needed a teacher to teach 20% of their load or usually one class outside of their endorsement area. This is a certified teacher that you locally know well, you know their abilities, that you would be able to do that without asking for a waiver and permission to do so from the Department of Education in Augusta. This bill would've allowed the superintendent to use their local knowledge of the abilities of that teacher to be able to make that decision.

I remember not long ago when the federal government decided they could make these decisions better than even the state or the locals and at that time under No Child Left Behind we had the designation of highly qualified. And I watched faculty members in the district that I was in work incredibly long hours to determine that they were highly qualified by the federal government. And I would tell them repeatedly you don't need to worry about the federal government, we know you're highly qualified, go about your business and spend time teaching school and doing what's best for kids.

During the discussion on this, it was brought up that such an assignment could be made in a punitive manner and I can't dispute that. I suppose if someone had ill intent, they could assign someone way outside of their endorsement area in

order to get back at somebody or to make some kind of a statement. There's not much we can do about individuals that are like that except not hire them to work for our school systems. More often than not, it was faculty members and departments that would come to me and they would say we'd like to offer this, is there any way we can do it, and every time I had to say yeah, we're going to have to get a waiver from the State. Oftentimes, those waivers would take a great deal of time. That has been greatly improved recently, which is great news.

But once again, I would encourage this body to embrace the notion that those decisions are best made at the local level by human beings that know the abilities of other human beings, not necessarily by a drawer full of papers and certificates that state a person's qualifications. This would do a great deal in smaller rural areas, in a small fashion, but an important fashion, to limit property tax. Oftentimes schools are boxed into having to hire an extra faculty member in order to meet those needs when if they were able to move people around, much as the Red Sox do -- or maybe I shouldn't bring them up this morning -- move people around and use utility players once in a while to fill in that we know have those abilities. That would be a much less expensive way to do it. So I would encourage you to defeat the motion that's on the floor and I would ask 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 Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker, Men and Women of the House. I am an eighth-grade teacher in Hamden. I have four sections of eighth grade Social Studies and I used to have one section of sixth grade Social Studies. My certification is 7-12. This year is the first time that I was not allowed to teach -- have my sixth grade. And if this bill passes, I get my cute little kids back, so I would love it if you guys would vote for this bill. I have to say that the sixth grade, I've had them for 14 years, and they are by far, not close, my favorites. Thank you, Madam Speaker.

The SPEAKER: A reminder to Members to please direct your comments not towards other Members but towards the rostrum.

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

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

Representative **SAMPSON**: Thank you, Madam Chair, Ladies and Gentlemen of the House. So, this bill reduces unnecessary administrative burden. It would provide administrators with sometimes needed flexibility as we have heard and to assign teachers whom they know best to classes where there is a need. I also would suggest that this would be especially important during the vitally busy times of the school year, at the very beginning, when possibly the Department of Education and Certification Department, could be -- have some backlog. So this could help to expedite things and have the schools at the local level running more efficiently and smoothly and I would encourage my colleagues to vote no on this pending motion. Thank you.

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

Representative **McCREA**: I apologize, Madam Speaker, thank you. I did push the button, I think, but maybe I hit it twice. I rise in support of the pending motion.

All of the things that I've heard here are good rationale, they really are. I taught school forever, worked with the local credentialing system in my district, and I know that there are things that happen in districts where we need somebody to cover something on a short-term basis and there are waivers set in place to cover that. If it is a long-term situation where we have one Social Studies class that we can't seem to stretch somebody else, you know, that needs to get somebody from outside of that department to teach there then, yes, they may well need somebody that has maybe a little bit lesser load. But there's also a place, or a process in place, where that can be handled because they can get a conditional sort of waiver, conditional certificate, to teach outside of that area as long as they are progressing toward full certification in the new endorsement area.

So, I really hate to see people that have not proven their abilities by credentials being moved into positions where they don't have those credentials. They can get them, there's a process in place. I find that this is a bit of an end-around and it in some places may well be sort of one of these if all else fails let's just lower our standards a little. So, I very much am in support of the pending motion. I thank you.

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

Representative **FECTEAU**: Thank you, Madam Speaker. I am in support of the Ought to Pass -- against this motion in support of Ought to Pass.

I know there's been a lot of discussions about schools that are strapped to find a teacher for this, find a teacher for that. I look at this as a 21st century initiative. When we start talking about interdisciplinary study and start combining efforts, we've required it for STEM, science, technology, engineering, mathematics, but what about the arts and humanities that are also starting to combine? I'm a high school teacher at Maranacook Community High School in Readfield. Me and an art teacher would love - I'm a German teacher but I know a lot about art history and degenerate art - we would love to come together as two teachers and teach an Art History course that is a little bit outside of the box, it's outside of the box thinking. I pitched it to the students and they would love it. So I don't see this as forcing teachers to do things that they're not qualified for, I see this as a way forward with interdisciplinary study. So, I encourage my colleagues to vote Ought to Pass. 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. 50

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doudera, Dunphy, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, 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, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

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

ABSENT - DeVeau, Doore, Grignon, Hanington, Hanley, Marean, Martin R, Peoples, Pierce T, Riley.

Yes, 80; No, 59; Absent, 10; Excused, 1.

80 having voted in the affirmative and 59 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.

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

Representative **MOONEN** of Portland assumed the Chair. The House was called to order by the Speaker Pro Tem.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Restrict Cell Phone Use by Students While in School"

(H.P. 720) (L.D. 965)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
FECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

DRINKWATER of Milford
SAMPSON of Alfred

READ.

Representative **KORNFIELD** of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you very much. This bill restricts cell phone use by students while in school. cell phones are a problem in school, but as you all know, that ship not only sailed, it is so far out in the ocean that really a law here would not stop it. Schools have come up with very

creative ways of dealing with cell phone use in schools. There was -- I read an article about teachers that have shoe bags on their door, they're all numbered, and the number corresponds to a student and the student comes in the classroom and puts their cell phone in the proper shoe holder as they come in the door. We had a student in Caucus this morning who said that her school blocks Facebook, Snapchat, Instagram, and Twitter. So there are ways of dealing with this and I think that it is a difficult problem but it is not up to us to micromanage how schools are going to handle this. Thank you.

Representative **SAMPSON** of Alfred **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **SAMPSON**: Thank you. So, schools have already -- they're banning addictive agents and weapons in schools. And I would present to you that cellphones are similar. As addictive agents, there have been studies done that have shown that the developing brain and the influence of a lot of this technology and where they have cellphones in their hands on a regular basis, they have shown correlations between the addiction of cellphones and the brain development to the addiction of heroine.

The second point is that as a weapon they are being used as agents for bullying, harassing, texting -- sexting, they're running drugs, passing around pornography, a whole host of things. Resource Officers that I've spoken to and also who came to testify have said that like 85-90% of the issues that they deal with in the schools that are problematic are dealing with -- cellphones are the center of the problem. And to the point of that schools can do this, yes, schools can do this, but what we're hearing is a lot of the policies that are being put in place have -- lack teeth. And so the encouraging - - the whole point of this bill that was brought forward was to add that impetus to help these schools to actually stiffen up some of their policies. They can create them, but there are certain guidelines within that. So, I would also suggest that we as a state are facing one of the largest -- and we are number one in some accounts on mental health, the mental health crisis. And what has been clearly correlated is the bullying that's happening and all -- a lot of it is on social media, is adding to the problem of this mental health, depression, isolation, and even suicide. And the cellphones are exacerbating the problem.

What I would like us to consider as these cellphones -- we can do something as opposed to nothing. Children should be in school undistracted, working on academics and learning, not having this unsafe environment that they have to go in day in and day out and the cellphones are the agent that are causing the agitation and distraction, and I would ask that we would oppose this pending motion and I thank you.

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

Representative **McCREA**: Thank you, Mr. Speaker. I rise in support of the pending motion. Everybody knows that cellphones and schools are a difficult issue. Back a few years ago when I was in grade school, passing notes was a pretty big issue and nobody proposed to make a law against it. Now, this is much more immediate, a much more widespread communication device. I think that it's different in different regions of the state, different in different schools, maybe within

a single district. And I think that those schools are wrestling with this issue.

I don't think that a state edict will solve the problem. I do believe that it is something that every school is wrestling with and they are best capable of coming up with a solution that fits their school, so I thank you.

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

ROLL CALL NO. 51

YEA - Ackley, Alley, Andrews, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Campbell, Cardone, Carney, Cebra, Cooper, Corey, Craven, Crockett, Cuddy, Curtis, Daughtry, Denk, Dillingham, Dodge, Doudera, Dunphy, Farnsworth, Faulkingham, Fay, Fecteau J, Fecteau R, Foley, Foster, Gattine, Gramlich, Grohoski, Hall, Harnett, Head, Hepler, Higgins, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Jorgensen, Keschl, Kessler, Kinney, Kornfield, Kryzak, Landry, Lockman, Madigan C, Martin J, Martin T, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Morris, Nadeau, O'Neil, Ordway, Paulhus, Pebworth, Perkins, Perry A, Perry J, Pluecker, Riseman, Roberts-Lovell, Rudnicki, Rykerson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Stover, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Verow, Warren, White B, White D, Zeigler, Madam Speaker.

NAY - Arata, Austin S, Babine, Cloutier, Collings, Costain, Dolloff, Drinkwater, Evangelos, Griffin, Haggan, Handy, Harrington, Hickman, Javner, Johansen, Mason, Millett, O'Connor, Pickett, Prescott, Reckitt, Reed, Sampson, Swallow, Wadsworth.

ABSENT - DeVeau, Doore, Grignon, Hanington, Hanley, Lyford, Marean, MartinR, Peoples, Pierce T, Riley.

Yes, 112; No, 26; Absent, 11; Excused, 1.

112 having voted in the affirmative and 26 voted in the negative, with 11 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 **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Authorize Consumers Located Adjacent to Electric Power Generators To Obtain Power Directly"

(H.P. 783) (L.D. 1060)

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
FOSTER of Dexter
GROHOSKI of Ellsworth
HANLEY of Pittston
KESSLER of South Portland
RILEY of Jay
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:
Representative:
GRIGNON of Athens

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-97)** on Bill "An Act To Allow and Recognize a Legal Name Change upon Marriage"

(H.P. 9) (L.D. 8)

Signed:
Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
CURTIS of Madison
DeVEAU of Caribou
EVANGELOS of Friendship
HAGGAN of Hampden
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:
Senator:
KEIM of Oxford

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-97)** 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-97)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-98)** on Bill "An Act Regarding Qualifications for District Attorneys"

(H.P. 397) (L.D. 540)

Signed:
Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec
KEIM of Oxford

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
HAGGAN of Hampden
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-99)** on same Bill.

Signed:
Representatives:
CURTIS of Madison
DeVEAU of Caribou

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-98)** 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-98)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act To Amend the Laws Governing the Circumstances of Death That Must Be Reported to the Office of Chief Medical Examiner"

(H.P. 494) (L.D. 673)

Signed:
Senators:
CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
CURTIS of Madison
EVANGELOS of Friendship
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:
Senator:
KEIM of Oxford

Representatives:

DeVEAU of Caribou
HAGGAN of Hampden

READ.

On motion of Representative BAILEY of Saco, 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.

CONSENT CALENDAR

First Day

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

(S.P. 17) (L.D. 53) Bill "An Act To Clarify Local Referendum Ballots" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-41)**

(S.P. 29) (L.D. 76) Bill "An Act To Strengthen the Integrity of the Legislature by Extending the Waiting Period before Legislators May Engage in Any Amount of Compensated Lobbying" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-43)**

(S.P. 45) (L.D. 158) Bill "An Act To Amend the Laws Governing Beano" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-42)**

(H.P. 829) (L.D. 1140) Bill "An Act To Improve the Investigation and Prosecution of Sexual Assault Cases" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 191) (L.D. 228) Bill "An Act To Expedite the Issuance of Alcohol and Drug Counseling Licenses" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-103)**

(H.P. 495) (L.D. 674) Bill "An Act To Improve the E-9-1-1 System" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-100)**

(H.P. 714) (L.D. 959) Bill "An Act To Increase Funding for the Maine Lakes Society 'LakeSmart' Program and the Lake Stewards of Maine Volunteer Lake Monitoring Program" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-102)**

(H.P. 745) (L.D. 1003) Bill "An Act To Ensure Accurate Explanations of Electric Bills" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-101)**

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

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

ENACTORS

Emergency Measure

An Act To Increase the Number of Clubs That May Be Issued a Special Dog Training Area License

(H.P. 385) (L.D. 528)
(C. "A" H-69)

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. 127 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Amend the Charter of the City of Brewer High School District

(H.P. 451) (L.D. 623)
(C. "A" H-71)

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brewer, Representative Verow.

Representative **VEROW**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring this -- I brought this to the House at the request of our high school district trustees.

In 1925, the city went to the Legislature to get a bill passed to create a high school district for the City of Brewer. That bill was passed and it's Chapter 4 of the 1925 legislative record. Part of that bill is that if any changes that will have to be requested for that legislation will have to come to this legislature. One of those bills is -- one of the provisions is that only one member of the five-member board will receive compensation. The trustees have asked me to request an amendment to that bill so that all five members who are elected members that they would receive compensation, and that compensation is determined by vote of the City Council. This City Council has approved this bill, and has the school committee and the trustees, and I brought this to the State and Local Government Committee and they received -- I received a unanimous vote as amended on that bill. So, I ask that you support me in voting in favor of this measure. Thank you, Mr. Speaker.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission

(H.P. 25) (L.D. 24)
(C. "A" H-76)

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

Emergency Measure

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

(H.P. 85) (L.D. 99)
(C. "A" H-63)

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

Emergency Measure

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

(H.P. 159) (L.D. 196)
(C. "A" H-75)

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

Emergency Measure

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

(H.P. 206) (L.D. 282)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

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

(H.P. 292) (L.D. 383)
(C. "A" H-74)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Mandate

An Act To Prevent Food Shaming in Maine's Public Schools

(H.P. 130) (L.D. 167)
(C. "A" H-91)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 25 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Acts

An Act To Clarify Game of Chance Licensing Requirements

(H.P. 35) (L.D. 34)
(C. "A" H-92)

An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers

(H.P. 121) (L.D. 139)
(C. "A" H-82)

An Act To Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds

(S.P. 39) (L.D. 152)
(C. "A" S-32)

An Act To Create the Water Resources Planning Committee

(H.P. 162) (L.D. 199)
(C. "A" H-87)

An Act To Prohibit the Use of Certain Disposable Food Service Containers

(H.P. 213) (L.D. 289)
(H. "A" H-55 to C. "A" H-49)

An Act To Clarify the Temporary Medical Allowance Relating to Lobster and Crab Fishing Licenses

(H.P. 266) (L.D. 340)
(C. "A" H-70)

An Act To Allow for Greater Flexibility in Addressing Energy Efficiency Needs in the State

(H.P. 307) (L.D. 398)
(C. "A" H-73)

An Act To Establish Regional School Leadership Academies

(H.P. 315) (L.D. 406)
(C. "A" H-84)

An Act To Provide Funding for the Naval Museum and Gardens in Brunswick

(H.P. 454) (L.D. 626)
(C. "A" H-64)

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

(S.P. 219) (L.D. 706)
(C. "A" S-33)

An Act To Support the Northern New England Poison Center

(H.P. 550) (L.D. 745)
(C. "A" H-67)

An Act To Ensure the Availability of In-person Visitation in County Jails

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

An Act Regarding the Duties of the Public Advocate
(S.P. 243) (L.D. 807)
(C. "A" S-38)

An Act To Advance the Restoration of the Penobscot River

(S.P. 253) (L.D. 817)
(C. "A" S-34)

An Act To Increase Accountability for Wage Violations

(H.P. 631) (L.D. 857)
(C. "A" H-78)

An Act Regarding the Regulation of Rabbit Production for Local Consumption

(H.P. 694) (L.D. 939)
(C. "A" H-88)

An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality

(H.P. 801) (L.D. 1078)
(C. "A" H-96)

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

Resolves

Resolve, To Encourage the Commissioner of Inland Fisheries and Wildlife To Establish a Youth Turkey Hunting Day during the Fall Season

(H.P. 34) (L.D. 33)
(C. "A" H-68)

Resolve, To Establish a Medically Tailored Food Pilot Project

(S.P. 138) (L.D. 474)
(C. "A" S-36)

Resolve, To Create a Flag To Recognize the Bicentennial of the State

(H.P. 508) (L.D. 687)
(C. "A" H-72)

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

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

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

SENATE PAPERS

Bill "An Act To Authorize General Fund Bond Issues To Improve Highways, Bridges and Multimodal Facilities"

(S.P. 510) (L.D. 1604)

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Improve Cell Phone Service in Underserved Areas by Installing Wireless Base Stations at State-owned Facilities"

(S.P. 509) (L.D. 1603)

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.

Resolve, Establishing the Working Group on Mental Health (EMERGENCY)

(S.P. 508) (L.D. 1602)

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.

Bill "An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts"

(S.P. 506) (L.D. 1587)

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.

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

On motion of Representative MADIGAN of Waterville, the House adjourned at 12:40 p.m., until 10:00 a.m., Tuesday, April 23, 2019, pursuant to the Joint Order (S.P. 507) and in honor and lasting tribute to Joseph J. Casalinova, Jr., of Oxford, the Honorable Roy Farmer, of Wiscasset, and the Honorable Dale J. Denno, of Cumberland.