

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

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ONE HUNDRED TWENTY-NINTH LEGISLATURE
 FIRST REGULAR SESSION
 34th Legislative Day
 Tuesday, April 30, 2019

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

Prayer by Father Jud Pealer, St. Michael's Episcopal Church, Auburn.

National Anthem by Mount View Chamber Singers, Mount View Junior High and High School, Thorndike.

Pledge of Allegiance.

Doctor of the day, Tyler O'Sullivan, D.O., Scarborough.

The Journal of Thursday, April 25, 2019 was read and approved.

SENATE PAPERS

Bill "An Act To Prevent Medicaid Payment from a Savings Account Established under the Federal ABLE Act of 2014"

(S.P. 526) (L.D. 1637)

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.

COMMUNICATIONS

The Following Communication: (H.C. 156)

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

April 30, 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:"

Education and Cultural Affairs

L.D. 438 An Act To Allow the Creation of New Innovative School Models by Removing the Cap on the Number of Authorized Charter Schools

L.D. 714 An Act To Prohibit Public Charter Schools from Expending Funds for Advertising

L.D. 1152 An Act To Make the Maine Educational Assessment Optional for Kindergarten to Grade 8

Health and Human Services

L.D. 476 Resolve, To Review the Delivery of Services to the Citizens of the State by the Department of Health and Human Services

L.D. 551 An Act To Ban Nicotine Liquid Containers

L.D. 552 An Act Relating to Penalties for an Employer for the Retail Sale of Tobacco Products to a Minor when the Employer Possesses a Driver's License Reader

L.D. 986 An Act To Expand Lead Inspections to Other Properties of the Owner of a Property Determined to Contain Lead

L.D. 1032 An Act To Ensure Sufficient Representation of Adults Receiving Mental Health Services on Local Councils within the Consumer Council System of Maine

L.D. 1132 An Act To Provide Additional Food Supplement Assistance for the Elderly and Persons with Disabilities

L.D. 1235 An Act To Increase Safety in Health Care Facilities

L.D. 1308 An Act To Better Fund Nursing Homes in the State To Better Help the Elderly and Disabled

L.D. 1309 An Act To Index MaineCare Reimbursement to Nursing Homes and Other Adult Care Facilities to Increases in the Minimum Wage

L.D. 1360 Resolve, To Expand Eligibility for Presumptive Eligibility Determinations by Hospitals

Health Coverage, Insurance and Financial Services

L.D. 1402 An Act To Allow State-chartered Credit Unions To Service Medical and Adult Use Marijuana Business Accounts (EMERGENCY)

Inland Fisheries and Wildlife

L.D. 74 An Act To Reform Maine's Fish and Wildlife Management System

L.D. 339 An Act To Prohibit Unattended Watercraft on Open Water

Taxation

L.D. 444 An Act To Fully Restore Revenue Sharing (EMERGENCY)

L.D. 645 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Tax on the Primary Residence of Certain Residents Who Are 65 Years of Age or Older

L.D. 751 An Act To Reinstate the State Property Tax Deferral Program for Maine's Senior Homeowners

L.D. 812 An Act To Stabilize Property Taxes on Homesteads of Individuals Who Are 66 Years of Age or Older

L.D. 1278 RESOLUTION, Proposing an Amendment to the Constitution of Maine Requiring the State To Share Not Less Than 5 Percent of State Sales and Income Tax Revenue with Municipalities

Veterans and Legal Affairs

L.D. 1196 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting

L.D. 1365 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Election of the Governor by Majority Vote

Sincerely,
 S/Robert B. Hunt
 Clerk of House

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

The Following Communication: (H.C. 157)

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

April 30, 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 April 26, 2019

The Honorable Nancy Carlson of Dixfield, for reappointment as a District Court Judge.

Pursuant to Title 4, MRSA §157, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

The Honorable Joseph Field of Freeport, for reappointment as an Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA §157-B, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Sara Gideon

Speaker of the House

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

The Following Communication: (S.C. 321)

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

April 25, 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 Transportation,

- John E. Dority of Augusta for reappointment, to the Maine Turnpike Authority, Board of Directors;
- The Honorable Daniel E. Wathen of Augusta for reappointment, to the Maine Turnpike Authority, Board of Directors

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 Promote Equitable and Responsible Broadband Investment"

(H.P. 1187) (L.D. 1651)

Sponsored by Representative STEWART of Presque Isle.

Cosponsored by Representatives: FOSTER of Dexter, HANLEY of Pittston, O'CONNOR of Berwick, WADSWORTH of Hiram, Senator: WOODSOME of York.

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 Improve and Modernize Home-based Care"

(H.P. 1191) (L.D. 1655)

Sponsored by Representative MEYER of Eliot.

Cosponsored by Senator MOORE of Washington and Representatives: MADIGAN of Waterville, PERRY of Calais, STOVER of Boothbay.

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 Strengthen Consumer Protections in Health Care"

(H.P. 1186) (L.D. 1650)

Sponsored by Representative TIPPING of Orono.

Cosponsored by Senator SANBORN, L. of Cumberland and Representatives: BROOKS of Lewiston, FOLEY of Biddeford, MADIGAN of Waterville, MARTIN of Eagle Lake, MELARAGNO of Auburn, TEPLER of Topsham, Senator: GRATWICK of Penobscot.

Bill "An Act To Require Certain Health Care Providers To Provide Patients Detailed Information on the Risks Associated with the Use of Opioid Medications and Schedule II Drugs"

(H.P. 1192) (L.D. 1666)

Sponsored by Representative PICKETT of Dixfield.

Cosponsored by Senator FOLEY of York and Representatives: ANDREWS of Paris, JAVNER of Chester, MADIGAN of Waterville, MORALES of South Portland, MORRIS of Turner, PRESCOTT of Waterboro, TEPLER of Topsham, WARREN of Hallowell.

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.

Resolve, Establishing the Conference To Address and Improve Relations between Maine Indian Tribes and the Legislature

(H.P. 1189) (L.D. 1653)

Sponsored by Representative DILLINGHAM of Oxford.

Cosponsored by President JACKSON of Aroostook and Representatives: COLLINGS of Portland, MARTIN of Greene, MOONEN of Portland, O'CONNOR of Berwick, STEWART of Presque Isle, Senator: DOW of Lincoln.

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

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

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

Sent for concurrence.

Bill "An Act To Create Veteran-friendly Workplaces"
(H.P. 1190) (L.D. 1654)

Sponsored by Representative COLLINGS of Portland.

Cosponsored by President JACKSON of Aroostook.

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 Increase Salaries for Elected State Officials and To Amend the Laws Governing the State Compensation Commission"

(H.P. 1193) (L.D. 1667)

Sponsored by Representative BABBIDGE of Kennebunk.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: HYMANSON of York, McCREIGHT of Harpswell, MOONEN of Portland, O'NEIL of Saco, RECKITT of South Portland, STANLEY of Medway, TUCKER of Brunswick.

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 Make Technical Changes to the Taxation of Marijuana" (EMERGENCY)

(H.P. 1188) (L.D. 1652)

Sponsored by Representative TIPPING of Orono.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

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

Sent for concurrence.

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

ORDERS

On motion of Representative BERRY of Bowdoinham, the following Joint Resolution: (H.P. 1184) (Cosponsored by President JACKSON of Aroostook and Representatives: Speaker GIDEON of Freeport, HYMANSON of York, TEPLER of Topsham, Senators: GRATWICK of Penobscot, LAWRENCE of York, MOORE of Washington, SANBORN, H. of Cumberland, VITELLI of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ALLOW THE IMPORTATION OF AFFORDABLE AND SAFE PRESCRIPTION DRUGS

WE, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, Maine residents have a high median age and a low median income and are especially vulnerable to high prescription drug costs; and

WHEREAS, in Canada, within walking distance of Maine's border, the same medications used by Maine residents, manufactured by the same companies in the same factories, are available for a fraction of the price charged in the United States; and

WHEREAS, Maine has previously allowed the personal importation of safe prescription medications, which saved residents and businesses as much as half the cost of their medications, significantly decreasing their health care and insurance costs; and

WHEREAS, Maine's ability to import such medications has since been blocked by federal law, thus inserting the Federal Government between Maine people and potentially lifesaving medications while also preventing free-market competition from working to benefit consumers; and

WHEREAS, in 2014, Americans spent \$1,112 per person on prescription drugs while Canadians spent \$772 and Danes spent \$325, and nearly one in three Americans have been unable to afford the medicine they were prescribed at some point in their lives; and

WHEREAS, multiple members of Congress from both major political parties, including Maine's delegation, have introduced legislation to allow wholesalers, pharmacies and individuals to import qualifying prescription drugs from licensed sellers in Canada and other member nations of the Organization for Economic Cooperation and Development, using standards for the approval and sale of such medications comparable to those in the United States, that are purchased from an entity certified by the United States Food and Drug Administration and that have the same active ingredient, strength and route of administration as drugs approved in the United States; and

WHEREAS, the President's health care proposal prior to his election read as follows: "Congress will need the courage to step away from the special interests and do what is right for Americans...Allowing consumers access to imported, safe and dependable drugs from overseas will bring more options to consumers"; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress enact legislation to allow the importation of safe, affordable prescription medications from Canada and other Organization for Economic Cooperation and Development nations; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald J. Trump, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

READ.

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

Representative BERRY: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, tomorrow, May 1st, begins Older Americans Month, and this is

especially meaningful to our state because we have the unique challenge and also the unique opportunity of being the oldest state in the nation. And, for the record, this also means that we're the wisest state.

Madam Speaker, I'm proud that the 129th Legislature under your leadership is taking action on the high cost of prescription medications. Too many low-income seniors call me on a weekly, if not daily basis, with concerns about affording their prescription medications and having to choose, for example, between being disconnected from their power which is needed for an oxygen machine or being able to afford their prescription medications because they've hit the Part D donut hole. Too many businesses call me with concerns, and from small businesses to large businesses, call me year after year about double-digit health premium increases. Joel Allumbaugh, a conservative healthcare expert in Maine, has contacted me and has explained that if Maine and other states could import safe and effective drugs from countries like Canada, that the vendor that he works with, based on prior experience, would see a 65% savings to the businesses that they insure in Maine and would be able to eliminate the cost share for employees.

So, Madam Speaker, this Joint Resolution simply asks the President to keep a promise that he made and asks our delegation to redouble their efforts on this issue. More than any other state, because we are the oldest, because we are one of the closest to Canada, and because we are a relatively lower income state, this issue is our challenge and is our opportunity. Let us lead on this issue. Thank you, Madam Speaker.

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

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

On motion of Representative HARNETT of Gardiner, the following Joint Resolution: (H.P. 1195) (Cosponsored by Senator BELLOWES of Kennebec and Representatives: BABBIDGE of Kennebunk, DeVEAU of Caribou, DODGE of Belfast, EVANGELOS of Friendship, Senator: KEIM of Oxford)

**JOINT RESOLUTION RECOGNIZING APRIL 2019 AS
SARCOIDOSIS AWARENESS MONTH**

WHEREAS, sarcoidosis is a potentially debilitating and deadly multiorgan inflammatory disease that is estimated to affect 200,000 people in the United States; and

WHEREAS, the signs and symptoms of sarcoidosis vary widely depending on the person and organs affected and can include debilitating fatigue; shortness of breath; difficulties with balance and coordination; irregular heartbeat; visual problems, including blindness; pain affecting joints and muscles; weakness or numbness of limbs; skin rash and discoloration; mood disorders such as depression and anxiety; organ failure; and sleep difficulties; and

WHEREAS, sarcoidosis can affect anyone but is most common among adults between the ages of 20 and 40, with a higher incidence among African Americans; and

WHEREAS, research suggests the cause of sarcoidosis is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and

WHEREAS, sarcoidosis is a diagnosis of exclusion as there is no objective test, biomarker, known cause or cure; and

WHEREAS, volunteers, researchers, caregivers and medical professionals are working to improve the quality of life and prognosis of persons living with sarcoidosis and their families; 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 April 2019 as Sarcoidosis Awareness Month.

READ.

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

Representative HARNETT: Thank you, Madam Speaker, Women and Men of the House. I rise today to ask you to join me in recognizing April as Sarcoidosis Awareness Month.

I must admit that when I was contacted by my friend and constituent, Robert Gross that I was unaware of this affliction of sarcoidosis and was surprised to learn that it affects up to 200,000 people throughout the United States.

In my four short months in this body, I've heard many resolutions for diseases and those who fight them. Some are more well known, others less so. What I want to recognize that with all of those we have citizens, we have friends and neighbors, sometimes who are afflicted with this disease or it afflicts their loved ones and they make it their life's mission to volunteer to try to increase research and to find a cure. And we are fortunate in the State of Maine to have two ambassadors who I'd like to recognize that work on sarcoidosis and those are Ambassador Robert Gross, who is my constituent and friend from Gardiner, and also Ambassador Paul Paradis. They are here with their members, with some members of their family, and I assume we will recognize them, and I ask for this resolution to move forward. Thank you.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative ARATA: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, although I'm not a co-sponsor, I stand in support of this resolution.

Shortly after I moved away to attend college, I returned home to find that my father, who you know as Representative Bradstreet, the Representative from Vassalboro, had a vicious, unrelenting cough. After many tests, it was determined that he had sarcoidosis of the lungs, an often-deadly disease for which there is no known cure or cause. This seemed particularly unfair because my father was the only nonsmoker among his seven siblings.

My father suffered from sarcoidosis for many years, with coughing fits that interrupted his daily life. However, as is typical of him, he never complained or wanted me to worry, but of course I worried and I prayed very frequently. And I'm happy to report that my father now has no signs of sarcoidosis. So, I appreciate those who sponsored this resolution and I hope that we can soon progress beyond awareness of sarcoidosis and onward to a cure. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative RECKITT: Madam Speaker, I want to thank the Good Representative from Gardiner for introducing this resolution. I have a dear and -- dear close friend who is afflicted with sarcoidosis and I had no idea that it was Sarcoidosis Awareness Month, and neither does she. But I have watched her suffer from at least three of the afflictions that are detailed in this resolution and I hope for the Good

Representative from Vassalboro that he never has a recurrence, but I have watched my friend have recurrences of this disease and I -- it reminds me, frankly, of my own anxiety as a person with MS that I never know when I'm going to have an attack. My friend never knows when her sarcoidosis is going to reappear in some other part of her body. She has had both visual problems, joint problems, and skin rashes and it's very disconcerting and very life threatening.

So, I really appreciate the effort that the Good Representative from Gardiner has and his friends to bring this to our awareness and I hope that things will improve. Thank you so much.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Clay Gleason, of Waterboro, principal of Hollis Elementary School, who has received the National Association of Elementary School Principals 2019 National Distinguished Principal Award. We extend our congratulations and best wishes;

(HLS 300)

Presented by Representative MAREAN of Hollis.
Cosponsored by Senator WOODSOME of York,
Representative PRESCOTT of Waterboro.

On **OBJECTION** of Representative MAREAN of Hollis, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Hollis, Representative Marean.

Representative **MAREAN:** Thank you, Madam Speaker, Ladies and Gentlemen of the House. Good morning. It is my distinct honor this morning to recognize a very special guest who is with us in the Gallery. It is a privilege for all of us to have the honors of recognizing outstanding citizens and to boast about the folks in our communities that make our homes such great places to live.

Not only is this person community-minded, he is also a teacher and an elementary school principal. He came to RSU 6 in 2002 as the assistant principal of Bonny Eagle Middle School and ten years later he was made principal of Hollis Elementary School. Mr. Gleason is truly dedicated to teaching and learning and he excels in his ability to work extensively to ensure his students have multiple learning opportunities. Hollis Elementary School is so proud of its principal and we surely would love to recognize and appreciate his connections with his staff, his students, parents, and his community.

And now for the reason that he is here; Mr. Gleason was notified by the Maine Principal's Association that he had been named Maine's National Distinguished Principal for 2019. Truly an honor for Mr. Gleason, and a well-deserved one, too. He received this award at the Maine Principal's Association spring conference last week. So on behalf of the staff, students, and parents of Hollis Elementary, we want to congratulate Mr. Gleason on this prestigious award. Thank you, Madam Speaker.

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

Recognizing:

Helene Whitaker, of Old Orchard Beach, recipient of a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We extend our congratulations and best wishes;

(HLS 301)

Presented by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator CHENETTE of York.

On **OBJECTION** of Representative GRAMLICH of Old Orchard Beach, was **REMOVED** from the Special Sentiment Calendar.

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

Recognizing:

Louise Reid, of Old Orchard Beach, who has been recognized by the Town of Old Orchard Beach for her public service with Community Friendly Connection. We extend our congratulations and best wishes;

(HLS 302)

Presented by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator CHENETTE of York.

On **OBJECTION** of Representative GRAMLICH of Old Orchard Beach, was **REMOVED** from the Special Sentiment Calendar.

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

Recognizing:

Pat Brown, of Old Orchard Beach, recipient of a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We extend our congratulations and best wishes;

(HLS 303)

Presented by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator CHENETTE of York.

On **OBJECTION** of Representative GRAMLICH of Old Orchard Beach, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Old Orchard Beach, Representative Gramlich.

Representative **GRAMLICH:** Thank you, Madam Speaker, Women and Men of the House. I rise before you today to honor three remarkable women from my community of Old Orchard Beach; Pat Brown, Helene Whitaker, and Louise Reid.

These three individuals have joined together to create an amazing organization, the OOB Community Friendly Connection, an organization that is truly making a difference in Old Orchard Beach. This organization was designed -- designated as an AARP Age-Friendly Community Organization in November of 2017.

Both Helene and Pat are recipients of the 2019 Spirit of America Award. As both assistant town manager and chair of the OOB Community Friendly Connection, Louise Reid is an integral figure in all segments of our community, far too many to name here this morning. As a trusted octogenarian, Louise continues to be a vital part of our community. She continually helps every person who reaches out to her during the past 16 years, answering over a hundred emails a day and countless numbers of phone calls and personal visits. Louise, along with Pat and Helene, exemplify the true meaning of community service in every aspect of their lives and are positive role models for all who have the privilege to know them. It is an honor for me to recognize these three outstanding individuals. I am humbled to represent them here in Augusta. Thank you, Madam Speaker.

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

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

REPORTS OF COMMITTEE

Refer to the Committee on Environment and Natural Resources

Pursuant to Joint Order

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Product Stewardship Program Framework Laws"

(H.P. 1185) (L.D. 1649)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** pursuant to Joint Order 2019, H.P. 883.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

Refer to the Committee on Environment and Natural Resources

Pursuant to Joint Order

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Mercury-added Lamp Law"

(H.P. 1194) (L.D. 1668)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** pursuant to Joint Order 2019, H.P. 883.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

Change of Committee

Representative SYLVESTER from the Committee on **LABOR AND HOUSING** on Bill "An Act To Create a Low-barrier, Permanent Housing Rental Subsidy for Individuals in the State Experiencing Long-term Homelessness"

(H.P. 865) (L.D. 1201)

Reporting that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent for concurrence.

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

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-48)** on Bill "An Act To Prohibit a Person under 18 Years of Age from Being Charged with the Crime of Engaging in Prostitution"

(S.P. 170) (L.D. 548)

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

WARREN of Hallowell
BEEBE-CENTER of Rockland
COOPER of Yarmouth
COREY of Windham
COSTAIN of Plymouth
MORALES of South Portland
PICKETT of Dixfield
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Representative:

JOHANSEN of Monticello

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-48)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-48)** 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-48)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-59)** on Bill "An Act To Provide for a Professional Wage and Support for New Educators"

(S.P. 264) (L.D. 898)

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 to Pass as Amended by Committee Amendment "B" (S-60)** on same Bill.

Signed:
Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford
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-59)**.

READ.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-20)** on Bill "An Act To Increase the Handling Fee for Beverage Containers Reimbursed to Redemption Centers"

(S.P. 60) (L.D. 248)

Signed:
Senators:

CARSON of Cumberland
CHENETTE of York

Representatives:

TUCKER of Brunswick
CAMPBELL of Orrington
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
SKOLFIELD of Weld
ZEIGLER of Montville

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

Signed:
Senator:

FOLEY of York

Representatives:

JOHANSEN of Monticello
LYFORD of Eddington

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-20) AS AMENDED BY SENATE AMENDMENT "A" (S-56)** thereto.

READ.

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act To Restore Funding for the Capital Riverfront Improvement District"

(S.P. 263) (L.D. 897)

Signed:
Senators:

HERBIG of Waldo
GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BABINE of Scarborough
CROCKETT of Portland
HANDY of Lewiston
PERRY of Bangor

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

Signed:
Representative:

HIGGINS of Dover-Foxcroft

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

READ.

On motion of Representative DAUGHTRY of Brunswick, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-173)** on Bill "An Act To Strengthen Resource Sharing and Access to Library Materials among Maine Libraries"

(H.P. 838) (L.D. 1149)

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 KORNFIELD of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-173)** 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-173)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-166)** on Bill "An Act Concerning Pavement Sealing Products"

(H.P. 670) (L.D. 906)

Signed:

Senator: CARSON of Cumberland

Representatives:

TUCKER of Brunswick
BLUME of York
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
ZEIGLER of Montville

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

Signed:

Senator: FOLEY of York

Representatives:

CAMPBELL of Orrington
LYFORD of Eddington
SKOLFIELD of Weld

READ.

Representative TUCKER of Brunswick 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 Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. If you had a product in front of you, or an item, that you knew was harmful, dangerous, poisonous, was capable of causing cancer, neurological issues, as well as causing an environmental impact that is known to cause fish die-off and issues to our water body, you'd want to get rid of it. You'd especially want to get rid of that product if you knew that it wasn't something that was necessary, it wasn't something that was required for public safety. And you'd especially want to get rid of that product if you knew that there were two alternatives available on the market that are proven to be able to do the same thing without the same health and environmental ramifications.

That's exactly what's in front of you. This is a bill to ban coal tar-based pavement sealing products. These are products that are only used on driveways, they're not used on our major roadways by the Maine Department of Transportation because they actually break down quite quickly. In addition to being carcinogenic, this is a product with a limited lifecycle. It has to be applied every one to two years because it breaks up into micro tiny little chunks that make their way into our waterways, our houses, and our human bodies through a multitude of manners.

This is something that other states have also banned, we wouldn't be the first state to take this move, and many municipalities and cities have also made the move. The bill has a phase-in to make sure we can work with small businesses and with our large businesses to make sure that this product is not available. It also allows an option for universities to continue studying this product, as well. Also, this product is not sold in our major stores. You can't walk into Home Depot or Lowe's and buy this to be able to apply yourself because they, too, don't feel comfortable selling this product for the fear of what it does to our bodies and our environment.

I urge you to follow my light and support the Majority **Ought to Pass as Amended** Report.

The **SPEAKER**: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. Just a clarification, there at this point, are three types of driveway sealer. One that is coal tar based, another that's asphalt based, and another that's latex base. The purpose of this is to protect asphalt. Number one, you don't protect asphalt very well if you put asphalt back on it. Number two, latex, you might as well paint your house with the same stuff. It's latex based, it doesn't work. The coal tar is something that actually works.

This is the third time we've heard this bill in the Legislature. The first time, three Legislatures ago, we heard that tracking this product in on the carpet where kids could eat it was not acceptable. This time, we've migrated from kids eating it off the carpet to killing aquatic life. So, just picture a large parking lot and if you know that much about construction, large parking lots are tilted to a point where a catch basin collects the water. If you were a little rubber duckie and were walking on this sealer, then if you walked on it within a few hours of the application you would be tracking that. The product dries on the asphalt and then it migrates down over and sheets the water to a catch basin which then travels down and through a pipe coated with coal tar to keep it from leaking and then it goes out into what's called a catchment pond or a filtration system where just like a wetlands, it filters the product. So the product doesn't migrate into the argument that we're hearing; streams, rivers, ponds, and the ocean.

Oh, by the way, did I mention that coal tar is used in shampoos and personal care products? I would suggest that we adhere to the wisdom of the previous Legislatures and defeat this measure before us today. May we have a roll call? Thank you.

The SPEAKER: The Chair will remind Members to please direct comments towards the rostrum.

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

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Yes, Madam Speaker, thank you. I'd like to pose a question to anyone who would care to answer?

The SPEAKER: The Representative may proceed.

Representative **KESCHL**: There are many products that are used daily in our daily lives that contain PAHs. For example, 1 ounce of Denorex shampoo produces the same amount of PAAs that one -- PAHs that 1 acre of freshly sealed parking lot does. Should we ban that substance as well?

The SPEAKER: The Representative from Belgrade has posed a question to the Chamber if there is anyone who wishes to answer. The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do rise to answer that question.

The polycyclic aromatic hydrocarbons, otherwise known as PAHs, the concentration that is found in coal tar products of this type is several thousand times over what is in shampoo. I should also add that this is a waste product that an industry tried to find a market for in many different areas. In fact, it used to be in a majority of makeup which has been banned by the EU as well as Canada. They're phasing it out of products such as shampoos and other facial products.

And, also, we heard that the concern has shifted from, you know, aquatic life to human life. It's never shifted. It's been across the board. The concern has been for environment, aquatic life, and for humans. If it impacts one, it impacts the rest. And it's not just about kids crawling around and eating this, it's something that they're crawling around on the floor and it comes up in a dust. Children should be able to safely crawl around their houses and play without fear of a carcinogenic dust coming into their faces.

So, I think we should follow the lead of, you know, the rest of the developed world who sees the issue with this product and has moved to phase it out of not only sealcoat but as well as cosmetic purposes. Thank you.

The SPEAKER: The pending question is Acceptance of the Ought to Pass as Amended Report. The Chair recognizes the Representative from Jay, Representative Riley.

Representative **RILEY**: Thank you, Madam Speaker. I just need to clarify a few things that I've heard. A very quick Google search on this issue kind of opened my eyes because when I first heard about it, I thought it's been around for years, it's not that big of a deal, we use it in shampoos, there's a lot of commonsense there that says it's got to be okay. But a quick search took me to the U.S. Geological Survey and the information there is startling. It's scary. It talks about the amount of this known carcinogen that does get into our toddlers' systems. It can be found in their bodies. It can be found in lakebed sediments, it's within our environment. It doesn't get neatly scooped up, it ends up everywhere and it does pose a huge threat.

We wonder why our cancer rates seem to be going up and up and up and I think it's stuff like this that just becomes part of our environment. We need to stop and think about those things and not just blow off the science that's building and building. The reason that this keeps coming back is because the problem isn't going away and the problem won't go away until we, the elected representatives of the State, do something about it. We have a prime opportunity in front of us and I say take it. 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. 57

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, 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, Martin R, Mastraccio, Matlack, Maxmin, McCrea, 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, Sylvester, 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, Fecteau J, Foster, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, MartinT, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Babine, Brooks, Griffin, Grignon, Harrington, Higgins, Hutchins, Ingwersen, McCreight, McDonald, Peoples, Talbot Ross.

Yes, 84; No, 53; Absent, 12; Excused, 1.

84 having voted in the affirmative and 53 voted in the negative, with 12 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-166)** 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-166)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-167)** on Bill "An Act Regarding the Sale and Release or Abandonment of Balloons"

(H.P. 692) (L.D. 937)

Signed:

Senators:

CARSON of Cumberland

CHENETTE of York
FOLEY of York

Representatives:

TUCKER of Brunswick
BLUME of York
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
ZEIGLER of Montville

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

Signed:

Representatives:

CAMPBELL of Orrington
JOHANSEN of Monticello
LYFORD of Eddington
SKOLFIELD of Weld

READ.

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

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 Brunswick, Representative Tucker.

Representative **TUCKER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, this bill expands the definition of littering to specifically include the outdoor release or abandonment of a balloon. I know we might hear a few snickers about that but I want to explain how serious this is.

Littering is a civil violation, not a criminal charge. The Maine statutory definition of litter is all waste material. That's what litter is defined as. The definition section then goes on to include all kinds of express things like paper, garbage, glass, cans, crockery, and even old automobiles and abandoned ice shacks. Released balloons would simply be added to that list.

The general civil fine for littering is no less than \$100 or more than \$500. Now, the original LD would've required registration by all retailers who sell balloons, a posting of detailed warnings on the hazard of balloons, fines for retailers for failure to comply, and rulemaking by the DEP. These proposals have all been eliminated from the bill. So the bill no longer applies to retailers, there are no mandates, there are no new regulations. So what's left of the bill simply adds balloon releases to the already existing statute on littering. The only difference between a balloon release as littering and other forms of littering is that the physical evidence of a balloon release goes up while the evidence of throwing garbage out the car window goes down.

Some may argue that it's unnecessary to define balloon releases as litter since it can already be charged as a littering violation coming under the general definition of all waste material. However, this general statutory definition may not be enough to notify and educate the public that balloon releases are litter. The evidence that Maine mass balloon releases happen frequently, often involve law enforcement, have positive media coverage, and don't result in a public outcry is proof we need more serious education that balloon releases are clearly littering, and pose some danger to birds and marine

life. Balloons and balloon releases may not be widely recognized as litter and this bill will make that connection. Even the national lobby group for the balloon industry, The Balloon Council, wrote to our committee here in Maine and said our message is simple; balloons should never be released. So if throwing out a candy wrapper or a bottle is considered littering, then a released balloon or a mass balloon release should also be considered littering.

The importance of education and clarification of the public and the law enforcement community justifies adding balloon releases, but in addition to causing litter, there is growing evidence and recognition that balloons cause damage to birds and animals, particularly to marine animals. Scientific surveys and autopsies prove that many birds and marine creatures ingest plastics, especially of balloons. For example, our committee learned the distressing fact that leatherback sea turtles prey on jellyfish and eat discarded balloons which float along the surface looking just like a jellyfish.

At our public hearing, one of the witnesses surreptitiously pulled on a complete sea turtle costume - shell, flippers, everything - while standing at the podium giving testimony. By the time I searched the joint rules on decorum on how to deal with sea turtle suits and before I had a chance to call the clerk for advice on sea turtle costumes, the person in the sea turtle suit had made her point and left. But the image of a sea turtle gulping down a dead balloon instead of a jellyfish stuck in my mind and for me the moment of truth on this bill, which I wasn't all that hot about at first, was evidence presented by several lobstermen about the increasing volume of balloons among the plastics that they encounter floating along the coast. One skipper reported gaffing 200 balloons over one season. Education and prevention is really where this bill can do some good. Once families and organizations realize balloon releases are, in fact, a serious type of litter, most people and organizations will stop doing them. Adding balloon release as litter is a cost-free way to alert and remind the public that releasing balloons poses risks to the environment.

Now, there was some concern among the committee. We had a long discussion that if a 6-year-old girl at a county fair lets go of a balloon by mistake and was in tears, she would be then cited by police for littering and hauled off into juvenile court. Now, I doubt that, but based on this concern the committee amendment requiring that a littering by balloon violation would require proof of intent. The principle goal here is to discourage balloon releases and especially organized mass balloon releases. This narrow bill adding balloon releases to the list of items already on the definition of litter will serve a necessary educational and preventative purpose and this bill will require no additional funding. Thank you, Madam Speaker.

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

Representative **DeVEAU**: Thank you, Madam Speaker and Fellow Members of the House. While I didn't intend to get up and speak with this, I did want to say a couple things.

I do agree that the education portion would be a better use of our time than actually making a law that would make it more difficult. Law enforcement right now is challenged with opioid crisis and other issues that need to take a little bit more priority, in my opinion, and I believe I can speak for several of the members from Aroostook County. So I would like to suggest that this actually does not pass and is actually made an educational issue that can better be handled that way instead of making a law that we're asking law enforcement to

try to enforce and not have the time nor manpower to serve. Thank you.

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

Representative **HEPLER**: Thank you, Madam Speaker. Madam Speaker, ladies and gentlemen. I support LD 937 on behalf of my constituents who make their living at sea.

Lobstermen in my district have complained to me about the balloon debris they find on the water, entangled in their buoy lines, props, and even in their traps. Balloons have sometimes been mistaken for buoys and I know this is true up and down the coast as well.

Balloon debris, which is not biodegradable, also affects, as the Representative from Brunswick suggested, marine and bird life in Maine when it's ingested and it blocks animals' stomachs and intestines. These animals simply starve to death.

I wholeheartedly agree with my colleague, the Representative from Brunswick, about the need for more education on the ill effects of mass balloon releases. It's a commonsense bill that simply seeks to reduce the mass balloon -- release of balloons by declaring them to be litter without punishing a child who accidentally lets go of his or her balloon. Education and increased public knowledge in this way have been effective in other states and Maine should be no different. Please vote Ought Not to Pass. Ought to Pass, Ought to Pass.

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. 58

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, 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, Stearns, Stover, Sylvester, Tepler, Terry, Tipping, Tucker, 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, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Babine, Brooks, Griffin, Grignon, Harrington, Higgins, Hutchins, Ingwersen, Martin T, McCreight, McDonald, Peoples, Talbot Ross.

Yes, 87; No, 49; Absent, 13; Excused, 1.

87 having voted in the affirmative and 49 voted in the negative, with 13 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-167)** 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-167)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-156)** on Bill "An Act To Fund Maine's School-based Health Centers"

(H.P. 301) (L.D. 392)

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 "B" (H-157)** on same Bill.

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-156)** 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-156)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-158)** on Bill "An Act To Expand Maine's School-based Health Centers"

(H.P. 610) (L.D. 836)

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 Not to Pass** on same Bill.

Signed:
Representatives:
 GRIFFIN of Levant
 JAVNER of Chester
 O'CONNOR of Berwick

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-158)** 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-158)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-155)** on Bill "An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services"

(H.P. 418) (L.D. 574)

Signed:
Senators:
 CARPENTER of Aroostook
 BELLOWS of Kennebec

Representatives:
 BAILEY of Saco
 BABBIDGE of Kennebunk
 CARDONE of Bangor
 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:
 CURTIS of Madison
 DeVEAU of Caribou
 HAGGAN of Hampden

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-155)** 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-155)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-149)** on Bill "An Act To Protect Jobs in the State by Requiring Advance Notice of Closure of Call Centers"

(H.P. 164) (L.D. 201)

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. The first thing to know about this bill is that despite the title on the original bill, it no longer has anything to do with call centers. What it is is it's a rewriting of the WARN Act, which is an act which affects businesses which either relocate out of a municipality or which close down. And what they are -- this bill seeks to do is to take a bill which did not in any way stop a business from giving no notice to make sure that the municipality has notice that the business is going to close, that all of the functions of the state that try to help workers find new jobs, that work with communities to make sure that communities are able to, you know, best deal with the damage of a company leaving a town, and we all know towns -- I grew up in Lewiston, you know, in the sort of aftermath of the closing of the mills. And so what this bill seeks to do is to mitigate that by doing two things; one, for businesses which employ over 100 people they must now have 90-day notice, you know, that they are intending to close their business and, if not, it moves the fine for that from a one-time \$500 fine to a \$500 a day fine. If they give the full 90-day notice, there is obviously no fine for

failure to notify. And the big part of this bill is that the company has to pay the pieces that they owe -- may owe workers first before the Department of Labor collects any fines. So what we're seeking to do here is to give municipalities the most notice as possible that a business is intending to close or to relocate out of state and it also, you know, makes sure that workers receive the money that are intended to be paid to them under the law. Thank you, Madam Speaker.

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 opposition to the pending motion.

I certainly understand the stress that people go -- undergo when a business is suddenly closed without a whole lot of notice. But I'd like to point out that most of these businesses are closing because they have to. They are more than willing to work with the public and with the towns and with the Department of Labor to try to rectify anything that might happen, do the best that they can. I do believe that some of the penalties are too Draconian, but more than that I think, you know, we need to look at this from a broader perspective. We need to think about what we can do as a state to attract investment into the State of Maine. If we go too far with these bills, particularly one like this, it casts a culture of doubt over people who are looking to invest. What we need to do is create a culture of -- a positive culture that will invite investment for most people who are looking throughout the whole country, sometimes even other countries, about where they're going to try to have their businesses. So, anyway, I do hope that you would follow my light and I do ask for a roll call. Thank you, Madam Speaker.

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: 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. 59

YEA - Ackley, Alley, Austin B, Babbidge, Beebe-Center, Berry, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Schneck, Sharpe, Sheats, Stanley, Sylvester, 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, Fecteau J, Foster, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Babine, Bailey, Blume, Brooks, Fay, Griffin, Grignon, Harrington, Higgins, Hubbell, Hutchins, Ingwersen,

Marean, Martin T, McCreight, McDonald, Peoples, Rykerson, Stover, Talbot Ross.

Yes, 78; No, 51; Absent, 20; Excused, 1.

78 having voted in the affirmative and 51 voted in the negative, with 20 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-149)** 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-149)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Allow Flexibility in Residential Rental Agreements"

(H.P. 358) (L.D. 473)

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-150)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

READ.

On motion of Representative SYLVESTER of Portland, 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 Prohibit the Imposition by Municipalities of General Restrictions on Rents and Rental Properties"

(H.P. 379) (L.D. 522)

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

READ.

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

Representative STROM of Pittsfield **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 Pittsfield, Representative Strom.

Representative **STROM**: Thank you, Madam Speaker. I rise in opposition to the pending motion and I do so basically for two quick, very good reasons.

First, I just don't believe that the amount of rent that is charged between landlord and tenant is really any of the government's business. I think that should be left up to the landlord and the tenant and no one else. And, secondly, I just don't think rent control works. If you look at the places in the United States that currently have it, two of the major cities that pop to mind is San Francisco and New York City. Now, Madam Speaker, I don't know if you're aware but those are two of the most expensive places in the United States to live and last year the median income for a one-bedroom apartment in New York City was \$3,070 a month. So I think it's safe to say it's not working. 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. 60

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Brennan, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Tepler, Terry, Tipping, Tucker, Tuell, 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, Fecteau J, Foster, Haggan, Hall, Hanington, Hanley, Head, Javner,

Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, White D.

ABSENT - Babine, Blume, Brooks, Fay, Griffin, Grignon, Harrington, Higgins, Hubbell, Hutchins, Ingwersen, Marean, Martin T, McCreight, McDonald, Peoples, Rykerson, Talbot Ross.

Yes, 81; No, 50; Absent, 18; Excused, 1.

81 having voted in the affirmative and 50 voted in the negative, with 18 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 to Pass as Amended by Committee Amendment "A" (H-151)** on Bill "An Act To Improve Labor Laws for Maine Workers" (H.P. 562) (L.D. 757)

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**: Thank you, Madam Speaker. What this bill attempts to do is to simplify the election process when municipal workers try to organize a union.

The way the process works is that when municipal workers want to organize a union, they sign a card which expresses their intent to be represented by that union and those cards are turned into the Maine Labor Relations Board. What happens particularly with municipalities is that at that point when an election is called for there is a long delay, there are attorneys who step in trying to delay the process, trying to, you know, make sure that the process takes as long as possible. And so what this bill attempts to do is to make -- kind of cut that piece out that drains the coppers from our municipalities and allow the Maine Labor Relations Board to

see whether or not the workers actually intended to have a union by the cards that they've signed. And so the city, the municipality can -- if they have questions about the validity of the cards, they can approach the MLRB, Maine Labor Relations Board, and the Maine Labor Relations Board can then see whether or not they have any questions about the cards and their validity and call for an election themselves. And so it just sort of puts this in the place where it belongs, in the Maine Labor Relations Board's hands, particularly for municipalities who are the places that can least afford a kind of long, drawn-out legal process when workers try to present their rights.

And, lastly, in closing, I'll just say that the Maine Municipal Association did not oppose this bill. They also see it as a way to sort of simplify things. And, I guess I have one more thing, which is it actually provides a savings in the fiscal note which I have not seen in this body yet. So, thank you very much.

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 opposition to the pending motion.

I thank the Good Representative from Portland. He is correct when he says it does simplify the process. However, my concern is that it fails to respect the rights and wishes of those individuals who may not wish to make their decision public but rather would keep it confidential, and it puts an unfair stress on them to comply with what the prevailing feelings might be and I think that's too much to do, so I ask that you would vote no on this and I do 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: 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. 61

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Berry, Brennan, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrean, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Schneck, Sharpe, Stanley, Stover, Sylvester, 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, Fecteau J, Foster, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Babine, Beebe-Center, Blume, Brooks, Fay, Griffin, Grignon, Harrington, Higgins, Hubbell, Hutchins, Ingwersen, Lyford, McCreight, McDonald, Peoples, Rykerson, Sheats, Talbot Ross.

Yes, 78; No, 52; Absent, 19; Excused, 1.

78 having voted in the affirmative and 52 voted in the negative, with 19 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-151)** 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-151)** and sent for concurrence.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents by Requiring the Use of the Federal Immigration Verification System"

(H.P. 800) (L.D. 1077)

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

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, once again. I rise today in opposition to the motion.

This bill is pretty straightforward. It simply requires an employer to register with and use the federal immigration verification system, called e-verify, to determine work eligibility status of new employees. I believe some other people are going to speak to it and 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 Amherst, Representative Lockman.

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

Americans lose out on millions of job opportunities every year because companies seeking cheap labor choose to fill those positions with illegal aliens. Since most illegal aliens come to the United States from impoverished countries with failing economies, the vast majority are willing to work for any remuneration they consider reasonable, even though the wage offered may be significantly below the market rate or even below minimum wage. Unscrupulous employers regularly exploit illegal alien laborers in order to cut their costs and increase their profits.

Madam Speaker, as many as seven million illegal aliens are estimated to participate in the U.S. economy and at least 35% of those operate in the underground economy; that is, they work under the table. The prevailing labor force participation rate for Maine is just over 63%. If we assume that illegal aliens participate roughly in the same proportion that legal citizens and lawful immigrants participate, that would mean there are as many as 3,750 illegal aliens participating in Maine's labor force. These individuals are not authorized to work in the United States and their employers do not comply with applicable immigration law, Madam Speaker. In most cases, the employer and the illegal alien willfully collaborate to violate the law. In other cases, employers rely on weak employment verification requirements and voluntarily turn a blind eye to questionable identity and immigration documents.

For two decades, the United States has had a simple, effective tool that would virtually eliminate the employment of illegal aliens. The e-verify system was created in 1997 to provide business owners with a fast, easy, accurate, and free way to ensure that they are compliant with federal immigration law. It works by allowing employers to electronically and instantly check the legal status of their newly hired employees. It costs nothing for an employer or a prospective employer to use. Likewise, it costs nothing to the states that require it.

Those who are lawfully permitted to work in this country deserve every opportunity to find jobs without competing against illegal aliens willing to work for substandard wages. Requiring employers to use e-verify is therefore smart public policy because it not only protects employers from violating law, it protects American workers from unfair job competition and wage depression. In Maine there are currently 917 employers who use e-verify voluntarily including Bath Iron Works, Barber Foods, Berwick Academy, the City of Biddeford, Cianbro Corporation, Maine Medical Center, and Oakhurst Dairy. These businesses compete with employers who may be skirting the law by hiring illegals. If Maine fails to level the playing field by making e-verify mandatory, we are in effect enabling the cheaters and feeding the document fraud stolen identity industry.

In closing, Madam Speaker, I want the record to reflect that the ACLU of Maine submitted written testimony to the Labor and Housing Committee that was reckless, irresponsible, and dishonest. The testimony of Meagan Sway, Esquire, who identifies herself as policy counsel of the ACLU of Maine stated in her testimony that most importantly the very premise of this bill is xenophobic. Now, I've read the bill several times looking for the xenophobic part. I couldn't find it. Maybe there's a dog whistle in there somewhere that

somebody can identify for me. She went on to -- she double-downed on this insulting language. She said the purpose of this bill is to stigmatize immigrants. Again, I invite anybody to read the bill, show me where it stigmatizes immigrants. It merely ensures a level playing field and the people who have no right to be in this country are not going to take jobs from people who are. Thank you, Madam Speaker.

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

Representative **DeVEAU**: Thank you, Madam Speaker, Fellow Members of the House. I rise today to urge you to vote in opposition to this vote.

E-verify was originally established in 1996 as a basic pilot program to prevent illegal immigrants and other people who have violated immigration laws from obtaining employment illegally in the United States. E-verify compares information from an employee's employment eligibility verification form, I-9, to data from the United States government records. If the information matches, the employee is eligible to work in the United States. If there is a mismatch, e-verify alerts the employer and the employee is still continued allowed to work while he or she resolves the problem. They must contact the appropriate agency and resolve the mismatch within eight federal work days from the date of notice.

To hear that this system was called disgusting because its purpose is to verify legal employment of individuals who are in our country legally is a disgusting comment in itself. It is not meant to be anything other than a verification system applied to help enforce our national and state employment laws. I urge you to follow my light.

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

Representative **FECTEAU**: Thank you, Madam Speaker. I rise in support of the pending motion because I completely disagree with the e-verify system.

E-verify is the surveillance state and I have concerns about being the nuts and bolts of a national ID capable of keeping information about every American to include their Social Security Number, passport information, and any other biometric information that is slipped in and deemed necessary. I refuse to have my identity more capable of being stolen and have serious constitutional concerns about requiring Americans to need federal permission to have a job as well as the databasing of biometric information. We have the right as Americans to not be passively surveilled. 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. 62

YEA - Ackley, Alley, Andrews, Arata, Austin B, Babbidge, Bailey, Berry, Bickford, Brennan, Bryant, Caiazza, Campbell, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Faulkingham, Fecteau J, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Sampson, Schneck, Sharpe, Skolfield, Stanley, Stover, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY – Austin S, Blier, Bradstreet, Cebra, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Foster, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Pickett, Prescott, Reed, Rudnicki, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Babine, Beebe-Center, Blume, Brooks, Fay, Griffin, Grignon, Harrington, Higgins, Hubbell, Hutchins, Ingwersen, McCreight, McDonald, Peoples, Perkins, Rykerson, Sheats, Talbot Ross.

Yes, 86; No, 44; Absent, 19; Excused, 1.

86 having voted in the affirmative and 44 voted in the negative, with 19 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 **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-164)** on Bill "An Act To Facilitate Fair Ballot Representation for All Candidates" (H.P. 374) (L.D. 517)

Signed:

Representatives:

- ACKLEY of Monmouth
- ANDREWS of Paris
- COOPER of Yarmouth
- DOLLOFF of Rumford
- HANINGTON of Lincoln
- HICKMAN of Winthrop
- McCREIGHT of Harpswell
- STROM of Pittsfield

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

Signed:

Senators:

- LUCHINI of Hancock
- CYRWAY of Kennebec
- HERBIG of Waldo

Representatives:

- SCHNECK of Bangor
- HUBBELL of Bar Harbor

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-164)** 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-164)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding the Use of Maine Clean Election Act Funds for Salaries" (H.P. 684) (L.D. 929)

Signed:

Senators:

- LUCHINI of Hancock

CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

- SCHNECK of Bangor
- ACKLEY of Monmouth
- COOPER of Yarmouth
- HANINGTON of Lincoln
- HICKMAN of Winthrop
- HUBBELL of Bar Harbor
- McCREIGHT of Harpswell
- STROM of Pittsfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-165)** on same Bill.

Signed:

Representatives:

- ANDREWS of Paris
- DOLLOFF of Rumford

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Referenda To Receive 60 Percent of the Vote To Become Law (H.P. 916) (L.D. 1255)

Signed:

Senators:

- LUCHINI of Hancock
- HERBIG of Waldo

Representatives:

- SCHNECK of Bangor
- ACKLEY of Monmouth
- COOPER of Yarmouth
- HICKMAN of Winthrop
- HUBBELL of Bar Harbor
- McCREIGHT of Harpswell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-172)** on same RESOLUTION.

Signed:

Senator:

- CYRWAY of Kennebec

Representatives:

- ANDREWS of Paris
- DOLLOFF of Rumford
- HANINGTON of Lincoln
- STROM of Pittsfield

READ.

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

Representative STROM of Pittsfield **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 North Turner, Representative Morris.

Representative MORRIS: Thank you, Madam Speaker. I rise today in opposition to the motion.

As I have talked to many of my constituents in the last few years, or in the last year, many of them have expressed the frustration with the referendum process. The frustration is no doubt caused by the fact that they, along with many people in rural Maine, have voted against every referendum question the last few years.

I believe that requiring a larger threshold for passage of a referendum would create a broader consensus among the electorate and the people that live in rural Maine. When you consider the fact that in 1910 the counties of York and Cumberland accounted for 24% of Maine's population and today they account for 36% of the population. In 1910, Aroostook and Washington accounted for 16% of the state's population and today they account for 7%. A broader threshold for passage would create checks and balances that are a hallmark of our republic. When you consider that legislation proposed in this body requires a signature from the Executive and that if the Executive vetoes it then requires two-thirds, that a similar requirement for checks and balances on the referendum would make sense.

I would also remind us that we can still consider the referendum questions that get more than 50% of the vote but not 60% of the vote in the session that follows the vote. I know this body has spent much time deliberating the questions that have already passed. I believe it would be easier to work on legislation if it is not already law. We as legislators would be less likely to become entrenched in our positions, we could better consider the concerns of the minority that voted against the ballot measure at referendum, and still craft a policy that honors the will of the majority.

I encourage you to follow my light and vote this motion down and support the legislation. Thank you.

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

Representative ACKLEY: Thank you, Madam Speaker. Madam Speaker, Friends of the House, I've had a lot of practice with floor speeches on bills like this so I'll make an effort to keep this fresh.

This bill suggests that it's too easy for the voters of Maine to exercise their 100-year-old constitutional right to create law through a citizen's initiative. It raises the threshold from 50% to a 60% level. And many supporters of this bill point to the numerous initiatives in the last few years as a problem that needs to be solved. I look at those same statistics and wonder if this bill is treating the symptoms while ignoring the disease.

Most Mainers would agree that the underlying affliction could more accurately be described as gridlock and inaction in the face of clear mandates from the voters of Maine. I'll not be supporting this bill today because I'm not in favor of removing checks and balances from the Maine State Constitution. Instead, I'll be asking what we can do to trust the wisdom of Maine's voters and reassure them that their votes actually count. Instead, I'll ask what we can do as a governing body to see that we move state government forward at a speed that we all know that it can so that there is no need for citizens initiatives in the future and so that my colleagues here in the House won't have to listen to yet another floor speech and innumerable versions of floor speeches that I have ready to go at a moment's notice.

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. 63

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Berry, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrean, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Stover, Sylvester, 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, Haggan, Hall, Hanington, Hanley, Head, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, White D.

ABSENT - Babine, Beebe-Center, Blume, Brooks, Griffin, Grignon, Harrington, Higgins, Hutchins, Ingwersen, McCreight, McDonald, Peoples, Pierce T, Sheats, Talbot Ross.

Yes, 82; No, 51; Absent, 16; Excused, 1.

82 having voted in the affirmative and 51 voted in the negative, with 16 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**.

CONSENT CALENDAR

First Day

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

(S.P. 171) (L.D. 549) Bill "An Act To Promote Academic Achievement through Hunger Relief for Maine Children" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-57)**

(S.P. 303) (L.D. 1024) Bill "An Act To Include Mental Health Education in Maine Schools" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-58)**

(H.P. 848) (L.D. 1159) Resolve, To End Hunger in Maine by 2030 Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 19) (L.D. 18) Bill "An Act To Ensure Proper Prosecution of Crimes Involving Domestic Violence and Enhance Protection of Victims of Domestic Violence" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-175)**

(H.P. 271) (L.D. 345) Bill "An Act To Help New Teachers Succeed" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-153)**

(H.P. 281) (L.D. 372) Bill "An Act To Increase the Safety of Municipal Residents by Allowing Municipalities To Address Downed Wires in Extended Power Outages" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-171)**

(H.P. 368) (L.D. 511) Bill "An Act To Create an Alzheimer's Disease and Dementia Coordinator Position within the Department of Health and Human Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-159)**

(H.P. 469) (L.D. 648) Bill "An Act To Improve Reporting of Operating Under the Influence Offenses" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-152)**

(H.P. 472) (L.D. 651) Bill "An Act To Facilitate School Access to Federal Title I Funds and Improve the Delivery of Special Education Services" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-154)**

(H.P. 479) (L.D. 658) Resolve, To Direct a Plan for Energy Independence for Maine Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-170)**

(H.P. 627) (L.D. 853) Bill "An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-161)**

(H.P. 738) (L.D. 983) Bill "An Act To Exempt from Permit Requirements the Repair of Low-head Dams" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-174)**

(H.P. 747) (L.D. 1005) Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-160)**

(H.P. 803) (L.D. 1080) Resolve, Regarding Biofuel in Number 2 Heating Oil (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-148)**

(H.P. 843) (L.D. 1154) Bill "An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-162)**

(H.P. 870) (L.D. 1206) Bill "An Act To Improve Aboveground Utilities' Responsiveness to Public Interests" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-169)**

(H.P. 909) (L.D. 1248) Resolve, To Direct the ConnectME Authority To Report on the Progress of the Detailed 2019-2021 Strategic Plan for Broadband Service in Maine Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-168)**

(H.P. 1049) (L.D. 1437) RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities Committee on **VETERANS AND LEGAL AFFAIRS** reporting

Ought to Pass as Amended by Committee Amendment "A" (H-163)

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.

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

ENACTORS Emergency Measure

An Act To Allow for the Regulation of Transportation Network Companies at Airports by Certain Municipalities
(H.P. 143) (L.D. 180)
(C. "A" H-124)

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. 111 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Amend the Veterans' Homelessness Prevention Coordination Program
(H.P. 147) (L.D. 184)
(C. "A" H-117)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families
(H.P. 367) (L.D. 510)
(C. "A" H-118)

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. 115 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

An Act To Update Alcohol Taste-testing Requirements
(H.P. 542) (L.D. 737)
(C. "A" H-119)

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. 109 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 692: Siting of Oil Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection

(H.P. 205) (L.D. 281)
(C. "A" H-121)

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

On motion of Representative MOONEN of Portland, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Emergency Measure

Resolve, To Temporarily Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy

(H.P. 446) (L.D. 618)
(C. "A" H-115)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act Regarding the Maine Criminal Code

(H.P. 45) (L.D. 44)
(C. "A" H-104)

An Act To Make Post-conviction Possession of Animals by Certain Persons a Criminal Offense

(H.P. 61) (L.D. 64)
(C. "A" H-105)

An Act Regarding Forfeiture of Assets of Persons Convicted of Aggravated Sex Trafficking Offenses, Sex Trafficking Offenses, Aggravated Criminal Forced Labor Offenses and Criminal Forced Labor Offenses

(H.P. 249) (L.D. 324)
(C. "A" H-106)

An Act To Amend the Laws Governing Dangerous Dogs and Nuisance Dogs To Allow for Flexibility in Protection Dog Training

(H.P. 258) (L.D. 333)

An Act To Redefine Geographic Association for Multiple-welfare Arrangements

(S.P. 109) (L.D. 368)
(C. "A" S-49)

An Act To Support Justice for Victims of Sexual Assault by Increasing the Time Sexual Assault Forensic Examination Kits Must Be Stored

(H.P. 305) (L.D. 396)
(C. "A" H-113)

An Act To Appropriate Funds to the Department of Agriculture, Conservation and Forestry To Maintain Snowmobile Trails

(S.P. 124) (L.D. 446)
(C. "A" S-53)

An Act To Direct Electric Utilities To Provide Comparative Usage Data on Customer Billing Statements

(H.P. 425) (L.D. 581)
(C. "A" H-108)

An Act To Amend the Laws Governing Funding for Landfill Closure Costs

(S.P. 190) (L.D. 603)
(C. "A" S-55)

An Act To Set Maine Dental Provider Licensing Fees

(H.P. 509) (L.D. 688)
(C. "A" H-112)

An Act To Create a Seat for a Representative of the Wabanaki Tribal Governments on the Board of Trustees of the Maine Criminal Justice Academy

(H.P. 540) (L.D. 735)
(C. "A" H-111)

An Act To Improve the Definition of "Strangulation" in the Aggravated Assault Laws

(S.P. 223) (L.D. 779)
(C. "A" S-47)

An Act To Establish Minimum Service Standards for Electric Utilities

(H.P. 608) (L.D. 834)
(C. "A" H-109)

An Act Regarding the Sale of Cats and Dogs with Health Problems

(S.P. 309) (L.D. 1049)
(C. "A" S-52)

An Act To Authorize the Establishment of an Apprentice License for the Maine Scallop Fishery

(H.P. 782) (L.D. 1059)
(C. "A" H-114)

An Act To Amend the Laws Governing Critical Incident Stress Management Teams

(S.P. 324) (L.D. 1092)
(C. "A" S-54)

An Act To Clarify the Contents of the Complete Agency Record in the Appeal of an Agency's Failure or Refusal To Act

(S.P. 332) (L.D. 1100)
(C. "A" S-50)

An Act Regarding the Costs Incurred by Municipalities in the Administration of Aquaculture Lease and License Applications

(H.P. 837) (L.D. 1148)
(C. "A" H-123)

An Act To Adopt the Uniform Interstate Depositions and Discovery Act

(H.P. 876) (L.D. 1212)

An Act To Protect the Health and Safety of Maine State Park Visitors and Staff

(H.P. 907) (L.D. 1246)

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.

Resolves

Resolve, To Establish a Pilot Project To Evaluate and Address the Transportation Needs of Maine's Veterans

(H.P. 134) (L.D. 171)
(C. "A" H-116)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, 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:

COMMUNICATIONS

The Following Communication: (H.C. 158)

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

April 30, 2019

The Honorable Rob Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the temporary appointment of Representative Michelle Dunphy of Old Town from the Joint Standing Committee on Labor and Housing and I have reappointed Representative Donna Doore of Augusta to the Joint Standing Committee on Labor and Housing, effective immediately.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Save Lives by Establishing the Low Barrier Opioid Treatment Response Program" (EMERGENCY)

(S.P. 539) (L.D. 1662)

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 Improve Access to Physician Assistant Care"

(S.P. 537) (L.D. 1660)

Bill "An Act To Create the Drug Donation and Redispersing Program"

(S.P. 538) (L.D. 1661)

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

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

Bill "An Act To Clarify Prevailing Wage Rates on State Projects Using Federal Funds"

(S.P. 535) (L.D. 1658)

Bill "An Act To Include Additional Corrections Officers and Mental Health Workers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"

(S.P. 536) (L.D. 1659)

Bill "An Act To Place Funds for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program into a Trust"

(S.P. 541) (L.D. 1664)

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.

Bill "An Act To Provide for the Regulation of Sports Wagering"

(S.P. 533) (L.D. 1656)

Bill "An Act To Regulate Sports Wagering"

(S.P. 534) (L.D. 1657)

Bill "An Act To Clarify Ranked-choice Voting Laws"

(S.P. 540) (L.D. 1663)

Bill "An Act To Automatically Change a Voter Registration Address upon Change of Address for a Driver's License"

(S.P. 542) (L.D. 1665)

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.

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

Representative **HYMANSON**: Thank you, Madam Speaker. I wish to speak on the record.

The **SPEAKER**: The Representative may proceed on the record -- pardon me. The Representative from York, Representative Hymanson, has requested permission to speak on the record. Hearing no objection, the Representative may proceed on the record.

Representative **HYMANSON**: Thank you, Madam Speaker. Tonight, April 30th, at sundown begins Yom HaShoah. It's Holocaust Memorial Day. It's remembering the six million Jewish people who died in the Holocaust and the Final Solution. Will the hate never end? It's horrifying that in Pittsburgh 11 Jews at the Temple of Life Synagogue were killed and near San Diego on Passover at services another Jewish death. I wish to register my horror.

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

On motion of Representative HOBBS of Wells, the House adjourned at 12:53 p.m., until 10:00 a.m., Thursday, May 2, 2019.