

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
38th Legislative Day
Thursday, May 9, 2019

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

Prayer by Pastor David W. Morrison, Second Congregational Church, Brewer.

National Anthem by Carmel Elementary School Third and Fourth Grade Chorus.

Pledge of Allegiance.

Doctor of the day, A. Jan Berlin, M.D., Portland.

The Journal of yesterday was read and approved.

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

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

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Betsy Parsons, of South Portland

(HLS 165)

TABLED - March 28, 2019 (Till Later Today) by Representative MORALES of South Portland.

PENDING - **PASSAGE**.

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

Representative **MORALES**: Thank you, Madam Speaker. Madam Speaker, Esteemed Colleagues in the House, on behalf of the State of Maine, I rise today to honor Betsy Parsons, an exceptional Maine citizen and public servant by the highest of standards, for her service to our young people as an educator.

Today, during National Teachers Week, and the day after her birthday, we honor Betsy with this Legislative Sentiment for her 30 years of service as a Portland public school English teacher and as a dedicated and tireless advocate of the rights of all young people, including LGBT young people, to be safe and respected in their schools.

In the decade of the 1990s, bullying and hostility was all too common for lesbian, gay, bisexual and transgender students in Maine's schools and in our communities. This hostility was fueled by a successful campaign that in 1998 resulted in a people's veto of a law that protected gays and lesbians from discrimination in employment, housing, credit and public accommodations. With these legal protections stripped away and a Maine community torn, many LGBT students were so afraid to come to school for fear of bullying that some switched schools and in too many cases students lost hope and tragically ended their lives. This was unacceptable for Betsy Parsons. These young people, with all their potential, were being deprived of their right to an education. So, she took matters into her own hands and helped to found the Southern Maine Chapter of the Gay, Lesbian, and Straight Education Network, or GLSEN, an advocacy group aimed at making school safe for students regardless of sexual orientation or gender identity. She then

went on to found the first Gay, Straight, Transgender Alliance, GSTA, at Deering High School, only the third such alliance in the State of Maine at the time. And Betsy did this work because she believes wholeheartedly in the right of every student to learn in a safe educational environment. It is because of Betsy's hard work and the hard work of many others, that GSTAs have grown in Maine to approximately 90 clubs in high schools and middle schools throughout the state. Betsy was a true trailblazer. She knew, and we are even more sure now though empirical studies, that the mere existence of Gay, Straight, Transgender Alliances decreases LGBTQ discrimination in schools, decreases suicidal thoughts and actions among LGBT students and among heterosexual boys and results in higher graduation rates and more successful postsecondary experiences.

On a very personal note, I would like to speak about what I mean when I say that Betsy Parsons is an extraordinary human being. There are few people in this world who radiate beauty and love like Betsy Parsons and who radiate it from the moment you meet her and every moment thereafter that you spend with her. It is simply impossible once you meet her to not love her right back. I was fortunate to meet her last year when I knocked on her door asking for her vote. I spent many hours with her at her kitchen table and on the phone and messaging, and my only regret is that I didn't meet her sooner. She is by far one of the most amazing humans I have ever met. She is filled with love, intelligence, empathy, justice, critical thought, kindness, musical harmony, and community, and everyone who knows her will tell you these things and so much more. And I can promise you, she has more friends than all of us put together. I was just texting with one of them this morning, Erica King, who said Betsy is my spiritual justice beacon, and with Gia Drew who is the program director at Equality Maine. And Gia says the following, and it's important to hear her story. I had been teaching for 17 years when I first met Betsy Parsons. She came to speak at a Maine TransNet support group and shared her experience of coming out as a lesbian as a public school teacher in Portland in the 1990s. The feelings, the pushback, and what it meant for her, her students, and the community. I was moved and motivated by her story. We talked that night about what it might be like if I came out as a trans teacher; who to tell, when to do it, and what the potential backlash would be. A few months later, I did it; I came out to my school and community as a transgender teacher and coach and while it was terrifying, I knew I wasn't alone. Having heard Betsy's story and having her as a friend and mentor during that time changed my life forever and I haven't looked back. It's because of people and teachers like Betsy that so many in the LGBTQ community in Maine, especially young people, are now able to feel and show pride in our authentic selves.

So, in closing, it gives me great honor to dedicate this Sentiment today to Betsy Parsons for her tireless service of teaching and supporting young people for 30 years in our Maine public schools. Thank you.

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

Representative **RECKITT**: Thank you, Madam Speaker, friends in the chambers. I rise today on a different tack to honor Betsy Parsons, who is a very old friend of mine. And Betsy is a very special person, as you've already heard, but what I want to say about her is that when Betsy began her career with GLSEN, not in the school, she'd already been there, I was teaching myself in the University System. And I had chosen not to be out doing that but when I met Betsy and

saw her courage, I said well, what does it matter to me, really? I might as well be me. And I think that it was a very important lesson to learn that teachers too were helped by GLSEN because of the acceptance that GLSEN bred in the schools for the students, it also bred respect and acceptance to the teachers. I was in the University System, it's a little different, but it was the same deal and I think it's very important that people like Betsy led the way to make it okay to teach and to learn and be ourselves. So, for that, I thank her very much.

Her courage, I have to say, in the days when it was very difficult to do what she was doing in the arena in which she acted, gave me my own courage and I'm very glad that one of the other Representatives from South Portland has brought this forward today, because it's very well deserved. Betsy is a wonderful human being and a great contributor to this state, to its students, to its teachers, to its population. Thank you so much.

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

Representative **CAIAZZO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise to speak for the very first time in this chamber to express my sincere gratitude to my teacher, Ms. Betsy Parsons. Now, I know Ms. Parsons would prefer I not tell you how long ago that was, and given Ms. Parsons' Midwestern upbringing and corresponding way she ran her classroom, I will not disappoint her, but let's just say I look very mature for a recent high school freshman.

I could not think of a better person or a more fitting reason to rise before this esteemed body. We all have those special teachers that we look back on with fond affection; those who actually made an impact on our lives. Now, I know this may be difficult for you to believe, Madam Speaker, but I wasn't exactly a model student. I know what you're thinking; how bad could I have been? Well, there was that time that I broke my middle finger playing basketball and I had a big splint on it and for a few weeks. Now, the doctor gave me strict instructions to keep it elevated when it hurt so, technically, I did have a doctor's note. Sufficed to say, I certainly was a handful, to say the least.

In spite of all my antics, like many great teachers, Ms. Parsons saw through all that. She would very calmly correct my disruptive classroom behavior with a gentle reminder of a word to the wise is sufficient, fools need to be rapped upside the head. Now, to be clear, corporal punishment was never part of her repertoire, but I am sure on many occasions she would've welcomed her own doctor's note to indulge just maybe once or twice.

With all kidding aside, my freshman year was truly a crossroads for me. I could've very easily taken the basic level classes, put in the minimal effort, and followed the footsteps of generations of my family whose formal education was completed upon their high school graduation. But one of the most important lessons Ms. Parsons managed to drill into my thick skull had nothing to do with English, per se. It was the importance of embracing learning and being open to new ideas and new concepts. From that year on, I focused on taking honor's classes and preparing myself for college and was the first in my family to graduate from college.

Like many of my classmates, I left town for college, lived in exile out of state for a few years after graduation, and eventually returned home to Maine to raise a family and try and be a more productive member of society. Now, a lot of time has passed since my freshman year; actually, I mean it feels like a lot of time, sorry Ms. Parsons. I eventually decided, like

every person in this chamber, to run for the State House. Now, unlike some of the rock stars in this chamber, and you know who you are, my first attempt to get there was not successful. It was a long and tedious campaign, and I was tired and frustrated. In the middle of my little pity party, out of the blue, after all those years, I received a message from Ms. Parsons. It simply said; I'm proud of you, Chris, with a heart emoji. At that moment, I was instantly that 15-year-old again with the broken finger, although hopefully a little wiser. She hadn't given up on me then and here she was again gently encouraging me. That's who Betsy Parsons is; a dedicated teacher, a beloved colleague and a true role model for her students and fellow human beings.

So, Ms. Parsons, in front of all my colleagues and those out there in the world listening, I just want to say thank you.

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

Representative **HARNETT**: Thank you, Madam Speaker, and thank you to my colleagues in the chamber. I rise to speak in praise of and in thanks for Betsy Parsons.

It has been my absolute pleasure to know and work with Betsy for over two decades. Betsy is a teacher. She taught students in Portland and also educated students and adults around the state during her professional career. However, she is so much more. Betsy is a fighter for justice, a fighter for our young people, particularly our young people living on the margins who might otherwise be unseen, unheard, uncared for, and unappreciated. Betsy has devoted much of her life to making sure that all students, including lesbian, gay, bisexual, transgender, and questioning students feel safe, valued, welcome and respected in school every single day without exception.

Betsy knows that if any student feels unsafe, unvalued, unwelcome, or not respected in school, they cannot learn and they are essentially denied their right to an education. Betsy has always known that is wrong and continues to do all that she can to make sure that every student can be the best version of themselves. Betsy does this with a smile on her face, a cheerful and positive attitude, and I'm pretty sure with a song in her heart. But make no mistake; Betsy is a tireless, relentless, powerful and remarkably effective advocate for all students. She knows that a safe environment in schools for LGBTQ students makes every student feel safer and more welcome. Betsy is a role model and bravely showed her students who they could be, with no limitation.

I stand here proud to call Betsy Parsons my colleague, a personal hero, but most importantly, my friend. Thank you, Betsy. Maine is a better place because of you.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I love Betsy Parsons. She is one of my heroes. She is bold, she is brave, she is brilliant. Her existence is a blessing.

I am grateful to have gotten to know her from a distance because that's all it takes to get to know her, since the power of her example is so overwhelming. I know, as an educator myself, that she cares about everyone reaching their full potential and so I will simply thank her for her dedicated service as an educator to our young people and quote one of her heroes, Mary McLeod Bethune, from *My Last Will and Testament*, and I can see these words coming from her as well. I leave you love. I leave you hope. I leave you the challenge of developing confidence in one another. I leave you a thirst for education. I leave you a respect for the use of

power. I leave you faith. I leave you racial dignity. I leave you a desire to live harmoniously with your fellow man. I leave you finally, a responsibility to our young people. Thank you, Madam Speaker.

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

Representative MOONEN: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I've known Betsy Parsons for nearly 15 years now and the Representative from South Portland nailed it when she said that Betsy radiates warmth and love. You can just feel it whenever you're around her. And all I want to say is that, you know, I didn't have a teacher like her in my high school and I wish I had, and the students who did are very, very lucky and the State of Maine is very lucky to have her as well. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative TEPLER: Thank you, Madam Speaker. I'm a more recent comer to the Betsy Parsons bandwagon, having only met her about five years ago when my daughter was teaching at Deering High School. And all I really want to say about Betsy is that as an activist in her church, in her faith, she has been a leader for demonstrating how we can put our faith values into action. She's an amazing woman and I value her.

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

Representative BRENNAN: Thank you, Madam Speaker, Men and Women of the House. I can't be any more eloquent or any more articulate than the previous speakers, even any more passionate, but I can be equally sincere in expressing my gratitude for Betsy Parsons.

Both my sons who graduated from Deering High School had the opportunity to be at Deering High School when Betsy was there. They benefited from her leadership, from her courage and from her mere presence. And they both ended up entering the world as better young men because of the interaction that they had with her. So, I fully support this Resolution today and I'm glad that the whole House will have the opportunity to express our support for her.

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

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

SENATE PAPERS

Bill "An Act To Sustain Maine's Forest Products Industry by Implementing Certain Existing Solid Waste Management Policies"

(S.P. 96) (L.D. 356)

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

Came from the Senate, REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed.

REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 166)

**STATE OF MAINE
CLERK'S OFFICE**

**2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 9, 2019

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

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Criminal Justice and Public Safety has approved the request by the sponsor, Representative Warren of Hallowell, to report the following "Leave to Withdraw:"

L.D. 804 An Act To Ensure Programming for Long-term Incarcerations at County Jails

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

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Amend the Act To Implement the Maine Indian Claims Settlement"

(H.P. 1221) (L.D. 1709)

Sponsored by Representative COLLINGS of Portland.

Cosponsored by President JACKSON of Aroostook.

Committee on JUDICIARY suggested and ordered printed.

REFERRED to the Committee on JUDICIARY and ordered printed.

Sent for concurrence.

Bill "An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation" (EMERGENCY)

(H.P. 1220) (L.D. 1708)

Sponsored by Representative HIGGINS of Dover-Foxcroft.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: FOSTER of Dexter, STEARNS of Guilford.

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

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.

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

Sent for concurrence.

Bill "An Act To Return Funds to Maine Property Tax Payers"

(H.P. 1223) (L.D. 1713)

Sponsored by Speaker GIDEON of Freeport.

Cosponsored by President JACKSON of Aroostook and Representatives: BERRY of Bowdoinham, BICKFORD of Auburn, MORALES of South Portland, TIPPING of Orono.

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

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

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

Sent for concurrence.

Bill "An Act To Enact the Automated Driving Safety Act"
(H.P. 1222) (L.D. 1710)

Sponsored by Representative McLEAN of Gorham.
Committee on **TRANSPORTATION** suggested and ordered printed.

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

Sent for concurrence.

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

ORDERS

On motion of Representative FARNSWORTH of Portland, the following House Order: (H.O. 26)

ORDERED, that Representative Shawn A. Babine of Scarborough be excused April 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Wayne Grignon of Athens be excused April 11, 16, 18, 23, 25 and 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Matthew A. Harrington of Sanford be excused April 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Norman E. Higgins of Dover-Foxcroft be excused April 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Sherman H. Hutchins of Penobscot be excused April 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Erik C. Jorgensen of Portland be excused April 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joyce McCreight of Harpswell be excused April 30 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Genevieve McDonald of Stonington be excused April 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Rena D. Newell of the Passamaquoddy Tribe be excused March 19 and 26, April 25 and May 8 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Sean C. Paulhus of Bath be excused April 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Ann E. Peoples of Westbrook be excused April 16, 18, 23, 25 and 30 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Christina Riley of Jay be excused April 2 and 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Timothy S. Theriault of China be excused May 7 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Peter Murphy, of Auburn, who has been named Auburn Citizen of the Year by the Auburn Business Association. Mr. Murphy, a former co-owner of Neokraft Signs, Inc., is a past board member and president of the association, past board chair of the Lewiston Auburn Metropolitan Chamber of Commerce, past president of the Auburn Business Development Corporation and a former volunteer for and participant in Central Maine Medical Center's Associate Program. He is a recipient of the chamber's Ray Geiger Award for his long-term leadership and the Associate Program's Distinguished Service Award. We extend our congratulations and best wishes;

(HLS 335)

Presented by Representative BICKFORD of Auburn.
Cosponsored by Senator CLAXTON of Androscoggin, Representative MELARAGNO of Auburn, Representative SHEATS of Auburn.

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

READ.

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

Representative **BICKFORD:** Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, just a short story about Auburn's Citizen of the Year. It's a very secret award. No one knows who gets the award until the day of the presentation except those that have been invited and close family. With Peter being the former owner of Neokraft Signs, he was always involved in the planning and putting together of the award. Getting the signs over to Neokraft together to have the question mark put on and the name put on underneath the question mark that was displayed throughout the city. Peter volunteered this year to bring those over to Neokraft Sign, unbeknownst to him that he was the award winner. In order to keep it a secret from Peter, we also sent the invitation to him with someone else's name on the award as the award recipient.

Peter's done a lot for the Auburn Business Association and we really appreciate all the efforts he's done in the City of Auburn. Thank you.

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

Representative **SHEATS:** Thank you, Madam Speaker. Peter has done so much in the Auburn community. He's very well known, I see him everywhere, being another small business owner, but I wanted officially today to add my congratulations to him. Thank you.

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

Recognizing:

Kennebec Valley Community College, in Fairfield, which is celebrating its 50th Anniversary. Recognized by the Aspen Institute as one of the top 100 community colleges in the country, Kennebec Valley Community College offers 30 programs relevant to all areas of Maine's labor market to its over 2,500 students. We extend our congratulations and best wishes;

(HLS 336)

Presented by Representative RUDNICKI of Fairfield.

Cosponsored by Senator CYRWAY of Kennebec.

On **OBJECTION** of Representative RUDNICKI of Fairfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **RUDNICKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Kennebec Valley Community College established in 1969 by the 104th Maine Legislature is celebrating its 50th year of service to the Kennebec Valley Region. In the fall of 1970, the college enrolled 35 full-time students and 131 part-time students. Today, KVCC serves some 2529 students pursuing college credentials. KVCC provides a high-quality education, ensuring that the graduates acquire skills to secure a satisfying profession, engage successfully in further study, or simply find joy in learning. With over 30 programs, KVCC offers education relevant to all areas of Maine's labor market and a clear pathway for transfers to four-year institutions. The two campuses at Fairfield and Hinckley, and the center in Augusta, combine to reach a broad audience across the region.

KVCC also works with high school students so they can take college courses while still in high school to earn college credit. Dual enrollment classes have saved many families thousands of dollars. I can personally attest to this benefit. We saved a full semester tuition for our daughter.

For 50 years, KCVV has endeavored to provide students the opportunity to achieve their educational, professional and personal goals. In doing so, the institution created a workforce for business and industry. KVCC has been recognized by the Aspen Institute as one of the top hundred community colleges in the country.

We congratulate Kennebec Valley Community College on its 50th years of service to Maine students. Thank you, Madam Speaker.

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I can personally attest to the great work that Kennebec Valley Community College does in our state.

My very first teaching job out of college was at then Kennebec Valley Technical College. I taught there for over a decade and that was over a decade ago. I can tell you that I still am in contact with students that I taught technical math because they were becoming CMP line workers or just this past summer when I gave myself tennis elbow my stapling campaign signs, I ended up having to go to occupational therapy and ran into a student that I had taught Anatomy and Physiology to. My best story is just the other day when I was walking outside of my house and there was somebody jumping out of a CMP truck and saying hey, Char, Char, and I was so surprised that it was him, and the reason I was surprised is when he graduated with his degree of applied electronics and computer technology. And he came to see me on graduation day and he said Char, you're probably not going to see me again, I'm moving to Florida. And he'd lived in Skowhegan his whole life and I said wow, I'm really surprised that you're moving to Florida and he said well, I figure to make any money I got to go to Portland and if I'm going to go to Portland, I might as well go to Florida.

I run into these folks all the time; folks that are contributing to our community and folks that are still so proud of the education that they received at Kennebec Valley

Community College. So, I just wanted to wish the folks that are here a great congratulations, and a congratulations on the 50th anniversary of KVCC. Thank you.

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

Recognizing:

Scott M. Hanington, of Wytopitlock, who has received a Community Service Award from the Professional Logging Contractors of Maine in recognition of 25 years of service as auctioneer at the annual fund-raiser for the Children's Miracle Network. We extend our congratulations and best wishes;

(HLS 339)

Presented by Representative HANINGTON of Lincoln. Cosponsored by Senator CARPENTER of Aroostook, Representative SWALLOW of Houlton.

On **OBJECTION** of Representative HANINGTON of Lincoln, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise this morning to recognize my brother.

Twenty-five years ago when we started the Professional Logging Contractors of Maine, it was shortly after the workers' comp debacle here in the state, we did not know where that was going to take us and since then we started the Master Logger program. The forest products industry contributes \$9 billion to the Maine economy but what we started back then was an auction to raise money for the Children's Miracle Network. And this is the 25th year. This year we had it over at the Oxford Casino, which I was not able to attend, but we raised \$52,000. And then in the fall of the year we have a golf tournament at Jato Golf Course in Lincoln, which the Gardiner boys built about 20 years ago, and since then we have raised over \$1 million and a hundred percent of the proceeds go to now Northern Light Hospital, which is Eastern Maine Medical Center.

My brother has done this nonstop and if you happen to have the chance to see him as auctioneer, it is hilarious. In utmost respect to my brother, and I love him dearly and I wish he could be here today, but he also is going to be celebrating his 60th year so, you know, he's 60 years old in July so I'll be presenting this sentiment to him then. Thank you, Madam Speaker.

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

In Memory of:

Joel Barnes, of Shapleigh, a captain with the Berwick Fire Department, who lost his life while battling a four-alarm apartment fire in Berwick and saving the life of another firefighter. Captain Barnes was a firefighter/paramedic and served in the department as training officer and emergency services coordinator. He had previously served with the Horry County Fire Rescue in South Carolina, South Berwick Rescue, York Ambulance and the Old Orchard Beach Fire Department before joining the Berwick Fire Department in July 2016. He was also an active per diem firefighter in Acton. Captain Barnes will be long remembered and sadly missed by his family, friends and fellow firefighters;

(HLS 342)

Presented by Representative O'CONNOR of Berwick.
Cosponsored by Senator WOODSOME of York, Senator FOLEY of York, Senator LAWRENCE of York, Representative KRYZAK of Acton, Representative SAMPSON of Alfred.

On **OBJECTION** of Representative O'CONNOR of Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Sometimes when individuals are called to respond to emergencies or tragic situations there can be a sense of helplessness and panic. This was never the case with Captain Joel Barnes. I think God put him here to assist and guide so many to safety. He lived his life with kindness, good will and extraordinary valor. He was a true hero.

I'll remember Captain Barnes fondly and forever, and I know his soul rests in the arms of a peaceful and loving God. Thank you.

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act To Require Professional Licensure for Property Inspectors"

(H.P. 492) (L.D. 671)

Signed:

Senators:

HERBIG of Waldo
GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BABINE of Scarborough
FECTEAU of Biddeford
HARRINGTON of Sanford
HIGGINS of Dover-Foxcroft
PERRY of Bangor
STETKIS of Canaan

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-223)** on same Bill.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
CROCKETT of Portland
HANDY of Lewiston

READ.

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

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

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to explain this report and why I feel so strongly on it.

Think about your house and think about how for most of us that is the most expensive purchase that any of us will make in our life. Now think about who's involved in that transaction. Think of your real estate agent, think of your bankers, think of all the various parties involved. And almost all of them are licensed except for one key profession; property inspectors. These are those folks that are looking out for both parties, for the buyer and seller, to check on the structure of the house, the public safety of the house, making sure you don't have termites eating through the roof, making sure you don't have black mold ravaging through, looking for things such as radon and other various aspects that could cause a public health safety risk to either the seller or to the buyer. These individuals are not currently licensed.

This bill came to us from the industry. Actually, at the end of our committee conversation, our analyst had a stakeholder group with many different property inspectors involved and they sat down, had a conversation, and at the end of this discussion all agreed that they'd like to move forward with this bill. What this bill does is it creates a sunrise review for the department to look at potentially licensing property inspectors, to look at what risks are involved, and let the people who know this best write the language to potentially license them.

This is something that we heard from various sides of the industry that has been a conversation for many years. This is an industry that is ready to move forward with this process and for those reasons I urge you to follow my light and I request a roll call.

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

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

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

Representative **STEWART**: Thank you very much, Madam Speaker. Good morning, Ladies and Gentlemen of the House. I rise in opposition to this motion. I would encourage folks in the body to support the Ought Not to Pass Report.

As a licensed realtor in the State of Maine, I can tell you that a bill like this is only going to increase the cost of the closing process in real estate transactions, going to make the process take longer and be more cumbersome and burdensome for Mainers. So I would encourage you to follow my light and appreciate that the roll call was already asked for.

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

Representative **KESSLER**: Thank you, Madam Speaker, Men and Women of the House. I had the opportunity to be a part of the work group for this bill and I want to share some key pieces about what this is about, what this amendment is for. The amendment is to conduct a sunrise review, which a sunrise review is for the sole valid reason for a state to regulate a profession or occupation through the licensing or through licensing, is to protect the state's citizens whose health and safety is clearly jeopardized in the absence of regulation. And some excerpts from the work group, which you can find online, many participants were members of the Maine Coalition of Home Inspection Professionals, known as MEChips, a professional trade organization for professional home inspectors in the state.

Participants noted that this bill that was introduced about 20 years ago to license home inspectors was one of the drivers for the creation of MEChips and an attempt to self-regulate, which is one of the aspects you look at when conducting a sunrise review. There are approximately 250 to 300 home inspectors known in the state. We don't know the true number because we don't have the ability to know. And there are approximately 35 members of MEChips.

At the very end of the report, I quote, at the end of the work session, the group was unanimous in its recommendation that a sunrise review be conducted. Participants expressed strong interest in being closely involved in a sunrise review process and in the subsequent drafting of any rules regulating the industry.

The home inspectors support it, the Maine Association of Realtors support it. There is a clear risk to people's health and wellbeing if they purchase a lemon of a home and the reason for the Ought Not to Pass, as I understand it, was that the workload would be too much. I don't think that that is justification, so I hope that you support the Ought to Pass Minority Report. Thank you very much, Madam Speaker.

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

Representative **STETKIS**: Thank you, Madam Speaker. As you know, I happily serve on the newly-created IDEA committee that you and other legislative leadership created at the beginning of the session. You tasked this committee to take a broader, forward-looking perspective on economic development, research and development, and higher education. So, through this session we've seen over and over bills come before our committee from both sides of the aisle of our constituents having a difficult time getting into some very much needed occupations. And many times it's due to the high threshold of occupational licensing. And, you know, we've got the department looking at that.

I think as far as moving our economy forward, filling our workforce, we need the department to work on taking down the barriers to allow people to work in these occupations, so at this point in time creating another barrier for another occupation and using much-needed time and resources in the department to make it easier for people to get into these occupations, imposing another sunrise review in that process, I think is going to do much more harm than good. So, I would hope that everybody would join with me and vote this down, allow the department to work on knocking down some of these barriers, especially for the new Mainers that we've been hearing about, medical professionals and such from coming from overseas to knock these barriers down so that they can get to work to help our economy. Thank you, Madam Speaker.

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

Representative **DOUDERA**: Thank you, Madam Speaker. I'm a licensed Maine realtor. I've been practicing since 2003 and I can tell you that there are great inspectors out there and then there are inspectors who are not so great. And I believe this is really very much needed for consumer safety and all those new Mainers who are going to be flocking here are hopefully going to be buying homes and they need to be protected as consumers. So I urge you to vote for the Ought to Pass as Amended amendment. Thank you.

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

ROLL CALL NO. 83

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Cardone, Carney, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Hobbs, Hubbell, Kessler, Kornfield, Madigan C, Marean, Martin J, Martin R, Matlack, Maxmin, McCrea, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sheats, Stearns, Stover, Sylvester, Tepler, Terry, Tipping, Tucker, Verow, Warren, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Babine, Bickford, Blier, Bradstreet, Caiazzo, Campbell, Cloutier, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Fecteau R, Foley, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hepler, Higgins, Hutchins, Hymanson, Javner, Johansen, Jorgensen, Keschl, Kinney, Kryzak, Landry, Lockman, Martin T, Mason, Mastraccio, McCreight, Millett, Morris, Nadeau, O'Connor, Ordway, Pickett, Prescott, Reed, Riseman, Rudnicki, Sampson, Sharpe, Stanley, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White B, White D.

ABSENT - Brooks, Cebra, Cuddy, Grignon, Ingwersen, Lyford, Perkins, Skolfield, Talbot Ross.

Yes, 73; No, 67; Absent, 9; Excused, 1.

73 having voted in the affirmative and 67 voted in the negative, with 9 being absent and 1 excused, and accordingly the **Minority Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-223)** 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-223)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-220)** on Bill "An Act To Protect Hourly School Personnel Pay During School Days Missed Due to Weather or Emergency Closures"

(H.P. 224) (L.D. 300)

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 Vassalboro, Representative Bradstreet.

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

This is a very well-intended bill but there is a mandate on the local school systems to require something that should probably be subject to contract negotiations. It should be a locally decided issue, and I ask for a roll call.

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

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

The **SPEAKER**: 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. 84

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Gattine, Gramlich, Handy, Harnett, Hickman, Hobbs, Jorgensen, Kessler, Madigan C, Martin J, Martin R, Matlack, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, Paulhus, Peabworth, Peoples, Perry A, Perry J, 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 - Ackley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foley, Foster, Griffin, Grohoski, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hepler, Higgins, Hubbell, Hutchins, Hymanson, Javner, Johansen, Keschl, Kinney, Kornfield, Kryzak, Landry, Lockman, Marean, Martin T, Mason, Mastraccio, Maxmin, Millett, Morris, O'Connor, O'Neil, Ordway, Pickett, Pierce T, Prescott, Reed, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Cuddy, Grignon, Ingwersen, Lyford, Perkins, Skolfield, Talbot Ross.

Yes, 74; No, 66; Absent, 9; Excused, 1.

74 having voted in the affirmative and 66 voted in the negative, with 9 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-220)** 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-220)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-219)** on Bill "An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board"

(H.P. 241) (L.D. 317)

Signed:
Senators:

BELLOWS of Kennebec
GUERIN of Penobscot
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
BRADSTREET of Vassalboro
CARNEY of Cape Elizabeth
CUDDY of Winterport
DUNPHY of Old Town
MORRIS of Turner
PEOPLES of Westbrook
RYKERSON of Kittery

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

Signed:

Representative:

LOCKMAN of Bradley

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-219)** 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-219)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act Concerning Liability for Direct Reimbursement of Unemployment Benefits"

(H.P. 781) (L.D. 1058)

Signed:

Senators:

BELLOWS of Kennebec
GUERIN of Penobscot
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
CARNEY of Cape Elizabeth
CUDDY of Winterport
PEOPLES of Westbrook
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-217)** on same Bill.

Signed:
Representatives:
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 to Pass as Amended by Committee Amendment "A" (H-218)** on Bill "An Act Regarding Local Workforce Development Boards" (H.P. 981) (L.D. 1359)

Signed:
Senator:
BELLOWS of Kennebec

Representatives:
SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DUNPHY of Old Town
PEOPLES of Westbrook

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 Representative may proceed.
Representative **SYLVESTER**: Thank you, Madam Speaker. This bill is intended to help our local workforce development boards and really this is what we are here in government to do. What these boards do is it helps folks who otherwise would have challenges entering the workforce and it helps those people enter the workforce. If there is any dollar well spent in this building, it is to do that exact same mission and therefore I urge you to follow the motion and vote green.

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

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

Regarding these workforce development boards and the money that would be required, which is \$465,000 a year, and I think given extremely low unemployment rates in the State of Maine, especially in some of the areas that these boards are

servicing, this is not a priority for Maine taxpayers to fund and I urge you to vote no on the motion. Thank you.

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. 85

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, 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, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Peabworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riley, Roberts-Lovell, Rykerson, 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, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Pickett, Pluecker, Prescott, Reed, Riseman, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, White D.

ABSENT - Brooks, Cebra, Cuddy, Grignon, Ingwersen, Lyford, Perkins, Skolfield, Talbot Ross.

Yes, 86; No, 54; Absent, 9; Excused, 1.

86 having voted in the affirmative and 54 voted in the negative, with 9 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-218)** 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-218)** and sent for concurrence.

**CONSENT CALENDAR
First Day**

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

(S.P. 247) (L.D. 811) Bill "An Act To Provide Additional Flexibility in the Municipal Property Tax Assistance Programs for Seniors" Committee on **TAXATION** reporting **Ought to Pass**

(S.P. 451) (L.D. 1471) Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 346) (L.D. 1126) Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-87)**

(H.P. 779) (L.D. 1056) Bill "An Act To Update and Amend the Finance Authority of Maine Act" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-224)**

(H.P. 1107) (L.D. 1514) Bill "An Act To Improve Enforcement in the Elver Fishery" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-221)**

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

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

ENACTORS

Emergency Measure

An Act To Require Newly Purchased Public School Buses To Be Equipped with School Bus Crossing Arms

(H.P. 20) (L.D. 19)
(C. "A" H-190)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 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 Recognize Employee Background Checks Conducted for Out-of-state Schools Eligible for Maine Tuition Assistance

(H.P. 297) (L.D. 388)
(H. "A" H-189)

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 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Emergency Measure

An Act To Permit the Indoor Production of Industrial Hemp

(H.P. 380) (L.D. 523)
(C. "A" H-193)

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

Emergency Measure

An Act To Ensure Equitable Treatment of Super Pack License Holders in Antlerless Deer Permit Lotteries

(H.P. 655) (L.D. 881)
(C. "A" H-186)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Revise and Recodify Certain Provisions of the Maine Criminal Code

(H.P. 1022) (L.D. 1407)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Review Case Loads for Child Welfare Caseworkers

(H.P. 595) (L.D. 821)
(C. "A" H-209)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish a Specialty Crops Certification Cost-share Pilot Program

(H.P. 726) (L.D. 971)
(C. "A" H-203)

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. 117 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine

(S.P. 69) (L.D. 257)
(C. "A" S-76)

An Act To Exempt from Criminal Liability Persons Reporting a Drug-related Medical Emergency

(H.P. 254) (L.D. 329)
(C. "A" H-178)

An Act To Expand Health Insurance Options for Town Academies (H.P. 285) (L.D. 376) (C. "A" H-199)

An Act To Increase the Number of Intensive Case Managers (H.P. 323) (L.D. 414) (C. "A" H-196)

An Act To Establish the Summer Success Pilot Program Fund (H.P. 359) (L.D. 502) (C. "A" H-200)

An Act To Improve Access to Property Tax Exemptions for New Homeowners (H.P. 404) (L.D. 560) (H. "A" H-194 to C. "A" H-77)

An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations (H.P. 429) (L.D. 585) (C. "A" H-187)

An Act To Ensure Comprehensive Access to Menstrual Products in All Maine's Jails, County Correctional Facilities and State Correctional and Detention Facilities (H.P. 457) (L.D. 628) (C. "A" H-176)

An Act To Create a Kinship Care Navigator Program within the Department of Health and Human Services (H.P. 462) (L.D. 633) (C. "A" H-195)

An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax (H.P. 481) (L.D. 660) (C. "A" H-183)

An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security (S.P. 209) (L.D. 696) (C. "A" S-77)

An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments (H.P. 551) (L.D. 746)

An Act To Exempt Vehicles That Are 20 Years Old or Older from Titling Requirements When the Vehicles Are Recycled, Salvaged or Scrapped (H.P. 597) (L.D. 823) (C. "A" H-191)

An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way (H.P. 622) (L.D. 848)

An Act To Establish the Fund To Support Local Fruits and Vegetables Purchasing (H.P. 675) (L.D. 920) (C. "A" H-192)

An Act Regarding the Transfer of a Deceased Person's Moose Permit To a Family Member (H.P. 687) (L.D. 932) (C. "A" H-185)

An Act To Increase the Viability of Assisted Living Facilities by Increasing the Rate of Reimbursement (H.P. 690) (L.D. 935) (C. "A" H-198)

An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State (H.P. 715) (L.D. 960) (C. "A" H-177)

An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements (H.P. 725) (L.D. 970) (C. "A" H-179)

An Act To Clarify Filing Requirements for Proposed Rules (S.P. 290) (L.D. 1011) (C. "A" S-73)

An Act To Remove a Reference to Constables in the Law Governing Execution of Process (H.P. 806) (L.D. 1102)

An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits (H.P. 808) (L.D. 1104) (C. "A" H-205)

An Act To Expand Tax Increment Financing (S.P. 342) (L.D. 1122) (C. "A" S-75)

An Act To Clarify Statutes Related to Establishing a Municipal Charter Commission (S.P. 348) (L.D. 1128)

An Act To Require Legislative Hearings on Citizen-initiated Legislation (H.P. 873) (L.D. 1209) (C. "A" H-204)

An Act To Update the Laws Governing the Regional Library Systems (H.P. 1010) (L.D. 1396) (C. "A" H-182)

An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Cellular Telephone Recycling Law (H.P. 1074) (L.D. 1467)

An Act To Clarify Guardianship over Detainees under 18 Years of Age Regarding Mental Health Care (H.P. 1081) (L.D. 1479)

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 Promote Healthy Living in Maine (H.P. 239) (L.D. 315) (C. "A" H-197)

Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses (H.P. 515) (L.D. 710)

Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees (H.P. 746) (L.D. 1004) (C. "A" H-181)

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles (H.P. 836) (L.D. 1147) (C. "A" H-184)

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

An Act To Help Municipalities Prepare for Sea Level Rise
(H.P. 407) (L.D. 563)
(C. "A" H-180)

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

On motion of Representative DILLINGHAM of Oxford, was **SET ASIDE**.

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

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

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

Representative **HUTCHINS**: Thank you, Madam Speaker, Members of the House. 10-14 is one of those wordy pieces of legislation that after we hear it enough times, we begin to believe it a little too strongly, I think. The tide does rise twice a day. It has for years and years and years. And the amount of extra rise is not measurable, in my opinion. Now, I'm sure there are slight amounts because the ocean has warmed slightly in some places so just the expansion from the warming of the water would make just a touch. The fact that erosion from the shore washes into the bays and adds a little layer of silt to the mud makes the same amount of water coming in, be just slightly higher. But an awful lot of this stuff that we're listening to and the one on rising sea level really gets me because it does seem to affect or be affected by people that perhaps have waterfronts that need rebuilding, and I'm afraid that there's a lot of that kind of thing in these pieces of legislation and verbiage that just gets to the point where it is accepted because it's said so often. And I'm not trying to reinvent the, you know, buggy whip business or anything like that, I know climates have changed and all these kinds of things but this sea level rise, if you ever notice any of these graphs that show what's happening, it's always 50 years down the road it takes a sharp upswing. If the models didn't have that upswing down the road far enough that helps guarantee perhaps a nice lifelong employment for someone that talks about sea level rise and temperature rise and all these kinds of things. It is happening, I'm not trying to say that it isn't happening, I'm trying to say that we're being fed a line of bologna because it isn't happening nearly as fast that we see graphs with sea level temperature rise. And it is, I mean, you can measure it; it is. I was talking with my son last night, he fishes offshore, and he said the temperature right now is about 3 degrees colder, the water temperature, than it was last year. He said catching a lobster right now is like trying to catch a cold in Florida. You can't do it, he said, they're just not around because the temperature of the water hasn't come up enough. So all I'm trying to say with this is let's not put so much emphasis on the global warming; the temperature rising in the water. I saw a graph recently and it showed red in Maine, kind of a gradient of getting redder and redder as sea temperature rises. Well, if it was in a percentage of how much rise there was, you couldn't see the color, but the idea that it is colored in in red in your mind makes you think wow, that water is really rising. Well, it really isn't; not much. It is and it is measurable, I'm not trying to dampen that, but I am trying to tell you that we need a little bit of common sense with it. And I think I'll stop right there. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Stonington, Representative McDonald.

Representative **McDONALD**: Thank you, Madam Speaker. I'll be brief. I live in a community of approximately 5,000 residents that is connected to the mainland by a causeway. This causeway continuously washes over on king tides, extreme high tides. This legislation will help communities like mine be better equipped to address this impending issue.

Representative BLUME of York **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

Representative **TUELL**: Thank you, Madam Speaker. I rise in support of the pending motion and I do so for any number of reasons.

Our committee heard this bill. I've got to say, I was a long time coming around to it. In years past, I was cynical. I felt it was a mandate in years past. In years past, it was a mandate. And I'll be clear to say that if it were a mandate here today, I would be probably on the minority report. And I would be, if a bill were brought forward in the future to make it a mandate. But it's not, and I feel that those communities that are on the coast deserve an option, deserve to have this option. And, keep in mind, too, that it is optional that towns may or may not not only put it in their comprehensive plan, but may or may not do a comprehensive plan. I have several communities Downeast that are experiencing issues with sea level rise and certainly heard their concerns and respect the sponsor of this bill for bringing it forward. Thank you, Madam Speaker.

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

Representative **McCREIGHT**: Thank you, Madam Speaker. With all respect to my seatmate and committee member from Penobscot, I respectfully disagree.

I also live in a coastal community and we're working hard to plan ahead for what is coming, but we're also looking at what's happening now. We're having wash-overs and roads flooded and it's not a maybe, it's a yes, it is; and I'm very grateful to the sponsor for putting the bill forward and I'm grateful to the committee for the strong vote in support. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Hobbs.

Representative **HOBBS**: Thank you, Madam Speaker. I had not intended to stand up on this issue but in my town of Wells, we do have the same issues as the Representative from Stonington has with roads being covered over constantly, Mile Road and Harbor Road. And for anybody that watches in the wintertime during a major winter storm, you will see on most of the television stations the water washing over Webhannet Road; the tides are now five feet higher along Webhannet Road and Atlantic Avenue, and I fully support this issue.

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

Representative **KESCHL**: Thank you, Madam Speaker. I have no opposition to this bill, but I do have a question.

The SPEAKER: The Representative may proceed.

Representative **KESCHL**: I believe that towns are already allowed to do this so I'm just wondering what's the necessity of the bill? I understand when the bill was submitted it has been changed, but I'm just asking what's the necessity of the bill, because towns can already put this in their comprehensive plans.

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

Representative **BLUME**: Thank you. Not only does it suggest that sea level rise could be used in comprehensive plans, it adds sea level rise to the state planning goals. So, quite simply, what it does; that sea level rise is something that should be a state planning goal.

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

ROLL CALL NO. 86

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

NAY - Andrews, Arata, Austin S, Blier, Bradstreet, Campbell, Costain, Curtis, DeVeau, Dolloff, Drinkwater, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Hutchins, Johansen, Kinney, Lockman, Mason, Morris, Ordway, Pickett, Prescott, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, White D.

ABSENT - Bickford, Brooks, Cebra, Cuddy, Foley, Grignon, Ingwersen, Lyford, Perkins, Perry A, Skolfield, Sylvester, Talbot Ross.

Yes, 100; No, 36; Absent, 13; Excused, 1.

100 having voted in the affirmative and 36 voted in the negative, with 13 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Provide for a Professional Wage and Support for New Educators

(S.P. 264) (L.D. 898)
(C. "A" S-59)

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

On motion of Representative DILLINGHAM of Oxford, was **SET ASIDE**.

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

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

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. While well-intentioned, LD 898 will make mill rates explode across rural Maine and after three years raising property taxes. Small towns cannot afford unfunded mandates. Please vote against the pending motion. Thank you.

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

ROLL CALL NO. 87

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

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

ABSENT - Bickford, Brooks, Cebra, Cuddy, Foley, Grignon, Ingwersen, Lyford, Perkins, Skolfield, Talbot Ross.

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

84 having voted in the affirmative and 54 voted in the negative, with 11 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

UNFINISHED BUSINESS

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

Bill "An Act Concerning Pavement Sealing Products"
(H.P. 670) (L.D. 906)

- In House, Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166)** on April 30, 2019.

- In Senate, Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** in **NON-CONCURRENCE**.

TABLED - May 7, 2019 (Till Later Today) by Representative MOONEN of Portland.

PENDING - **FURTHER CONSIDERATION**.

On motion of Representative DAUGHTRY of Brunswick, the House voted to **RECEDE**.

The same Representative **PRESENTED House Amendment "A" (H-225)** which was **READ** by the Clerk.

The SPEAKER: The Representative may proceed.

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to explain that this House Amendment comes from conversations

with committee members as well as folks in the industry. It simply just puts a three-year phase-in on the bill, and that is all this House Amendment does, and I urge you to support it.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-225)**.

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 Adoption of House Amendment "A" (H-225). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 88

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, 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, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Pickett, Prescott, Reed, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Cuddy, Foley, Grignon, Ingwersen, Lyford, Perkins, Skolfield, Talbot Ross.

Yes, 86; No, 53; Absent, 10; Excused, 1.

86 having voted in the affirmative and 53 voted in the negative, with 10 being absent and 1 excused, and accordingly **House Amendment "A" (H-225) was ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-166) and House Amendment "A" (H-225) in NON-CONCURRENCE** and sent for concurrence.

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

Bill "An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol"

(H.P. 596) (L.D. 822)

TABLED - May 7, 2019 (Till Later Today) by Representative MOONEN of Portland.

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise begging you to override this veto.

I have been working on this issue for over ten years of my life. It's been a really long road. Despite the outcome of this bill, I can promise you I will never give up exposing just how bad this product really is. An extensive and overdue report from the National Department of Environmental Protection found in no uncertain terms that including ethanol into the U.S. gas supply is wreaking havoc on our environment. This, my friends, should concern you. The powerful corn lobby in Washington greases palms and purchases politicians to sweep the horrors of this product under the rug. Think of companies like Archer Daniels Midland and Monsanto, and think of how dirty that underbelly is.

In a study titled Biofuels and the Environment, the second triennial report to Congress, the EPA determined, and I quote, that ethanol derived from corn is causing serious harm to our environment. Water, soil and air quality were all found to be adversely affected. The ethanol mandate has negatively affected water quality with greater biofuel production resulting in more harmful algae blooms and hypoxia. While most algae is harmless to water, some forms, such as the kind produced in Lake Erie from biofuel feedstock, has emitted toxic chemicals into the water. This harmful algae can consume the oxygen in the water process known as hypoxia, killing other wildlife. The runoff from this irrigation has wicked as far as the Gulf of Mexico. Increase irrigation fueled by growing demand for ethanol has also taken a toll on the ground, with the report finding, grassland to annual crop conversion negatively impacts soil quality because it increases erosion and the loss of soil nutrients.

In addition, using ethanol in lieu of gasoline, results in worse air emissions. We have enough lung disease in Maine, we don't need any more. We have enough asthma in Maine, we don't need any more. Air quality modeling suggests that production and use of ethanol as a fuel to displace gasoline is likely to increase such air pollutants as PM2.5, ozone, SOx in some locations, read a section of this report. These chemicals can exacerbate asthma by causing inflammation of respiratory airways with long-term exposure resulting in decreased lung function. Nitrogen dioxide is an irritant gas which at high concentrations causes inflammation of the airways. It also reacts to form smog and acid rain as well as being central to the formation of fine particles at ground-level ozone. Both are associated with adverse health effects. If that's not bad enough, it should be noted that while oxygenated fuels have been promoted for their ability to decrease certain air toxins, multiple more studies have reported higher emissions of hazardous air pollutants such as acetaldehyde and formaldehyde linked to increased ethanol content in fuels. Both acetaldehyde and formaldehyde are considered by the EPA to be probable human carcinogens. Formaldehyde is also associated with respiratory tract irritation, chronic bronchitis and airway inflammation. Acetaldehyde is a strong respiratory irritant and toxicant, especially dangerous for children and adults with asthma. These chemicals could cause increased cancer and incidents of wider respiratory problems.

This study was published, and you can find it on June 29, 2018, but the companies that produce this horrid product have a lot of money. In fact, another report published by the proceedings of the National Academy of Sciences by researchers from the University of Minnesota, where Jason Hill, one of the authors, reports said flatly if we're using ethanol for environmental benefits for air quality and climate change, we're going down the wrong path. The Environmental Working Group, a nonprofit dedicated to helping the environment,

recently succinctly stated corn ethanol is environmentally destructive and not a renewable fuel source.

Ethanol contains about 76,000 BTUs per gallon. Gasoline contains about 114,000 BTUs per gallon. Thus, to get the same amount of energy contained in a gallon of conventional gasoline, a motorist would have to purchase about 1.5 gallons of ethanol. Think about that poor guy who just bought his brand-new little car, 2013, so it's new to him, a Nissan Maxima, Ultima, and there are multiple other cars, fills up to the pump, he's got a new car payment and a bigger insurance payment, and he fills with this gas. It will cause his car very, very poor running quality, stalling out and eventually destroying the engines and the parts of that car. His investment gone down the drain.

Last year in a report from the Manhattan Institute, ethanol mandates now impose about 10 billion in additional fuel costs on motorists over and above what they would've paid for gasoline alone. That does not include the damage to our snowmobiles, to motorcycles, to weed whackers, to lawnmowers, to all our small motors. This is a problem. It is a huge problem.

After ten years working on this subject and taking little bites of the apple, one at a time, I think that it would be extremely foolish to allow more ethanol in our gasoline to destroy the health of our loved ones and every member of this body and all your family members that live here. This boondoggle needs to stop and it needs and can begin here today. I'm asking you; no, I'm begging you, to think of your loved ones and the health of them, and do not let companies and the corn lobby destroy our environment and our health. Thank you.

The SPEAKER: The Chair will remind Representatives, and I did not want to interrupt the Representative, to please address comments towards the rostrum, not towards other Members.

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

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

Representative **TUCKER**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. In this vote, I will be balancing adherence to the integrity of the legislative process on the one hand against the veto by Maine's Chief Executive on the other.

The bill at issue came through the Environment and Natural Resources Committee where I serve. First, I'd like to state a few relevant facts about ethanol, this ethanol legislation, and how this bill was enacted as neutrally as I can. Second, I'd like to take a look at the Chief Executive's reasons for the veto. And, third, explain the standards that may apply to a veto situation and why I believe the veto should be sustained.

This bill grows out of the ethanol wars that have raged across the country since the 1970s and continue. Sometimes I think we are in a time warp. Advocates of ethanol in motor fuel argue it is a renewable resource since it's derived from corn, thus reducing our dependence on oil imports. Opponents argue that using cropland to make ethanol is wasteful and inefficient, and it is not a good fuel for small engines.

We have bills on ethanol fuel nearly every legislative session. My hope is the whole debate will die when we are all driving electric cars. But, more likely, I will die before that day. The Representative from Berwick has presented LD 822. The bill would prohibit the sale of motor fuel containing more than 10% ethanol. But the arguments of the sponsor raise the issue

of ethanol use generally in all aspects. Why is ethanol in gasoline so controversial? Ethanol is an alcohol that is water soluble and can lead to excess water in an engine, leaving rust and gummy residue, and thus needs properly-designed engines to run smoothly. Cars built for the last 20 years are engineered to run on 10% ethanol, which is called E10, and run well on this fuel, but many older cars and small engines do not. Thus, there is widespread dissatisfaction with ethanol motor fuel in the popular mind for use in small engines which flows from two things. First, snowmobiles, snow blowers, outboard motors, lawnmowers, and other small engines which sit idle during extended seasons, can get corroded and gummy from ethanol gas. You can add treatments to such engines in the off-season and flush the engines, but that is a big hassle, and most of us are not disciplined enough to give perfect care. Secondly, and more importantly, it is currently difficult to find non-ethanol motor fuel at the filling stations, which is inconvenient. The reason it is hard to find conventional non-ethanol fuel oil is because Maine is currently under a federal requirement on reformulated gas that requires all motor fuel in seven southern Maine counties to be 10% ethanol, not 100% ethanol, I never heard of that.

ENR committee members have been aware of ethanol problems with small engines and old cars for years because we experience them, like you, and we listen to our constituents. And now, in other parts of the country, some fuel markets and the EPA are beginning to experiment with 15% ethanol motor fuel. This has reignited new political debate over ethanol in general. Given this background, the ENR committee heard this session's two ethanol bills together at the same time on March 20, 2019. We heard the same witnesses and the issues were intertwined. Both bills were immediately voted Ought to Pass on the same day. The concerns of the Representative from Brunswick, so eloquently expressed in her bill to stop 15% ethanol and ethanol at all, are much resolved and alleviated by the recently enacted law allowing non-ethanol gas back into southern Maine gas stations. Germane to her concerns, Maine will be withdrawing from the federal RFG requirement which has mandated the use of 10% ethanol motor fuel since 2015 in seven southern counties. The other nine northern counties do not require 10% ethanol. The Chief Executive signed this related bill 14 days ago. It is a major victory for those --

The SPEAKER: The Representative will defer. The Representative is sort of riding on a very thin line here. When referring to something that is in law as a reason for supporting or not supporting something, I understand, however we are careful not to speak of other bills in the legislative session. So, I just want to remind the Representative of that.

The Chair reminded Representative TUCKER of Brunswick to confine his debate to the question before the House.

The SPEAKER: The Representative may proceed.

Representative **TUCKER**: Thank you. There is no bill anymore. This is the law of the State of Maine. On the specifics of the proposed ban on new gas with higher than 10% ethanol, which is the subject of the vetoed bill, LD 274, the DEP Bureau of Air took no position on this bill but said the following: Although the department is not aware of E15 currently being supplied in Maine, we would not oppose the prohibition of this fuel given concerns about the fuel quality and the potential cost increases to consumers and gas station owners to install or upgrade tanks and pumps. The sponsor was at the hearing and expressed concerns about health hazards. The Snowmobile Association expressed concerns.

The bill is also strongly supported by the American Petroleum Institute and the New England Petroleum Association and the Maine Energy Marketers Association. Most testimony was for the bill. An environmental lobbyist from a major environmental organization expressed no interest in either supporting or opposing the bill. The bill was opposed in a letter from Growth Energy, America's ethanol supporters, and Association of Biofuel Producers who just sent a letter. So since there did not seem any serious opposition and based on the lack of objection by the DEP, this bill was voted Ought to Pass immediately after the hearing.

Now, the Chief Executive has made two objections. First, that no E15 is currently sold in Maine. This is true and would suggest that the legislation is premature and more study is needed. E15 has only recently been EPA certified for year-round use in other parts of the country. Significant retrofitting would be required and it probably would be a boutique type gas, anyway. But there are many people who like E15 and Cumberland Farms has shown an interest sometime in the future.

Second, the Chief Executive says there is no support for the claim that E15 adversely impacts health. This argument also appears to be true. There are websites pro and con on E15 all over the internet but no convincing evidence. Much of the criticism of E15's environmental cost is aimed at the farming activity and the farmland that is taken up by the growth of corn.

Taken together, the veto message suggests the bill was hasty and unwise. The major effort this session was on a more important bill which I cannot tell you about.

Seriously, what is the standard for the appropriate use of the veto power? Historically in the United States, some Chief Executives/Governors/Presidents have been highly restrained and choosing not to veto legislation except if it were obviously unconstitutional. President Polk said that legislation should be vetoed if it is subversive of the Constitution or of the vital interests of the country. President Taylor called the veto an extreme measure to be resorted to only in extraordinary cases. Other Chief Executives have evaluated legislation as if they were legislators sitting here on the Floor with us, making their own judgement on the wisdom of proposed legislation as if sitting here. Alexander Hamilton described the veto power as a wholesome check on hasty and unwise legislation.

Turning to our situation here, there is little urgency. Recent law has opened up Maine to non-ethanol fuel. There is no crisis. This is not a matter of constitutional magnitude, nor is it a major matter of great principle. This override debate could've been avoided in favor of a resolve to study alleged health effects further, a possibility which has been spurned. There is plenty of time. It does seem premature. I find the Chief Executive's veto actions to be in good faith, grounded in reason, and not retaliatory or whimsical. In Alexander Hamilton's words, this veto may have been a, quote, wholesome check on hasty and unwise legislation. I vote to sustain the Executive's veto. Please vote red.

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

Representative **KESCHL**: Thank you, Madam Speaker. I have no prepared remarks but I want to offer a little bit of history.

Back in the early days of the implementation of the Clean Air Act Amendments in 1990, I was the Air Director, the Air Bureau Director, and I was responsible for the implementation of that Act. I worked very hard with Senator Mitchell on the implementation at the national level and we brought it back to

Maine, we were implementing it. One of the primary concerns in that Act was continuous ozone violations and at that time the country was experiencing scarcity in fuels because we were very dependent on foreign fuel supplies. So, the whole issue of E10 revolved around those decisions. We were opposed to E10 because of the ozone violations and other issues that we were concerned about. We lost because, again, we were dependent on foreign oil supplies.

The Good Representative from Berwick has made a compelling case in opposition to this. I understand the arguments of others who would argue that it is premature or not but, in fact, we should ban it now and we should follow the light of the Good Representative from Berwick and vote to override the veto.

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

Representative **DeVEAU**: Madam Speaker, good afternoon. I rise today to oppose the veto and the reason being is is kind of tied in to what I spoke about yesterday, that it's time for the two parties to actually start working together. And on this bill, we actually worked together, and we passed this bill initially, and now because of two reasons that the Governor sent back, we're now debating this again.

The fact of the matter is is that this body that was elected to create laws, some premature, in some opinions, and I could say that about several other bills that I find to be premature. We made a decision. We voted this bill out because we believed in the Representative. Anyway, I would ask that you oppose the bill with me.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. I own a fun little motorcycle that I never seem to have enough time to ride throughout the summer. In the off-season, I do add Sta-Bil, but that didn't stop the ethanol fuel from destroying the gas tank on my 2000 Suzuki Bandit. Thankfully, I do have a gas station near, sort of, to my home where I can buy non-ethanol fuel for over \$4.00 a gallon. The ethanol fuel is dropping my fuel economy in my 2015 Honda despite it being supposedly built to handle and run on the gas with the ethanol additive.

I also run multiple small engine equipment pieces on my farm including lawn mowers, weedwhackers, chain saws, and ATVs, and we run into mechanical issues from the E10 fuel every year.

Please vote to override this veto to protect Maine family farms, Maine families, their farms, and our very important tourist industry. And, further, I'd like to point out that this does not prohibit E15 entirely. It would still be able to be sold in Maine in quart-sized containers. Thank you.

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

Representative **O'CONNOR**: Thank you, Madam Speaker, and I apologize, ladies and gentlemen, for rising a second time.

The Good Representative from Brunswick said that Cumberland Farms was not planning to sell ethanol in the near future here, however they have launched a pilot program nationally. They have 300 stores, I believe five or six of those are in Maine. They have upgraded their tanks; those tanks currently can hold E10 but the upgrade allows E15 to be sold in those tanks at the pump. The gasoline that will be sold, E15 at the pumps, will be less in price so when they are able to advertise on their SmartPay billboards, they will be able to advertise a lower price than other companies that are not

compatible with E15 and they do not have the tanks. So, I believe this is coming sooner than later. Thank you.

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

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

ROLL CALL NO. 89V

YEA - Ackley, Andrews, Arata, Austin B, Austin S, Bailey, Bickford, Blier, Bradstreet, Campbell, Cardone, Collings, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Evangelos, Faulkingham, Fecteau J, Fecteau R, Foley, Foster, Gramlich, Griffin, Grohoski, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hepler, Hickman, Higgins, Hutchins, Hymanson, Javner, Johansen, Keschl, Kessler, Kinney, Kryzak, Landry, Lockman, Madigan C, Marean, Martin R, Martin T, Mason, Maxmin, McDonald, McLean, Melaragno, Millett, Morris, Nadeau, O'Connor, O'Neil, Ordway, Paulhus, Perry A, Pickett, Pluecker, Prescott, Reed, Riley, Riseman, Roberts-Lovell, Rudnicki, Sampson, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Sylvester, Terry, Theriault, Tuell, Verow, Wadsworth, Warren, White D.

NAY - Alley, Babbidge, Babine, Beebe-Center, Berry, Brennan, Bryant, Caiazzo, Carney, Cloutier, Cooper, Craven, Crockett, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Farnsworth, Fay, Gattine, Handy, Harnett, Hobbs, Hubbell, Jorgensen, Kornfield, Martin J, Mastraccio, Matlack, McCrea, McCreight, Meyer, Moonen, Morales, Pebworth, Peoples, Perry J, Pierce T, Reckitt, Schneck, Sharpe, Stover, Tepler, Tipping, Tucker, White B, Zeigler, Madam Speaker.

ABSENT - Blume, Brooks, Cebra, Cuddy, Grignon, Ingwersen, Lyford, Perkins, Rykerson, Talbot Ross.

Yes, 89; No, 50; Absent, 10; Excused, 1.

89 having voted in the affirmative and 50 voted in the negative, with 10 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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

HOUSE DIVIDED REPORT - Report "A" (6) **Ought to Pass as Amended by Committee Amendment "A" (H-211)** - Report "B" (6) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Exempt Long-term Capital Gains from Income Tax for Certain Income Levels"

(H.P. 669) (L.D. 905)

TABLED - May 8, 2019 (Till Later Today) by Representative TIPPING of Orono.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative TIPPING of Orono moved that the House **ACCEPT** Report "B" **Ought Not to Pass**.

Representative BICKFORD of Auburn **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought Not to Pass**.

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 Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the amendment that we put on the committee for the Ought to Pass was to provide an income tax deduction for certain long-term capital gains related to securities held for at least ten years that were not acquired by gift or inheritance if at least one of the taxpayers filing the tax return is 62 years of age or older, and the federal adjusted gross income of the individuals filing the return is \$150,000 for individuals filing married joint returns and \$75,000 for single filers and head of household.

This is a way for our senior citizens to hold securities and not pay heavy penalties on them. This is not for the rich. This is for people making less than \$75,000 a year. Please vote no on the prevailing motion. Thank you.

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

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I think it's important to note that this would give preferential treatment to people who use some retirement plans over others and I don't think it's wise to give this preferential treatment to people who use the stock market or other securities versus other retirement plans. Further, I would say if you're making \$150,000 as a family in retirement, I wouldn't think that would put you in the low-income range. So, Madam Speaker, I ask that you support the pending motion Ought Not to Pass. Thank you.

The SPEAKER: The pending question is acceptance of the Minority Ought Not to Pass Report. The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker. Request permission to ask a question through the Chair.

The SPEAKER: The Representative may proceed.

Representative **ACKLEY**: Thank you, Madam Speaker. Is it possible that someone could claim a certain income bracket for a single year and then cash in their retirement fund, not have to pay any long-term capital gains tax at all, and then go back to resuming a high income level?

The SPEAKER: The Representative from Monmouth has posed a question through the Chair if there is anybody who can answer. The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Thank you, Madam Speaker.

In answer to the question, it is theoretically possible.

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

ROLL CALL NO. 90

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Brennan, Bryant, Caiazzo, Cardone, Carney, Collings, Cooper, Craven, Crockett, Denk, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Grohoski, Handy, Harnett, Hepler, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kornfield, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Morales, Nadeau, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Blume, Bradstreet, Campbell, Cloutier, Corey, Costain, Curtis, Daughtry, Dillingham, Dodge, Dolloff, Drinkwater,

Faulkingham, Fay, Fecteau J, Foster, Gramlich, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Marean, Martin T, Mason, Millett, Morris, O'Connor, O'Neil, Ordway, Peoples, Pickett, Pierce T, Prescott, Reed, Riseman, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Brooks, Cebra, Cuddy, DeVeau, Grignon, Ingwersen, Lyford, Moonen, Perkins, Sylvester, Talbot Ross, Theriault.

Yes, 73; No, 64; Absent, 12; Excused, 1.

73 having voted in the affirmative and 64 voted in the negative, with 12 being absent and 1 excused, and accordingly Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 564)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 14, 2019 at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine"

(S.P. 565) (L.D. 1711)

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

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

Bill "An Act To Amend and Clarify the Maine Uniform Securities Act and To Make a Technical Correction in the Law Concerning Financial Planners"

(S.P. 566) (L.D. 1712)

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.

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

On motion of Representative BLIER of Buxton, the House adjourned at 12:47 p.m., until 10:00 a.m., Tuesday, May 14, 2019 pursuant to the Joint Order (S.P. 564) and in honor and lasting tribute to Joel Barnes, of Shapleigh.