

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
41st Legislative Day
Tuesday, May 21, 2019

Representative MOONEN of Portland assumed the Chair.
The House met according to adjournment and was called to order by the Speaker Pro Tem.

Prayer by Pastor Robert Andrews, First Parish Congregational Church, Lebanon.

National Anthem by Larry Abbiati, Lebanon.
Pledge of Allegiance.

Doctor of the day, Anthony Tannous, M.D., Bangor.

The Journal of Thursday, May 16, 2019 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 584)

ORDERED, the House concurring, that the Joint Standing Committee on Labor and Housing shall report out, to the Senate, a bill related to retirement benefits for corrections officers under the 1998 Special Plan.

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

READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 587)

ORDERED, the House concurring, that the Joint Standing Committee on Innovation, Development, Economic Advancement and Business shall report out, to the Senate, a bill to amend the jurisdiction of certain reviews conducted pursuant to the State Government Evaluation Act.

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

READ and **PASSED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 177)

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

May 16, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 10, MRSA, Part 1, Ch. 1-A, §11.4-A2, I am pleased to appoint Sean Douglas of Portland to seat sixteen on the Citizen Trade Policy Commission.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 175)

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

May 21, 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 Agriculture, Conservation and Forestry has approved the request by the sponsor, Senator Miramant of Knox, to report the following "Leave to Withdraw:"

L.D. 269 An Act To Match the State's Definition of 'Hemp' to the Definition in Federal Law

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. 693 An Act To Create a Regional Prerelease Center

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

L.D. 871 An Act To Establish the Crime of Endangering the Welfare of a Child by Transferring Illegal Drugs through Breast Milk

Pursuant to Joint Rule 310, the Committee on Environment and Natural Resources has approved the request by the sponsor, Senator Dill of Penobscot, to report the following "Leave to Withdraw:"

L.D. 356 An Act To Sustain Maine's Forest Products Industry by Implementing Certain Existing Solid Waste Management Policies

Pursuant to Joint Rule 310, the Committee on Innovation, Development, Economic Advancement and Business has approved the request by the sponsor, Senator Lawrence of York, to report the following "Leave to Withdraw:"

L.D. 895 An Act To Promote Economic Development through Research and Development

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

L.D. 1330 An Act To Ensure Pedestrian Safety in Roundabouts

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

L.D. 1435 Resolve, Directing the Joint Standing Committee on Transportation To Study Transportation Funding Reform (EMERGENCY)

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

The Following Communication: (H.C. 178)

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

JOURNAL AND LEGISLATIVE RECORD - HOUSE, May 21, 2019

May 21, 2019
 Honorable Sara Gideon
 Speaker of the House
 2 State House Station
 Augusta, Maine 04333
 Dear Speaker Gideon:
 Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass":

Education and Cultural Affairs

L.D. 155 An Act To Ensure Transparency in College Costs

L.D. 161 An Act To Increase Access to Career and Technical Education

L.D. 210 An Act To Increase Technology and Engineering Education for Grades 7 to 12

L.D. 237 An Act To Appropriate Funds for Coaching Services for Existing and New Prekindergarten Programs

L.D. 385 An Act To Base School Funding on the Number of Students Sent by a Town to a Regional School Unit

L.D. 395 An Act To Protect Access to Outside-of-school Enrichment Opportunities

L.D. 468 An Act To Require That the State Fund on an Ongoing Basis a Minimum of 50 Percent of the Costs Associated with Public Preschool Programs

L.D. 504 An Act To Enhance the Development of Innovative Career and Technical Education Programs

L.D. 718 An Act To Increase Funding for Adult Basic Literacy, Workplace Education and College Preparedness

L.D. 1046 An Act To Authorize the Department of Education To Provide Flexibility in the Required Credentials for Teachers in Career and Technical Programs

L.D. 1170 An Act To Raise the Floor of State Education Funding

L.D. 1267 An Act To Allow the Awarding of Graduation Credits by Career and Technical Education Centers and Regions

L.D. 1343 An Act To Improve Health Education and Physical Education in Schools

L.D. 1344 An Act To Improve Nutrition in Maine Schools

L.D. 1351 An Act To Allow for the Recovery and Redistribution of Food in Public Schools

L.D. 1428 An Act To Require the State To Fund 50 Percent of Public Preschool Programs

L.D. 1497 An Act To Recognize High-performing, Efficient School Districts with Regard to the System Administration Allocation (EMERGENCY)

Environment and Natural Resources

L.D. 61 An Act To Improve the Maine Bottle Redemption Process

L.D. 1055 An Act To Reduce Fraud in the Redemption of Beverage Containers

L.D. 1115 An Act To Create Fairness in the Redemption of Beverage Containers

Health and Human Services

L.D. 45 An Act To Amend the Law Regarding Maine's Background Check Center

L.D. 421 Resolve, To Amend the State Plan Regarding the Processing of Vouchers under the Special Supplemental Nutrition Program for Women, Infants and Children by Farmers' Markets

L.D. 717 An Act To Provide Comprehensive Mental Health Treatment Reform

L.D. 724 An Act To Amend the Maine Background Check Center Act To Provide Employers Flexibility To Use Approved Alternate Vendors (EMERGENCY)

L.D. 838 Resolve, To Ensure the Continuation of Services to Maine Children and Families (EMERGENCY)

L.D. 966 An Act To Ensure Safer Childhood Vaccines

L.D. 1006 Resolve, To Require the Development of Strategies for Reducing Health Disparities Based on Social Determinants

L.D. 1137 An Act To Clarify the Background Check Process for Certain Child Care Workers

L.D. 1185 An Act To Facilitate Intervention by and Provision of Services through the Department of Health and Human Services for Certain Families Affected by Substance Use

L.D. 1201 An Act To Create a Low-barrier, Permanent Housing Rental Subsidy for Individuals in the State Experiencing Long-term Homelessness

L.D. 1288 An Act To Establish a MaineCare Reimbursement Rate Review Process and the MaineCare Independent Rate Commission

L.D. 1289 Resolve, To Reduce the Incidence of Infants Exposed to Illegal Substances

Health Coverage, Insurance and Financial Services

L.D. 437 An Act To Improve Access to and Affordability of Health Care in Maine

L.D. 641 An Act To Save Lives through Epinephrine Autoinjector Accessibility

L.D. 1582 An Act Relating to Surgical Technologists and the Practice of Surgical Technology

L.D. 1666 An Act To Require Certain Health Care Providers To Provide Patients Detailed Information on the Risks Associated with the Use of Opioid Medications and Schedule II Drugs

Innovation, Development, Economic Advancement and Business

L.D. 371 An Act To Create the Small Communities Tourism Fund

L.D. 570 An Act To Create an Airplane Mechanic Education Program

L.D. 624 An Act To Facilitate the Purchase of Textbooks for Low-income College Students

L.D. 875 An Act To Require Warranty Coverage for Damage to Manufactured Homes during Transportation and Handling

L.D. 1136 An Act To Provide Snow Sports Safety Information to Consumers

L.D. 1334 An Act To Rename the Maine International Trade Center the Maine Trade Center and To Establish within the Center International and Domestic Export Branches

JOURNAL AND LEGISLATIVE RECORD - HOUSE, May 21, 2019

- L.D. 1440 An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals
- Judiciary
L.D. 1175 An Act To Ensure the Timely and Proper Completion of Residential Foreclosures
- L.D. 1423 An Act To Require Corporate Transparency When Taxpayer Funding Is Provided
- Labor and Housing
L.D. 219 An Act To Improve Working Conditions for Maine's Veterans and Immigrants
- L.D. 243 An Act To Create an Hourly Rate Compensation System for Loggers and Truckers
- L.D. 298 An Act To Establish a Conditional Presumption of Compensability for Corrections Employees in Cases of Impairment from Hypertension or Heart Disease
- L.D. 415 An Act To Enhance the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program
- L.D. 596 An Act To Prevent the Closure of Maine Businesses
- L.D. 819 An Act To Enhance the Predetermination of Independent Contractors
- L.D. 901 An Act To Clarify the Statute of Limitations under the Maine Workers' Compensation Act of 1992
- L.D. 1203 An Act To Clarify the Retirement Presumption under the Maine Workers' Compensation Act of 1992
- L.D. 1205 An Act To Allow Full Retirement Benefits under the Maine Workers' Compensation Act of 1992
- L.D. 1354 An Act To Eliminate the Penalties for State and Teacher Retirees Who Return to Employment
- L.D. 1501 An Act To Change the Law Governing Occupational Disease Claims under the Maine Workers' Compensation Act of 1992
- L.D. 1588 An Act To Create a Registration Process and Permits for Vacation Rentals
- L.D. 1623 An Act To Improve Employee Representation under the Maine Workers' Compensation Act of 1992 by Amending the Laws Governing Attorney's Fees
- L.D. 1624 An Act To Prevent Discrimination under the Maine Workers' Compensation Act of 1992
- Marine Resources
L.D. 1285 An Act To Establish Criteria for a Permit To Conduct Research in the Intertidal Zone
- State and Local Government
L.D. 226 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects
- L.D. 953 An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation
- L.D. 1176 An Act Regarding Caretakers of Ancient Burying Grounds and Access to Ancient Burying Grounds
- L.D. 1328 An Act To Increase the Salaries of the Governor and Legislators
- L.D. 1379 An Act To Increase the Annual Salary of the Governor and To Increase the Expense Allowance Paid to Legislators
- L.D. 1427 An Act To Amend the Legislative Expense Reimbursement
- L.D. 1489 RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators
- L.D. 1536 An Act To Require Municipalities To Maintain Access on Public Rights-of-way
- L.D. 1581 An Act To Restore County Tax Appropriation Integrity
- L.D. 1587 An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts
- S.P. 105 JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO RESTORE FREE AND FAIR ELECTIONS
- Taxation
L.D. 393 An Act To Change the Eligibility Requirements for the Property Tax Fairness Credit
- L.D. 669 An Act To Provide Housing Relief for Maine Families and Seniors
- L.D. 887 An Act To Improve the Property Tax Fairness Credit
- L.D. 957 An Act To Increase the Property Tax Fairness Credit
- L.D. 1443 An Act To Enact the Senior Property Tax Reimbursement Act
- Transportation
L.D. 491 An Act To Regulate the Brightness of Headlights
- Veterans and Legal Affairs
L.D. 245 An Act To Reestablish a Presidential Primary System in Maine
- Sincerely,
S/Robert B. Hunt
Clerk of House
- READ and with accompanying papers ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 179)

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

May 21, 2019

Honorable Robert B. Hunt
Clerk of the House

2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

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

on May 14, 2019

Kelly M. Brackett of Ellsworth for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

on May 16, 2019

The Honorable Bonita J. Usher of Buxton for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Labor and Housing.

Mark A. Brunton of China, for appointment to the Board of Trustees of the Maine Public Employees Retirement System.

Pursuant to Title 5 MRSA §17102, this appointment is contingent on Confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Richard R. Shiers of Gorham and James Kelley, Jr. of Millinocket for appointment to the Maine State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

on May 17, 2019

John S. Beliveau of Falmouth, for appointment to the Board of Trustees of the Maine Public Employees Retirement System.

Pursuant to Title 5 MRSA §17102, this appointment is contingent on Confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Robert M. Sanford of Gorham for appointment to the Board of Environmental Protection.

Pursuant to Title 38, MRSA §341-C, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

The Honorable Robert S. Duchesne of Old Town for reappointment to the Board of Environmental Protection.

Pursuant to Title 38, MRSA §341-C, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Sincerely,

S/Sara Gideon

Speaker of the House

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

The Following Communication: (H.C. 180)

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

May 21, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to Title 3, M.R.S.A., §154, Governor Janet T. Mills has withdrawn her nomination of the following:

on May 15, 2019

Brent Burger of Oakland for appointment to the Finance Authority of Maine, at his request.

This nomination is currently pending before the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Sincerely,

S/Sara Gideon

Speaker of the House

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

The Following Communication: (H.C. 181)

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

May 21, 2019

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:

Agriculture, Conservation and Forestry

L.D. 723 An Act To Enhance Resource Management of Submerged Lands beneath Impounded Waters

L.D. 1316 An Act To Make It Explicit That Maine Holds Title to Its Intertidal Lands

Criminal Justice and Public Safety

L.D. 828 An Act Concerning the Release of the Name of a Deceased Individual

L.D. 1675 An Act Regarding Building Codes

Energy, Utilities and Technology

L.D. 1562 An Act To Encourage the Use of Renewable Energy

L.D. 1651 An Act To Promote Equitable and Responsible Broadband Investment

Health and Human Services

L.D. 583 Resolve, Directing the Department of Health and Human Services To Study the State's Long-term Services and Supports System for Older Adults

L.D. 684 Resolve, Relating to the Prevention and Management of Neonatal Abstinence Syndrome

L.D. 738 Resolve, Directing the Commissioner of Health and Human Services To Convene a Study Group To Review the Crisis Response System in the State

L.D. 1202 Resolve, To Develop a Plan To Improve Service Delivery to Individuals Receiving Medicaid Home and Community-based Services

L.D. 1374 An Act To Amend the Maine Medical Use of Marijuana Act

L.D. 1450 Resolve, To Mitigate the Increasing Waiting List for Services under the MaineCare Section 21 Waiver Program

L.D. 1595 An Act To Enhance the Child Welfare Ombudsman Program

State and Local Government

L.D. 1462 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators

Transportation

L.D. 157 An Act To Amend the Laws Governing Car Seats

L.D. 280 An Act To Improve Public Safety by Restricting the Use of Distracting Electronic Devices While Operating a Motor Vehicle

Sincerely,
S/Robert B. Hunt
Clerk of House

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community" (H.P. 1250) (L.D. 1756)

Sponsored by Representative TALBOT ROSS of Portland.
Cosponsored by Senator DESCHAMBAULT of York and Representatives: BAILEY of Saco, EVANGELOS of Friendship, MADIGAN of Waterville, MORALES of South Portland, TUELL of East Machias, WARREN of Hallowell, Senators: CARPENTER of Aroostook, MOORE of Washington.

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

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

Bill "An Act To Expand and Clarify the Prohibition of Hazing at Elementary Schools, Secondary Schools and Postsecondary Institutions"

(H.P. 1254) (L.D. 1765)

Sponsored by Representative STEWART of Presque Isle.
Cosponsored by Senator POULIOT of Kennebec and Representative: SAMPSON of Alfred, Senators: CARPENTER of Aroostook, DILL of Penobscot.

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

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

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

Bill "An Act To Clarify Certain Standards for the Efficiency Maine Trust's Triennial Plan"

(H.P. 1251) (L.D. 1757)

Sponsored by Representative COOPER of Yarmouth.
Cosponsored by Senator SANBORN, H. of Cumberland and Representative: BERRY of Bowdoinham.

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

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

Sent for concurrence.

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

ORDERS

On motion of Representative TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1253)

JOINT RESOLUTION RECOGNIZING JUNE 20, 2019 AS WORLD REFUGEE DAY IN MAINE

WHEREAS, World Refugee Day was launched by the United Nations to honor the bravery, strength and determination of refugees fleeing war and persecution; and

WHEREAS, refugees in communities across the welcoming state of Maine resettle in the hope of finding peace and safety for themselves and their families; and

WHEREAS, for over 40 years refugee communities from diverse backgrounds with a variety of skills, abilities and experiences have been woven into the fabric of Maine's vibrant cultural tapestry; and

WHEREAS, refugee communities have made critical economic contributions to our State; and

WHEREAS, refugee-led organizations in Maine work to strengthen communities by engaging with and improving the lives of all residents of Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize June 20, 2019 as World Refugee Day in Maine and the positive impact and enduring contributions of refugee communities in the State.

READ and **ADOPTED.**

Sent for concurrence.

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

On motion of Representative DAUGHTRY of Brunswick, the following Joint Order: (H.P. 1252)

ORDERED, the Senate concurring, that the Joint Standing Committee on Innovation, Development, Economic Advancement and Business shall report out, to the House, a bill on a strategic economic plan.

READ and **PASSED.**

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Holden Willard, of Raymond, who won Best of Show at the Cultural Center of Cape Cod The WORKS International Art Competition with his self-portrait *Red Portrait*. We extend our congratulations and best wishes;

(HLS 383)

Presented by Representative FAY of Raymond.

Cosponsored by Senator DIAMOND of Cumberland, Representative AUSTIN of Gray.

On **OBJECTION** of Representative FAY of Raymond, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

In Memory of:

Steven Charles Lane, of Franklin. A teacher, Mr. Lane began his career at Sullivan Grammar School before moving to Mountain View School, where he taught middle school for 41 years, coached various sports for 22 years and mentored several young teachers before retiring in 2015. He was devoted to his second family, the Jehovah's Witnesses. Mr. Lane will be long remembered and sadly missed by his wife of over 46 years, Mary Lou, his family and friends and all those whose lives he touched;

(HLS 395)

Presented by Representative FAULKINGHAM of Winter Harbor.

Cosponsored by Senator LUCHINI of Hancock, Representative LOCKMAN of Bradley.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I rise today to honor a great man. Steve Lane was a legend to Winter Harbor and the Sumner High School community. Steve touched the lives of thousands of students and members of the community. He taught for 41 years. Steve Lane was the greatest basketball player to ever come out of high school in Sumner. He played for the legendary coach, Jerry Kane, in the great Sumner teams of the late-60s and '70s. After high school, Steve went on to play for the University of Maine at Orono, having an extremely successful career. One of the stories that I used to love Steve telling me was how Orono was playing UMass, and that was when Dr. J. played for UMass at the time Steve Lane was the sixth man for Orono, and they didn't have a, they weren't allowed to dunk in college at that time and he said that Dr. J. skied so far over him and just dropped the ball down through the hoop and I can't even tell you how many times I've envisioned that in my mind.

After that, he went on to marry his sweetheart, Mary Lou, and they had two daughters, Miranda and Megan. I often say that Steve Lane was a childhood hero of mine, but that is only half true. He was a hero of mine in adulthood as well. He'll be sadly missed by myself and the entire community. Thank you.

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

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, Thursday, May 16, 2019 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 The Row House, Inc., of Hallowell

(HLS 79)

TABLED - February 21, 2019 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - PASSAGE.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I think we can all agree that the quaint little city of Hallowell is just a beautiful place to be and we have the ability today to honor the folks who make it so.

The Row House Organization is celebrating 50 years of work preserving the historic buildings in Hallowell. The organization was founded in 1969 when a group of civic-minded citizens decided to preserve Hallowell's history as told through its buildings. The first building they saved, the Row House, was built in 1846 for textile workers when they came to Hallowell. They saved the building and assured its addition to the national registry. Also in 1970, we saw the acceptance because of their work of Hallowell's historic district. The announcement of the acceptance of the district was made by Senators Margaret Chase Smith and Edmund Muskie.

The Row House has also saved many other historic properties and raised funds to renovate our beautiful 1899 Hallowell City Hall. The Row House has over 100 members and is still growing strong and doing lots of work to preserve our history. I just take this opportunity to say happy 50th anniversary to the Row House and thank you for doing all that you do to protect Hallowell's history.

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.**

The Speaker resumed the Chair.
The House was called to order by the Speaker.

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, Thursday, May 16, 2019 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements

(H.P. 586) (L.D. 798)

(C. "A" H-120)

TABLED - May 16, 2019 (Till Later Today) by Representative STEWART of Presque Isle.

PENDING - PASSAGE TO BE ENACTED.

Representative STEWART of Presque Isle **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As of a week ago, throughout this state, in every corner, we have people grieving, heartbroken and stunned. This government, our government, their government, has disenfranchised them. They are now the unwanted. They don't matter. They are nothing but mere offscouring and legislators have said publicly go ahead, leave the state. It's shocking, it's appalling. How dare we strip the people of their rights; their religious rights?

My colleagues in this chamber have complained about being offended about this, that and the other thing. Here's a news flash; this isn't about you, this isn't about me, it's about the people of the state and whom we serve. This makes us servants, nothing more. We essentially have no right to be offended when we are the ones offending them in the most egregious manner. Our focus here should be to do no harm and to respond to the people. I have witnessed plenty of times where we have responded far more quickly to a far fewer number of people who have come and expressed their concerns. But not in this case. We have had a massive outpouring and we've received thousands of correspondence and discussions on this bill. Well over a thousand in-person communications, face to face meetings, emails, phone calls, but to no avail. How is this possible? These people have been turned away and actually told to leave the state. I'm disgusted and I'm shocked. Eighty percent of nearly 800 people testified in opposition of this bill. Think about that. Neighbors, friends, business owners, medical professionals, parents, grandparents, on and on. All shared their deeply-held concerns and in many cases backed it up with substantial evidence. But we as a body simply turned a deaf ear. Why are we here if not to serve the people of this state? This is certainly a funny way of demonstrating that service. Now these people are merely considered part of the unwashed masses and they are no longer welcome. Please remember, many of these same people have been in our midst with not a single shred of evidence that they have caused a single problem. It's all hysteria and hyperbole. We do not have a problem.

Let me make this abundantly clear; any government which uses overt acts to personally injure a person or that person's family demonstrates the ultimate betrayal of trust. This is by the very definition treachery. This act is a violation of the oath each and every one of us took stating we would uphold and honor our state's Constitution and the Constitution of the United States. Need I remind us all, the Constitution was designed to protect the minority. How dare we strip these people of their rights to protect their person and their families, and to strip them of their rights to a public education, to pursue their dreams here in Maine, to live peaceably amongst their neighbors? And, more significantly, to strip them of their religious rights and their religious freedoms which, by the way, is the very cornerstone this country's foundation is built upon. Furthermore, a rigorous condition imposed upon a people, one that is oppressive, harsh, and unjust, is nothing more than an act of tyranny. It is tyranny of the highest order.

I would like to challenge you, my colleagues, to soberly consider your actions. We're about to enact a bill but we can stop this. I want to be clear; the people will not go away quietly. We as a body have done them a huge disservice. They have been mocked, ridiculed, disenfranchised, dismissed, insulted, ignored, set up for ambush, bullied and stigmatized. Let me tell you, we've poked mama and papa

bear. We have ignited a fire within them and they will fight. Members here may not realize the injustice they have heaped upon these people with this most draconian measure. We have seriously overstepped our role and our oath of office. We have threatened their very existence and insulted them in the highest form. Did you not realize or observe their constant presence among us? Their grassroots efforts have been unprecedented and unparalleled. I want you to think about this. They aren't paid lobbyists. They're moms and dads, often with little kids in tow, business professionals who close their business to come here day after day just to try to reason with us. They wrote personalized emails, handwritten notes, they had face to face discussions, telephone calls, etcetera. Why were they so diligent? Have you considered this? They have everything to lose. They did their civic duty. They came, they spoke, over and over and over and over again. They participated in their government of the people and by the people but to no avail. Shame on us. So many here have been utterly tone-deaf to them.

Madam Speaker, Ladies and Gentlemen of this House, we still have a chance to stop this. Are we really prepared to strip away the most fundamental rights we as a nation hold dear? If we strip this right away, what's next? Madam Speaker, Ladies and Gentlemen of the House, stop this madness. We must wake up. We are standing on very serious grounds because without liberties and rights we as a state are doomed. This is a game changer of seismic proportions. I ask that you stop this measure now. Do not enact this bill. Thank you.

The **SPEAKER**: There are 12 Members in the queue. The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion.

This bill is not about vaccination, it's about bad legislation. This bill will do nothing to promote public health in Maine. All public health experts understand that mandates should only ever be entertained as a last resort. Mandates breed animosity and resentment between mandator and mandated, and they only ever reduce all of our individual liberties. And, perhaps most importantly, mandates are woefully ineffective public health tools. This is because good public health always starts with respect, outreach, education and engagement. Mandates undermine all of those foundations of effective public health programs. At best, this bill would increase school vaccination rates by expelling unvaccinated children from the school, even though most of these unvaccinated are only missing a booster or may be on a different schedule for their vaccinations. But these expelled students will not vanish. Now they will simply be ostracized, more remote from any real public health system that would engage them and educate them and their families about the benefits of vaccination.

Proponents of this bill say there is a 5% unvaccinated rate in schools but the way things are counted, someone who has had all but one shot, as I said, is considered unvaccinated. There's no available data distinguishing the child who's gotten no vaccines from the child who's gotten all but one. This lack of understanding represents atrocious public health policy which always requires comprehensive data and robust positive engagement with any population that is sought to be influenced in a positive health direction. This bill will not advance public health in Maine, quite the contrary. I myself am not against vaccination. In fact, my children have received every vaccination to date, and I was vaccinated all the way through

my life. I even get the flu shot every year, which is one that's very controversial. I'm also a Rotarian and I'm very much in support of the polio vaccine, which has eradicated the disease from most of the world. There's generally most years less than a hundred cases that come up around the globe. However, this bill strips the peoples' constitutional right to their religious freedom.

Please follow my light in opposition to this unconstitutional legislation. Thank you.

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

Representative **PECTEAU**: Thank you, Madam Speaker, and excuse the allergies. There's a lot in this bill and it's extremely easy to not fully understand or even misreport who LD 798 targets. This bill goes after both public and private school students. It also applies to our universities, healthcare providers, trade schools, online schools, camps and rec programs, and even daycares. This isn't a bill that just shuts the door to public schools, it shuts the door to almost everyplace a child can go. This bill turns our children into 21st century lepers. This bill will dispatch our Maine children from their society. Fast-forwarding a bit, this is what we could witness: Auburn, 143 public and private school kids removed from school; Augusta, 145 public and private school students expelled from school; Bangor, 205 public and private school children won't make the cut; Bath, 81 public and private school kids with religious beliefs will be disregarded; Belfast, 63 public and private school kids kicked out of school; Biddeford, 60 public and private school students expelled from their society; Blue Hill, 97 public and private school students will be disregarded; Brewer, 52 public and private school kids with religious beliefs will be forced from school; Brunswick, 89 public and private school children's beliefs will be ignored; Cape Elizabeth, 73 public and private kids will be forced to give up their bodily autonomy; Caribou, 60 public and private students will have to have a needle put into their arm against their consent; Cumberland, 105 public and private school children will be removed from their society; Dover-Foxcroft, 51 public and private school students will go without an education; Falmouth, 70 public and private school students will be given a confusing message about consent; Farmington, 85 public and private school kids will be forced out by their government; Freeport, 87 public and private school children will be removed from school; Fryeburg, 52 public and private school kids kicked out of school; Gardiner 60 public and private school children will be disregarded; Gorham, 88 public and private school kids with religious beliefs will be forced from school; Hampden, 65 public and private school kids will be forced out by their government; Houlton, 55 public and private school children won't make the cut; Kennebunk, 69 public and private school children's beliefs will be ignored; Kittery, 51 public and private school students will go without an education; Lewiston, 193 public and private school kids will be forced out by their government; Lisbon, 66 public and private school students will have to have a needle put into their arm against their consent; New Gloucester, 56 public and private school students expelled from school; North Berwick, 90 public and private school children will be removed from their society; Old Town, 58 public and private school students will go without an education; Pittsfield, 61 public and private school students will have to have a needle put into their arm against their consent; Poland, 58 public and private school students kicked out of school; Portland, 267 public and private school children's beliefs will be ignored; Rockport, 50 public and private school children won't make the cut; Saco, 124 public and private

students expelled from school; Sanford, 100 public and private school children will be removed from their society; Scarborough, 116 public and private school children's beliefs will be ignored; Skowhegan 86 public and private school kids with religious beliefs will be forced from school; South Berwick, 89 public and private school students expelled from school; South Paris, 76 public and private school kids will be forced out by their government; South Portland, 157 public and private school kids will be forced out by their government; Standish, 102 public and private students will have to have a needle put into their arm against their consent; Topsham, 60 public and private school students will go without an education; Turner, 52 public and private school children won't make the cut; Waldoboro, 64 public and private school students will go without an education; Waterville, 63 public and private kids kicked out of school; Westbrook, 65 public and private school kids with religious beliefs will be forced from school; Windham, 104 public and private school children's beliefs will be ignored; Winslow, 71 public and private school students expelled from school; Yarmouth, 79 public and private school students will go without an education; York, 68 public and private school kids will be forced out by their government. This is a horrible message to send to our neighbors. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Maine has a childhood vaccination rate at 95%. We simply don't need this bill. If it becomes law, we are likely to see a drop in toddler vaccination rates, as did California, after this kind of mandate became law. How can we mandate an intervention that has numerous well-known and significant risks that attach to them? It is all the worse when you consider that if something does go wrong, the manufacturers have complete and total immunity from suit. And what impact does that immunity have on safety testing that goes into these vaccines which are well-known to be fast-tracked through the FDA approval process without any double-blind placebo studies of the sort required for all other medications.

This bill assumes that vaccines are safe, when in fact they are not safe at all. The government has paid out more than \$4 billion since 1986 to those injured by vaccines. The bill assumes that vaccines lead to perfect immunity but this is not true. The CDC has acknowledged that the TDAP is less than 70% effective against pertussis, and there are numerous examples of mumps and measles outbreaks in fully-vaccinated populations. This bill is based on misdirection and, easy for me to not say, obfuscation. This bill is a dangerous bill. I will be opposing it. Thank you.

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

The **SPEAKER**: The Chair recognizes the Representative from Chester, Representative Javner.

Representative **JAVNER**: Thank you, Madam Speaker, Men and Women of the House. I will read one portion of the Nuremberg Code. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion;

and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

Madam Speaker, Men and Women of the House, my son is not your human subject in this global science experiment. Thank you.

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

Representative **AUSTIN**: Madam Speaker, good morning. Men and Women of the House, serving as a lawmaker, I often struggle at the end of day reconciling the changes that affect each and every one of our people. I often think of the network of legislation like a patchwork quilt. But unlike a designer of quilts who puts such artistry and effort into every piece of cloth, aligning the squares as edges meet, our work is a work of many with varied abilities and experiences and rather than one designer, we are 151 squares pulling and positioning for a space within the quilt. In an overview, our work can have some discrepancies, anomalies, and some puckered stitching spots that don't always interface smoothly with the people of Maine.

Take, for instance, the recent issue of addressing vaccinations. During the hearing, work sessions, and subsequent chamber votes, we witnessed one of the strongest, largest interactive and engaging presence here in these halls by families of young children living in our districts. They stepped out of their comfort zones into an unfamiliar realm of rules and protocols to stand up for their well-informed opinions, for their sensitivity to wellness, and to safe procedures and precautions around preventative care. They broke through the state veneer that often surrounds these halls and rooms, baring their heart and their soul to legislators. They wrote, they spoke, they called, and they appealed to our capacity to understand and empathize with their desire for a fundamental consideration and it went like this. Let us through informed consideration exercise the right to care, educate, and raise our children in a healthy fashion in accordance with our sacred parental rights. Their presence on this issue embodied one of the most significant outpouring of parental concern on many levels that we have had the luxury to witness and experience.

This has given us an opportunity to continue to engage in a partnership with the parents who are highly involved in raising their children and our next generation of Mainers who we so deeply care about. Consider this isn't about lower taxes or energy costs, roads and bridges, not even about the debate to reach 55% of educational spending. This is about a very personal, intimate, philosophical family right and responsibility, one that dives deep into the inalienable right to make choices, applying them to actual care of one's body. It goes to the very core of parental oversight and exercising protection. If we force-feed our will, our attitudes, our positions on this issue, we will be interfering with one of the strongest, most primal instinct

and bond known to man and woman; the right to care and protect for their young.

Allow our families to make sound individual decisions for immunization protocols that are best for each and every one of their children. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Levant, Representative Griffin.

Representative **GRIFFIN**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. A couple weeks ago, numerous impassioned speeches were delivered on the House Floor in support of women's rights to choose. No one, no politician, should ever become between a person and their healthcare provider. Yet when it comes to that same mother's right to choose what gets injected into her child, the same legislators have no hesitation about eliminating freedom of choice.

The bill expels up to 9,000 children from the school per Department of Education and will result in trauma from being torn from their friends and beloved afterschool activities. Thank you.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Chair. I rise for the second time in this House as a freshman. And, you know, I serve on the Education Committee and there's very few things that come along that I really feel passionate about. This is one of them.

I was there for 13 hours, heard the testimonies of vaccine injuries. And, you know, in the book of Proverbs it says that a wise man learns from the mistakes of others. As a parent, I sat there and was thinking, you know, what would I have done differently knowing what we know today that we didn't know back in the '70s? But that's not where I want to land on this debate. I see this debate as two sides; one, you've got the vaccination side and, two, you've got the religious exemption. Well, on the vaccination side, we are at 95% of getting close to herd immunity. So, obviously, this debate is not about herd immunity because we're at 95%. And if you were really serious about reaching herd immunity, well, the staff at every school should have their records updated. So, nowhere in this bill that I read that teachers or administrators, they need to get reintroduced to some vaccinations.

So, I look at this bill as an actual attack on religion. Our Founding Fathers came to this country because of persecution of religion. This country was founded on the principles of religion. So, I'm seeing the side of it that says we are going to show you that religion takes second place to herd immunity. I cannot believe we as a body would stoop to that point that we feel that we have to force this issue on people that are generally afraid of having their child immunized because of their learning from the mistakes of others. They saw the \$4 billion that's been paid out. That's the one good thing about the internet, there's a lot of information out there, good and bad. So, even last night, people were knocking; in my community, the little town of Milford, handing out brochures about this bill and obviously they were concerned, and they had little children with them. They're very concerned, Madam Speaker. So, what I'm witnessing here is a grassroots movement of parents that are concerned. We heard the statistics; 6,000 kids that are going to have to either be vaccinated or tossed out of school. That's just not right.

So, in closing, I'd just like to quote a great American, John Paul Jones, and these are what the people are telling me, that we've only begun to fight. Thank you, Madam.

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. Herd immunity is a myth but herd immunity mentality is alive and well. What herd puts its most fragile members on the outside, vulnerable to prey? With less than 20% of Maine adults vaccinated for the things that LD 798 would require, why on earth are we forcing these vaccines on our most vulnerable citizens, our babies and our children, instead of protecting them by requiring adult vaccinations? Why are we pretending that reaching the so-called herd immunity of 95% vaccination rate among children when every adult they interact with has no vaccine requirements?

This bill is not about protecting children. This bill isn't about herd immunity, community immunity or protecting the immune compromised. This bill is about segregating a small minority of children, likely the most vulnerable ones, and denying them a lifetime of education in this state. Where is your conscience? What do you say to your constituents who are begging you to protect these children? What do you say to the parents and healthcare workers who have clearly stated I do not consent? This bill is fundamentally wrong, no matter what one thinks about the merits of vaccination. It aims to force Mainers to submit to medical intervention to which they do not freely consent. If the State can forcibly inject its citizens against their will, there is no power which the State cannot reserve for itself, no matter the destructive impact on all of our civil liberties. Thank you.

The **SPEAKER**: The Chair will remind Members to carefully choose your language to not question the character or impugn the character or the motive of another Member. In this previous example, I did not interrupt the Member, but this is my warning and I will interrupt Members from this point forward if that is done again.

The Chair reminded all members that it was inappropriate to question the motives of other members of the House.

The **SPEAKER**: The Chair recognizes the Representative from Carmel, Representative Reed.

Representative **REED**: Thank you, Madam Speaker. I rise also in opposition to the bill.

I'm not going to prolong this with a lot of testimony. I just want to say I don't oppose the bill because I'm against protecting kids from diseases. I've had both of my children immunized at the appropriate time and I consider myself a fairly religious man. But I did it of my own volition and therein lay the problem that I have with this bill. I have problems not only with this bill but with all bills that violate in any way the basic rights guaranteed by the Constitution to citizens of our great country and to those of our state. This bill, in my mind, removes a person's right to object to immunization of children on the basis of religion or conscience, and therefore, I'm opposed to this bill.

Thank you, Madam Speaker, and thank you, Ladies and Gentlemen of the House.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I rise in opposition to the pending motion and I rise for the dozens of people who have been in these halls everyday while this has been going on. I rise for the hundreds of people who came to testify in opposition to this, and the thousands of Mainers who are going to be affected by this.

LD 798 removes personal choice and where there is risk, there must be choice. Maine's vaccination rates are very high when compared to most of the nation. Our rates meet or exceed the levels that provide herd immunity. There have only been two deaths of measles in the last 25 years in the entire country, not even here in Maine, in the entire country. This bill is a solution in search of a problem. The fact is that Maine and nationwide, the vast majority of people who have contracted any of these highly politicized conditions like measles, pertussis, were actually vaccinated for them. So why target 5% of Mainers who have exercised their right not to vaccinate? And when I use the term not vaccinate, I use that term loosely because most of the 5% of these people that are being targeted have vaccinated and they are vaccinating but they're doing it on their own schedule, not the government's schedule. They want to do it on their own terms, not the mandated terms that this law creates. This bill scapegoats a small minority for a problem that is not of their making. We are better than this. I urge the Members today to think carefully about their vote and reconsider the vote they've taken in the past and do not enact this. Thank you.

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

Representative **HANINGTON**: Madam Speaker, Ladies and Gentlemen of the House, I also rise to echo my sentiments, the sentiments of my good colleagues. I oppose the pending motion. The reason being, Madam Speaker, Ladies and Gentlemen; Friday the 13th, 1998, I was 35 years old and I stood up in Portland and I raised my hand. I didn't have to, but I raised my hand to defend the Constitution of the State of Maine and the Constitution of the United States. And with that said, also being a man of God, this is, in my opinion, segregating our rights.

Madam Speaker, when we went overseas, we had to have seven shots of the anthrax virus and I got five, so does that make me unvaccinated? No, it don't. I also didn't get the measles vaccine because me being born three and a half months early, a weakened immune system, my mother decided that the measles vaccine wasn't for me and my sister. My other three siblings received it. So does that make me unvaccinated? No, it don't. I also, my wife and I, my ex-wife, we had all of the vaccinations that our children needed.

I see this as a piece of legislation that is infringing on my religious liberties. We as parents, we should be able to not have the interference of the government. And we also know in the Constitution it says that one reason why a lot of people might say that we cling to our guns is because the simple fact is, we have the right to stand up against an intrusive government. And this, if we continue down this road, Madam Speaker, that we have been going, I don't know in my lifetime, maybe my children or my grandchildren, I've got four and the fifth one's on the way, I'm afraid where we're headed. This is why I oppose this, because it takes the rights away from us as the religious community to do what's right for us as parents. Who knows best by our parents and that's the trouble we're in today is because we're living in such a culture that the parents did not have; no, I won't even go there, but I oppose the pending motion and I respect everyone to follow my light.

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

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

I believe we need a little perspective here. We've all heard the pros and cons regarding vaccinations. They're very

effective and my children all had their vaccinations. But that's not what I'm talking about here. We're not charged with defending religion but we are charged with protecting the freedom of religion for other people; a right enshrined in our Constitution regardless of whether or not we agree with a particular religious conviction. We're talking about the right to hold religious beliefs without being punished for them, which is what this bill is doing. We need to give this a lot of thought prior to casting our votes today.

Madam Speaker, when I look at where this bill takes us, along with others that this body has considered lately, I'm very concerned that we are on a path of being way too dismissive of other people's constitutional rights. So I'm offering a strong message of caution and reminder. In our zeal to advocate for certain causes, we must not lose sight of other people's constitutionally protected rights. We all need to remember that. It's what we promised to do when we took our oaths. Please vote against this bill. Thank you, Madam Speaker.

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

Representative **STETKIS**: Good morning. Thank you, Madam Speaker. I stand in strong opposition to this bill.

This bill has been sold as a public school vaccine bill and, make no mistake, it goes far beyond public schools. This bill removes the right to opt out of even a single dose of a single vaccine for every Mainer in every school, public or private. From nursery school all the way through every college and university, trade schools and even online charter schools. Every child in daycare must be fully vaccinated with a much more extensive vaccine schedule. Every Maine baby whose parents must work and send their children to school outside of the home will be required at birth to vaccinate for even the hepatitis B, which is a disease that is transmitted through sexual activity and IV drug use. How can we possibly justify mandating this for newborns?

Another consideration must be the healthcare employee shortage and how these types of mandates will likely create waitlists and backlogs.

I feel the most important reason to oppose this legislation is that every Christian parent who declines vaccines made with aborted fetal DNA can no longer send them to their private religious school. Every Jewish or Muslim believer and possibly even a vegan who refuses vaccines created from animal ingredients based on their religious and conscientious objections will also be denied these educational benefits.

Maine cannot afford to chase out any more hardworking families than we already have with more government overreach banning thousands of children from a lifetime of education in our state.

Madam Speaker, I will always defend our parental and religious rights. Ladies and gentlemen, please, let's rethink what we are doing here on this bill today and oppose this legislation. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Mason.

Representative **MASON**: Thank you, Madam Speaker. I again stand for the second time in this body in opposition to LD 798.

You truly can't believe my body, my choice, and also believe in mandatory vaccinations. I do not believe the people that are against this bill will go away on this issue. Thank you, Madam Speaker.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The reason I rise in opposition to this bill today is very simple; I am concerned that once again the 129th Legislature, if this is enacted, will be seen as a Legislature who chose, time and time again, to step between parents and their children, telling them that we know better than you on how they should be raised.

As I've said before in this House, current law is adequate, it's been in place for many, many years, and there is no past history or recent history where that it is not sufficient for handling the administration of vaccinations and the choice that parents have in that regard in the State of Maine. And I request that all of you consider your vote before we pass this legislation with that in mind. Thank you, Madam Speaker.

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

Representative **HANLEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had a prepared speech but I'm not going to read that because I got something better. I got a letter here from a citizen of Maine.

Dear Governor Mills, my name is Leah Ferrell. I live in Topsham with my husband and our children. I own and operate a well-established and successful small business which allows me to make a good living while also being flexible and raise my kids. My children are ten, four and three. They're all healthy and happy, well-adjusted kids that are also not vaccinated. This is a choice that I've agonized over for as long as I have been a parent. I have read and watched so much material on this topic over the years and I do not take it lightly. Our primary care physician and I have an ongoing dialogue about our concerns regarding this matter, as well. He has been wonderful about it, validating my feelings and my choice to withhold vaccines from my children at this time. We are also practicing Catholics and are concerned about the vaccines being cultured with aborted fetal tissues as this goes against our faith. If LD 798 is signed into law, my thriving almost fifth-grader will have to be removed from his school. My son is preparing to begin kindergarten this fall and is beyond excited and ready for this new development both academically and socially. In September 2021, he would be getting ready to start second grade but would no longer be allowed to attend if this bill is signed into law. My youngest child is set to begin kindergarten in September 2021, and again would be unable to do so if this becomes law in Maine. In order to accommodate the need to homeschool my children because of the bill, I would also be forced to close my small business, lose my family's second income, which we desperately depend on, and lay off my staff. My husband, who has been a public school teacher in the same school for the past 20 years, would have to show up to work daily, nurturing and educating other people's children while being reminded daily that although he is a law-abiding, productive member of his community and state, his own children are discriminated against and denied the privilege of attending a public school that we are forced to pay taxes to help fund. Governor Mills, my husband and I both voted for you to lead this state and to represent us and our community. Please veto this bill and spare my family from what we believe is government overreaching infringing on our basic rights. Thank you, Leah Ferrell.

This woman I know very well, she's my niece, she sent this to me this morning and, as you can tell, a highly interested, highly educated and highly agitated person.

Think about this; the State demands that a child be educated, so if we kick 6,000 children out of school and the

parents they go home to cannot and aren't capable of educating them, what happens? Do the police show up in three years and take their children from them because they failed to fulfill another state law of educating their children? They're caught in a Catch-22 situation.

Also, what about going out in public? The claim is you need to protect children from children in school. Do you take your children shopping? Do you take them to the movies? To a county fair? To a church? How do you know if people are vaccinated when you're in those situations? You don't.

An unnecessary piece of legislation. And, again, this is the freedom of choice. This is the parent's choice and not ours. I ask you to follow my light and reject this terrible piece of legislation. Thank you, Madam Speaker.

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

Representative **TEPLER**: Thank you, Madam Speaker and I have a very short statement to make. I am highly offended that as a practicing Jew there are members of this body who would tell me what my belief system consists of. They are incorrect, A, and B, my second point, it is absolutely offensive to compare mandating vaccines to the Holocaust. Thank you.

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

Representative **DOLLOFF**: Good morning, Madam Speaker, thank you. Thank you, Ladies and Gentlemen of the House. I believe there's a lot of misinformation in this bill. We stood here last week and the week before and pounded how women have rights, you know, we got to stay for the right of let the woman decide what to do with their bodies. Well, if we decide that, then why do we take away their right to decide this?

On a personal note, I am a carrier of Lyme disease. I had a friend that had a daughter, and the baby was born with Lyme disease. That beautiful child is now my niece-in-law who just had a new baby, my new great-nephew. If we start vaccinating him at three months old, and then at six, we don't know yet if little Nick is a carrier of Lyme disease or not, when her mother was pregnant with her, she contracted it from her mother. These vaccinations; he is such a healthy little boy but it makes me so nervous to think if we give it to him too soon and being a carrier of Lyme and we don't know, even though his mother is, what this could happen to him.

So I please, people, think about what we're doing here. I'm not against vaccinations, I vaccinated my kids, I choose not to have a flu vaccination and that's because of my Lyme condition, I know what it can do to your body. But I'm nervous for my little brand-new nephew and I hope to God these vaccinations are done when we know everything is safe with this precious little baby and will not do him any harm. Thank you, Madam Speaker.

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

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This bill, LD 798, targets a small minority of Mainers who have announced through their use of religious and medical exemptions that they do not consent to an invasive medical procedure. It then threatens to bar these same Mainers from central aspects of life; school for students of all ages, whole categories of employment, unless they submit to the very intervention to which they do not consent.

If this bill becomes law, it can only fail. Even if it succeeds on its own terms by forcing people to vaccinate, it

will fail our state by undermining our most precious values of choice and liberty. It will fail our state by segregating thousands of innocent kids from their peers and sending the message that they are dirty, dangerous, and contagious when, Madam Speaker, we know they are not. This kind of stigma has no place in our state and I would urge members of this body from both parties to take a strong stance against it. Thank you very much, Madam Speaker.

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

Representative **McDONALD**: Thank you, Madam Speaker. Yesterday, health officials in New Hampshire issued a warning confirming a child in their state has been diagnosed with measles. This morning, Waterville Pediatrics in Waterville, Maine, released a statement confirming a case of measles has been diagnosed here in Maine. The time to protect our children from the reintroduction of dangerous and preventable diseases is now. Thankfully, we are also receiving reports from Maine pediatricians that because of this proposed legislation, parents are bringing their children in for immunizations because they will need them for school. The following is a letter we received from a parent who will be thankful if we pass this legislation.

The vaccine bill I'm working on to support is certainly polarizing. For some, requiring vaccinations for children to attend school feels like it is focused on the children that are not vaccinated. But, in reality, this is about those who are often invisible and truly vulnerable; the children that go to school or daycare every day and are at risk from their unvaccinated peers. My otherwise healthy son was diagnosed with a chronic and life-threatening autoimmune condition when he was three, out of the blue. We were knocked off our feet but once we had been discharged from a hospital stay, I naively thought the hardest part was behind us. He was put on a medication that kept his condition under control while at the same time lowering his immunity. Deciding to return to daycare was hard, but he had excellent care from people who I trust. I checked with his daycare director to see if all his peers were immunized so that I could better understand his risk. To my relief, all his classmates were up to date. Not two weeks later, I was told that scenario had changed and now there was an unvaccinated child. Due to privacy rules, we never spoke about who that child was but I deduced it was a new addition. I foolishly thought that since my son had been there for years that he could be prioritized and this new child's family would need to find care elsewhere. Then I read the laws. All the language served to preserve this new child's philosophical rights but nothing was there to allow them to protect my son. I sobbed in the director's office when she told me but their hands were tied. My son's needs were unrecognized in Maine's law, as if he did not exist, and I had an overwhelming feeling of loneliness. The burden was now on us. The family feeling was so much to carry the weight of constant worry about something we have no control over. It felt wrong that the load would be thrust upon my family or any family with a child suffering from cancer, catastrophic allergens, type 1 diabetes, who had undergone an organ transplant or had a myriad of other possible medical conditions that led he or she to being immunocompromised, when perfectly healthy kids were able to skip vaccines. Living in this half of the story, I can tell you this is the undertone that these unvaccinated children, there is an undertone that these unvaccinated children deserve this protection. In the eyes of some, they are pristine and untouched. The children deserve this protection, oh, sorry, the specimen of health, while my son was tarnished and broken,

disposable. I carry this feeling with me but never talked about it. It was and still is so heavy. Yesterday I finally saw in writing a statement by a mom that put into words this fear. It is them, the sick kids, that should have to stay out of school. It is not my fault they are weak like this. I felt numb. It was confirmation of all of those negative thoughts that surfaced the day I learned that no one could protect my son in his beloved daycare. I have no idea how this bill will turn out but one thing I do know is that all the ugliness, resentment, and sadness I felt for us being alone in this is no longer our story. While testifying at the State House or holding a sign in the Senate hallway, I have met amazing people who dedicate their time to advocating for children just like my son, who have stood up and said that this is not okay, that there is a responsibility to protect those that may be injured by others' risky behavior and not to protect the risky behavior itself. Even if they do not know him, they want to protect him. When I heard House and Senate legislators speak in favor of the bill and defend the protection of vulnerable kids, it made me weep all over again but for different reasons. I'll end with the admission that there is no conceivable way that both sides of this equation can come out on the winning end, but I can say that we have served our time on the losing end of this law and I will no longer roll over and let that be our narrative. Please join me in supporting LD 798.

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

Representative **RUDNICKI**: Thank you, Madam Speaker, Men and Women of the House. I rise once again in opposition to this bill.

This bill targets a small minority of Mainers who have announced through their religious and medical exemptions that they do not consent to an invasive medical procedure. It then threatens to bar these Mainers from central aspects of life; school for children, students of all ages and all categories, employment, unless they consent to the very intervention that, Madam Speaker, we cannot take the right of parents away from them. It is the right of a parent to decide whether or not they want to put poison in their child's body. If this bill becomes law, it can only fail. It can fail the State of Maine, it can fail our state, and take the most precious values away, our choice and liberty. I urge Members of both parties to take a strong stance against this bill. Thank you.

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

Representative **KESCHL**: Thank you, Madam Speaker. When I first reviewed this bill, to looking at where I would stand on the issue, I was thinking about what happened in history, right? So I looked to the CDC on a number of the varied diseases to look at the rates, the trends, for a number of the diseases that we're talking about requiring vaccinations. For many of these diseases, from about 1900 to 1940, the disease incidence in terms of numbers per hundred thousand were approximately 12 to 14 per hundred thousand. In 1940, those disease incidence rates started to plummet until 1962 for measles when they went down to about 0.2, roughly a 98-99% reduction. Why was that? This was a year before measles vaccinations were introduced. My understanding of the cause was hygiene. The ability to have access to hygiene was made much more available. So, I ask, am I really ready to mandate people to have something put into their bodies or their child's bodies when the disease incidence since 1962, for measles, has remained about roughly the same, right about .2, plus or minus, cases per hundred thousand. I'm not ready to mandate that.

I understand the value of vaccinations, I truly do, and I would urge everyone to vaccinate, and I would educate people who really don't understand the issues of vaccinations, but I'm not ready to mandate anyone to introduce something in their body with this data and I urge you to vote against the pending motion.

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, this bill is about protecting children. It is about making sure the places where our kids spend most of their waking hours are safe from preventable diseases.

Throughout the length of the debate on this bill, there has been a lot of misinformation and it has continued through to today. I want to correct for the record a couple of misstatements that were made earlier, including one claim of a vaccine being required on the schedule that is not, and several claims of what our exemption rates are currently in the State of Maine.

The last numbers that came out March 7th of 2019 said 6.4% was the number of people claiming medical exemptions for kindergartners. That leaves 93.6% are fully following the vaccine schedule. But it's not that number, the state by state statewide numbers for kindergarten or seventh grade, that is keeping parents awake at night. It's when parents look at the numbers produced by the survey from the Maine CDC and see their own school is at 20%, 30%, 40% or in some cases in Maine over 50% exemption for some diseases. It's after this state and people across the country have tried and tried and put millions and millions of dollars in education and yet even members of this body can't get the facts fully straight when they talk about this issue. It's at that point, when parents are looking at these numbers and they're seeing the place where their kids spend the majority of their waking hours open to the introduction of preventable diseases. It's at that point that they ask their state to take action. Madam Speaker, this bill is about protecting children. Thank you.

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

Representative **ANDREWS**: Thank you, Madam Speaker. This bill takes away choice, body autonomy and individual liberty. This bill is the majority using the power of the State to impose its will on an unwilling minority. It is wrong and this motion must be opposed. 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. 105

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

NAY - Ackley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Curtis,

Dillingham, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Perry A, Perry J, Pickett, Pluecker, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Swallow, Theriault, Tuell, Verow, Wadsworth, Warren, White D.

ABSENT - Alley, Cuddy, DeVeau, Doore, Grignon, Maxmin, Riley.

Yes, 79; No, 62; Absent, 7; Excused, 2.

79 having voted in the affirmative and 62 voted in the negative, with 7 being absent and 2 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Representative FECTEAU of Biddeford moved that the House **RECONSIDER** its action whereby the Bill was **PASSED TO BE ENACTED**.

The same Representative **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the Bill was **PASSED 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 Presque Isle, Representative Stewart.

Representative STEWART: Thank you very much, Madam Speaker. Madam Speaker, I rise in support of the pending motion as the Clerk will be in possession of an amendment which our side hopes to offer on this bill. Therefore, I would request that Members follow my light in voting in favor of this motion so that we may reconsider this bill and potentially conduct other business thereby related to it. 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 rise in opposition to the motion to reconsider this bill. We have debated it three times and we have voted on it three times and it's pretty clear to me at this point that people know how they feel about this bill and the issue contained within the bill. So, for that reason, I think we should be done with it, and I ask everyone to vote against reconsideration and follow my light. Thank you, Madam Speaker.

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

ROLL CALL NO. 106

YEA - Ackley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Gramlich, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perry A, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Verow, Wadsworth, Warren, White D.

NAY - Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Grohoski, Handy, Harnett, Hepler, Hobbs, Hubbell, Hymanson, Ingwersen,

Jorgensen, Kessler, Kornfield, Kryzak, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, McCrema, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, White B, Zeigler, Madam Speaker.

ABSENT - Alley, DeVeau, Doore, Grignon, Maxmin, Perkins.

Yes, 61; No, 81; Absent, 6; Excused, 2.

61 having voted in the affirmative and 81 voted in the negative, with 6 being absent and 2 excused, and accordingly the motion to **RECONSIDER** whereby the Bill was **PASSED TO BE ENACTED FAILED**.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-78)** on Bill "An Act To Address Student Hunger with a 'Breakfast after the Bell' Program"

(S.P. 99) (L.D. 359)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

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

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

Signed:

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-78) AS AMENDED BY SENATE AMENDMENT "A" (S-100)** thereto.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-78)** was **READ** by the Clerk.

Senate Amendment "A" (S-100) to Committee Amendment "A" (S-78), was READ by the Clerk and ADOPTED.

Committee Amendment "A" (S-78) as Amended by Senate Amendment "A" (S-100) thereto was ADOPTED

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-78) as Amended by Senate Amendment "A" (S-100)** thereto in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-101)** on Bill "An Act To Require the Director of the Maine Center for Disease Control and Prevention To Be Credentialed"

(S.P. 397) (L.D. 1277)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-102)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-101)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-101)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-101)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-304)** on Bill "An Act To Change the Composition of the Board of Pesticides Control"

(H.P. 37) (L.D. 36)

Signed:

Senators:

DILL of Penobscot
DIAMOND of Cumberland

Representatives:

HICKMAN of Winthrop
MAXMIN of Nobleboro
O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick

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

Signed:

Senator:

BLACK of Franklin

Representatives:

HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
McCREA of Fort Fairfield
SKOLFIELD of Weld

READ.

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

Representative KINNEY of Knox **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. 107

YEA - Ackley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doudera, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Madigan C, Marean, Martin J, Mastraccio, Matlack, 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, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Cebra, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Martin R, Martin T, Mason, McCreA, Millett, Morris, O'Connor,

Ordway, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Alley, Campbell, DeVeau, Doore, Dunphy, Grignon, Maxmin, Perkins, Sheats.

Yes, 85; No, 54; Absent, 9; Excused, 2.

85 having voted in the affirmative and 54 voted in the negative, with 9 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-304)** 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-304)** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-303)** on Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps

(H.P. 107) (L.D. 125)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

HICKMAN of Winthrop
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
MAXMIN of Nobleboro
McCREA of Fort Fairfield
PLUECKER of Warren
SKOLFIELD of Weld

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

Signed:

Representatives:

O'NEIL of Saco
ROBERTS-LOVELL of South Berwick

READ.

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

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-297)** on Bill "An Act To Protect Adults 66 Years of Age and Older from Financial and Other Types of Exploitation through Theft by Deception"

(H.P. 240) (L.D. 316)

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-298)** on same Bill.

Signed:

Representative:

COREY of Windham

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-297)** 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-297)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-284)** on Bill "An Act To Bring Maine's Laws Concerning Implied Consent in Operating a Motor Vehicle into Compliance with Recent Opinions of the United States Supreme Court"

(H.P. 567) (L.D. 762)

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook

Representatives:

WARREN of Hallowell
BEEBE-CENTER of Rockland
COOPER of Yarmouth
MORALES of South Portland
RECKITT of South Portland
SHARPE of Durham

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

Signed:
Senator: ROSEN of Hancock

Representatives:
COREY of Windham
COSTAIN of Plymouth
JOHANSEN of Monticello
PICKETT of Dixfield

READ.

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

On motion of Representative DILLINGHAM of Oxford, **TABLED** pending the motion of Representative WARREN of Hallowell to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Provide a Method for a Student To Be Excused from Standardized Testing"

(H.P. 148) (L.D. 185)

Signed:
Senators: MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-268)** on same Bill.

Signed:
Representatives:
DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

READ.

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

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-301)** on Bill "An Act Regarding Net Neutrality and Internet Policy"

(H.P. 986) (L.D. 1364)

Signed:
Senators: MIRAMANT of Knox
WOODSOME of York

Representatives:
BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
GROHOSKI of Ellsworth
KESSLER of South Portland
RILEY of Jay
RYKERSON of Kittery

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

Signed:
Representatives:
FOSTER of Dexter
HANLEY of Pittston

READ.

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

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Resolve, To Improve Access to Neurobehavioral Services
(H.P. 317) (L.D. 408)

Signed:
Senators: GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-294)** on same Resolve.

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

READ.

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-293)** on Bill "An Act To Reduce Youth Cancer Risk"

(H.P. 940) (L.D. 1297)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

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

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-305)** on Bill "An Act To Enact the Maine Death with Dignity Act"

(H.P. 948) (L.D. 1313)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

HYMANSON of York
MEYER of Eliot
STOVER of Boothbay
TALBOT ROSS of Portland

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

Signed:

Representatives:

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

READ.

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

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act Regarding Snowmobile Registration Fees"

(H.P. 913) (L.D. 1252)

Signed:

Senators:

DILL of Penobscot
DAVIS of Piscataquis

Representatives:

NADEAU of Winslow
LANDRY of Farmington
MARTIN of Eagle Lake
MASON of Lisbon
PAULHUS of Bath
STEARNS of Guilford
THERIAULT of China

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-274)** on same Bill.

Signed:

Representative:

ORDWAY of Standish

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act To Require That Hospital Liens Be Satisfied on a Just and Equitable Basis"

(H.P. 822) (L.D. 1133)

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
CARDONE of Bangor
EVANGELOS of Friendship
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:

Senator:

KEIM of Oxford

Representatives:

BABBIDGE of Kennebunk
CURTIS of Madison
DeVEAU of Caribou
HAGGAN of Hampden

Signed:

Senators:

MIRAMANT of Knox
DOW of Lincoln
VITELLI of Sagadahoc

READ.

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

The Bill was **READ ONCE**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Representatives:

McCREIGHT of Harpswell
ALLEY of Beals
BEEBE-CENTER of Rockland
BLUME of York
HEPLER of Woolwich
HUTCHINS of Penobscot
JAVNER of Chester
McDONALD of Stonington
TUELL of East Machias

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-280)** on Bill "An Act To Promote Keeping Workers in Maine"

(H.P. 538) (L.D. 733)

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.

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-280)** 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-280)** and sent for concurrence.

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Promote Equity in the Elver Aquaculture Quota" (EMERGENCY)

(H.P. 819) (L.D. 1130)

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-288)** on same Bill.

Signed:

Representative:

FAULKINGHAM of Winter Harbor

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Clarify the Use of Burying Grounds and Family Burying Grounds"

(H.P. 777) (L.D. 1054)

Signed:

Senator:

DAVIS of Piscataquis

Representatives:

MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
HEAD of Bethel
KINNEY of Knox
PEBORTH of Blue Hill
REED of Carmel
TUELL of East Machias
VEROW of Brewer

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

Signed:

Senator:

CLAXTON of Androscoggin

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-292)** on Bill "An Act To Expand Health Insurance Coverage To Certain State Employees"

(H.P. 788) (L.D. 1065)

Signed:
Senators:

CLAXTON of Androscoggin
DESCHAMBAULT of York

Representatives:

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

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

Signed:
Senator:

DAVIS of Piscataquis

Representatives:

HEAD of Bethel
KINNEY of Knox
REED of Carmel
TUELL of East Machias

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-292)** 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-292)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Ensure Consistency in Commercial Real Estate Law by Restoring Due Diligence Responsibility to the Buyer"

(H.P. 840) (L.D. 1151)

Signed:
Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
HEAD of Bethel
KINNEY of Knox
PEBORTH of Blue Hill
REED of Carmel
RISEMAN of Harrison

TUELL of East Machias
VEROW of Brewer

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

Signed:
Senator:

CLAXTON of Androscoggin

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Bill "An Act To Establish 'Ballad of the 20th Maine' as the Official State Ballad"

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

Signed:
Senators:

CLAXTON of Androscoggin
DAVIS of Piscataquis

Representatives:

MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
PEBORTH of Blue Hill
REED of Carmel
RISEMAN of Harrison
TUELL of East Machias
VEROW of Brewer

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

Signed:
Representatives:

HEAD of Bethel
KINNEY of Knox

READ.

Representative MARTIN of Sinclair moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Cuddy.

Representative **CUDDY**: Thank you, Madam Speaker, Women and Men of the House. I just wanted to rise and thank the committee for the robust debate they had around this but also to thank the Ghost of Paul Revere for allowing anyone to play this song so long as it is not for commercial profit. Thank you.

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

The Bill was **READ ONCE**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

INGWERSEN of Arundel
McCREA of Fort Fairfield

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-278)** on Bill "An Act To Require Election Transparency"

(H.P. 756) (L.D. 1026)

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

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

Signed:

Representatives:

ANDREWS of Paris
STROM of Pittsfield

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-278)** 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-278)** and sent for concurrence.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Prepare All Students for Work and Life by Requiring That Students Receive Instruction in Vocational Preparation and Practical Life Skills"

(H.P. 243) (L.D. 318)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-267)** on same Bill.

Signed:

Representatives:

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

READ.

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

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

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

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

Representative **SAMPSON:** Thank you, Madam Speaker. So, this bill is specifically dealing with practical life skills and we've had this bill come before our committee before and it's something that I think is extremely necessary for young people to have as many tools in their toolbox as they possibly can get.

Now, going back to my tenure on the State Board of Education, it was very interesting that we would have high school students or graduated students who are in college come back before the board and a question we would ask them constantly was what do you feel you were lacking; what was it that we did not provide for you? And pretty much without exception these young people would say well, I don't know how to cook and I don't know how to manage my finances, I don't know how, if there's a problem with my car, I don't know how to change the oil or change a tire. Basic, you know, how to sew, fix something if it's ripped. I mean, basic things that our country, people in this country grew up doing and knew how to do. These are just practical skills that actually can transfer into other skills. And so this is a bill that I think has tremendous merit. I understand we have an agenda well, the agendas of schools are already very full, however this is, the amendment in this bill speaks to introducing it one semester if they can, put it into their program for their students, specifically high school students. And so I would oppose this measure. Thank you.

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

Representative **KESCHL:** Yes, thank you, Madam Speaker and Members of the House. This bill has been introduced, as the Good Representative has stated, many times in the past and it's been received with overwhelming support. In fact, I've watched the surveys back and forth and 98% of those people asked would like to see these types of practical life skills back into the educational system. And, as been stated, every time that students have been asked what they missed out of their high school or their K through 12 education, it was, I need to learn these practical life skills. In fact, there's a program in Maine that's targeted towards, in Southern Maine in Portland that's targeted for those professionals to learn some of these very type skills and they're paying good money for that. So I say we should

promote and give these students and these professionals what they're really lacking; some practical life skills that the legislation promotes and vote Ought Not to Pass on the pending motion.

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

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion.

I had the great fortune to have taken Industrial Arts, Shop, and Home Economics, which was cooking and sewing, in middle school and it was the backdrop for my first job I ever applied for. I worked at Sofro Fabrics and, yes, that dates me, but I loved that job. Part of my job description was to be able to sew projects during my shift, so I was sewing while I was working and getting paid to do it; it was wonderful. I learned and loved that job, and then I went on to make my own evening prom gown, prom style gowns in college and I dreamed of one day making my wedding gown, a dream that came true. I still sew today and thanks to those classes I now have a sewing room that most that are in the business would be absolutely jealous to own. It is my happy place and I'm so thankful for having the seed planted when I was in junior high.

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

ROLL CALL NO. 108

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

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

ABSENT - Alley, Babine, DeVeau, Doore, Grignon, Maxmin.

Yes, 82; No, 60; Absent, 6; Excused, 2.

82 having voted in the affirmative and 60 voted in the negative, with 6 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-290)** on Bill "An Act To Fully Fund After-school and Preschool Programs in the School Funding Formula, Increase the Economically Disadvantaged Student Factor in the School Funding Formula and Increase the School Construction Debt Service Limit"

(H.P. 517) (L.D. 712)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

READ.

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

Representative FECTEAU of Augusta **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative **FECTEAU**: Thank you kindly, Madam Speaker. I rise in opposition to the pending motion.

This bill's name is a little shorter now; it's changed to An Act to Increase School Construction Debt Service Limit. I absolutely see where my good colleague from Portland is coming from, but it raises the maximum debt ceiling limit for school construction projects from \$126 million to \$150 million. This kicks the can down the road and only makes paying debt more difficult tomorrow for the things that we're enjoying today. We need to head in the other direction and be better stewards of taxpayer money. Thank you.

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

Representative **HIGGINS**: Thank you, Madam Chair. I'd like to pose a question through the Chair, if I might.

The SPEAKER: The Representative may proceed.

Representative **HIGGINS**: The LD 712 title, "An Act to Fully Fund After School and Preschool Programs and School Funding Formula, Increase Economically Disadvantaged Student Factor in the School Funding Formula and Increase the School Construction Debt Service"; am I correct in

assuming the first two components of the bill are not a part of this amendment? It's only about school construction? If someone could answer that question, I'd appreciate it, Madam Speaker.

The SPEAKER: The Representative has posed a question and the Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Madam Speaker. The title is now An Act to Increase the School Construction Debt Service Limit. It strikes out sections one through ten and it only involves raising the debt service on new school construction projects.

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. 109

YEA – Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, 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, Stearns, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

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

ABSENT - Alley, DeVeau, Doore, Grignon, Maxmin.

Yes, 88; No, 55; Absent, 5; Excused, 2.

88 having voted in the affirmative and 55 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-290)** 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-290)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-300)** on Bill "An Act To Provide Purchase Rebates for Battery Electric Vehicles" (H.P. 442) (L.D. 614)

Signed:
Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

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

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

Signed:

Representatives:

FOSTER of Dexter
GRIGNON of Athens
HANLEY of Pittston

READ.

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

Representative HANLEY of Pittston **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report**.

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

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

Representative **HANLEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'll be short and sweet. This is, the amended version is much better than the original. It takes away the half million dollars for now but it creates within the Maine, with the Efficiency Maine Trust another fund to fund purchasing electric cars or cars like the Prius that have the gas engine, as well, up to \$50,000 in value and 5 tons in weight. And it will do it using taxpayers' money.

This is a problem that will be solved simply by the free market. When electric vehicles are valuable, they will be bought. It is not the duty of this state to be funding this and the poorest people in the state, as usual, will pay taxes on everything they buy and own and the people with wealth will go buy these cars. Thank you. Follow my vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Ingwersen.

Representative **INGWERSEN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise today in strong support of LD 614, "An Act To Provide Purchase Rebates for Battery Electric Vehicles".

It was a great coincidence that the work session for this bill occurred the same week as our Chief Executive announced that a \$5.1 million VW settlement has been awarded to Maine and that the funds would be used toward the exact goals that this bill details. So there's no fiscal note, this is using existing funds. However, this bill allowed us as legislators, as representatives of our good people of Maine, to set some parameters and some guidelines on how Efficiency Maine uses these significant funds.

Some of the good amendments included in this bill are it adds plug-in hybrid electric vehicles as eligible vehicles under this bill, which are a lot cheaper and much more affordable for

lower income folks. It also includes trucks. It's not limited to just small vehicles. It adds used plug-in or all electric vehicles which again lowers the cost for consumers and expands the business opportunities for our used car dealers as well as our new car dealers. And it allows Efficiency Maine to set the rebate amount based on the cost of the vehicle. It also includes an electric vehicle charging infrastructure found to increase availabilities of charging infrastructures throughout the state. This will really help. EVs, I would remind folks that EVs do pay excise taxes and this bill is good for Maine's automobile dealers, who support this bill wholeheartedly.

So, I urge you, my fellow legislators and Madam Speaker, I urge my fellow legislators to join me in supporting this great bill today. Thank you.

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

Representative **KESCHL**: Yes, Madam Speaker, may I pose a question to anyone who cares to --

The SPEAKER: The Representative may proceed.

Representative **KESCHL**: So, I'm to understand that vehicles up to \$50,000 wit, hybrid vehicles can be purchased and there's a rebate offered, and there are many people in the State of Maine, as you know, that can't afford hybrid vehicles. So, my question is how does this reduce the price that these people, these low-income people pay for their electric bill?

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, I simply rise to answer the question. The reason for the \$50,000 limit is to exclude passenger vehicles that are over that amount so that, you know, a luxury vehicle would not qualify for this sort of rebate. Thank you.

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

Representative **CAMPBELL**: Thank you, Madam Speaker. To go back to the question that was asked, how does this lower the price of someone's electric bill; it doesn't.

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 will be brief. I find it rather unusual that we are offering a rebate on a product when we have children as young as five years old in the cobalt mines in the Congo who are slaves to build these batteries and ship them to those of us who can afford them. These children have a lifespan of 15 years old because of the work that they have to do. Thank you.

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

Representative **HANLEY**: I had my light on, perhaps you didn't see it.

The SPEAKER: The Chair would answer in the negative; your light was not lit, but the Chair recognizes you now. The Representative may proceed.

Representative **HANLEY**: My apologies, my apologies. I have to stand because some of the things that have been mentioned here is that the Maine Automobile Dealers Association support it and actually it's money in their pocket; why wouldn't they support it? Also, the bill, the summary of the bill, you know, the amended version, is so ambiguous, it has no limit, it's everything is by rulemaking. There's no limit on how big the rebates are, how many there are, or how many an

individual can get for each rebate. So, again, follow my light. This is not government's business. Thank you.

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

ROLL CALL NO. 110

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

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

ABSENT - Alley, DeVeau, Doore, Grignon, Maxmin.
Yes, 85; No, 58; Absent, 5; Excused, 2.

85 having voted in the affirmative and 58 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-300)** 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-300)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment"

(H.P. 893) (L.D. 1232)

Signed:

Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-281)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray

BRADSTREET of Vassalboro

LOCKMAN of Bradley

MORRIS of Turner

READ.

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

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

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

This is the so-called Right to Work Bill and when companies look to expand in a particular state, they like to see a state that has right to work laws. Investors look at that. You know, I've been thinking about this and it came to my mind that, you know, this won't make much difference to investors. They'll go somewhere else to find their returns, but we'll be hurting, the men and women who will not get hired because the jobs won't be there. So this is not a bill that we should just turn our backs on. I think it's a very good bill, Madam Speaker, and I do ask for a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from Bradley, Representative Lockman.

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

Now more than ever it's time for Maine to join the 28 other states where workers' paychecks are protected from coerced payments to labor unions. It's called Right to Work and when we pass this legislation, Maine will become the first state in New England to guarantee workplace freedom. The underlying principle is personal freedom and individual liberty. Simply put, workers should not be forced to pay for something they don't want and didn't ask for. Under current Maine law, employees who have never requested union representation can be forced to accept a labor union as their exclusive bargaining agent. Then compounding the injury, they can be forced to pay for representation they never requested and do not want. That's because federal law allows labor unions to engage in monopoly bargaining in workplaces where a simple majority of workers have requested union representation. But Maine's union bosses will never tell you that federal law does not require them to represent all workers. Labor unions are perfectly free under federal law to negotiate contracts that only set the terms and conditions of employment for their own voluntary members. But instead of exercising this perfectly legitimate option, union bosses consistently take advantage of the provisions of federal law that give them the tyrannical power to force every worker to submit to their monopoly representation. By exercising this power, they forbid individual workers to represent themselves. Then these same union

officials turn around and complain that since they represent nonpaying workers, the very same workers whose right to self-representation they just stripped away, that they should be entitled to forced dues. Fortunately, since 1947, federal law has allowed state legislatures to right this wrong by passing Right to Work laws. In recent years, Indiana, Michigan, Wisconsin, Kentucky, Missouri and West Virginia have joined the ranks of states that protect workers' paychecks from plundering by the big labor monopoly.

Opponents of Right to Work claim that allowing workers to opt out of forced dues is a race to the bottom and results in lower wages than in states that allow compulsory unionism. There's only one problem with this claim; it's not true. Families in Right to Work states on average have several thousand dollars more a year in disposable income than families in non-Right to Work states. Adjusted for cost of living, wages are better in states that protect workplace freedom.

So, why do entrepreneurs prefer Right to Work states? Why are manufacturing jobs moving from compulsory unionism states to states that protect workers' paychecks from union coercion? One of the reasons is that successful business owners don't want to be handcuffed by absurd and inefficient union work rules that drive up production costs. Anyone who has ever worked in or around a union shop knows exactly what kind of foolishness I'm talking about. Here are some examples of what goes on in many union shops. Laborers are not allowed to pick up two-by-fours, carpenters are not allowed to move wheelbarrows, millwrights are not allowed to change lightbulbs, and welders are forbidden to empty the trashcan in their workspace while waiting for another box of welding rods. Hostess brands was driven into bankruptcy and destroyed in large measure because union bosses wouldn't budge on work rules that required cake and bread products to be delivered to a single retail location using two separate trucks. The Teamsters Union decreed that Twinkies and Wonder Bread couldn't ride on the same trucks and the workers who loaded bread weren't allowed to load cake. A sweets driver serving a 7-11 store was forbidden from restocking shelves with bread products already delivered and waiting in the back. He had to call for a bread driver to swing by to handle that task. Union-mandated restrictions on the company's 5,500 distribution routes nationally made it impossible for Hostess to serve tiny outlets yet the company was barred from using smaller, sleeker and nonunion distributors. Five hundred jobs were lost in Maine when the company shut down a little more than seven years ago. An iconic American company that survived the Great Depression and World War II couldn't survive under the thumb of the union bosses' monopoly power to dictate insane work rules. In the end, it turns out that Twinkies are easier to digest than union work rules. Get it, everyone? That's the laugh line. I'll repeat it. Hostess Twinkies are easier to digest than union work rules.

Let's set Maine workers free from the shackles of compulsory unionism and make our great state the first in New England to become a magnet for liberty-loving entrepreneurs and good-paying jobs.

In closing, Madam Speaker, I want to share with my colleagues my surprise at the Maine AFL-CIO's testimony against the bill in committee. Legislative and Political Director Adam Goode alleged that Right to Work laws are rooted in white supremacy. That's right; white supremacy. So, when you can't win the debate on the merits, play the race card and impugn the character of people who want nothing more than workplace freedom. Disgusting; absolutely disgusting.

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

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I'll be very brief in my remarks today. So, I just want to make sure that folks understand exactly what this bill is seeking to do. So, let me be clear; if you like your union, you can keep your union. You don't have to not be a member of a union if this bill passes, but at the same time, those that do not want to be a member of a union are not forced to join. It's as simple as that, Madam Speaker. In fact, I was actually a member of a union at one point when I was a volunteer firefighter and I happily paid my dues to that union because I appreciated the services they provided me and my family. It's a union that I would continue to be in if I were still an active member of the fire department today.

So, again, if you like your union, you can keep your union. This bill does nothing to prevent that. Thank you very much, Madam Speaker, and I request that you follow my light.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition.

Economists agree that Right to Work states have more jobs, better working conditions, and better real income than forced unionism states. Jobs are flooding to the states with Right to Work. Thomas Jefferson said to compel a man to furnish contributions of money for that which he disbelieves or abhors is sinful and tyrannical. No person should be forced to join or pay into a union for the simple right to work. Please vote no on the motion.

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

Representative **HUTCHINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This particular bill answers a couple of questions when you stop to think that maybe we don't need it because employment in the state is low. My way of looking at it is we need it because it will draw more people into the state, not just the entrepreneurs that want to start up businesses because they like the work ethic of the State of Maine but people that have moved away from the state will be able to move back because there will be that much more employment. I think that's a very simple way of putting it but I think that's enough to think of it in that aspect. The more people that are producing jobs, the more people will move back to take those jobs. Thank you very much.

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

Representative **SYLVESTER**: Thank you, Madam Speaker. I rise today to support this motion and for a couple different reasons. The first one is, you know, as we talked about what this bill does. Well, what we're talking about here is membership in a union contract. So this is a union that has been voted in by the members, a negotiation team that with most unions have been voted by the members to go forward and negotiate for them, and the pieces of the contract that have to do with membership are negotiated not only by the union but also by the employer. And so the clauses about membership, whether it's an open shop, whether it's a closed shop, are agreed to by both the employer and the union. And then the union members get to vote on that as to whether or not they think that that is acceptable.

Now, there's been a lot of talk about numbers of different kinds between different states, so I thought I'd just put out a few. On average, workers in states with Right to Work laws make \$6,109 a year less than workers in other states. Median household income in states with these laws is \$8,174 less than in other states, 29.6% of jobs in Right to Work states were in low-wage occupations compared with 22.8% of jobs in other states. People under the age of 65 in states with Right to Work laws are more likely to be uninsured, only 47% of private sector employers in states with these laws offer insurance coverage to their employees compared to 52.2% in other states. Workers in Right to Work states also pay a larger share of their health insurance premiums, poverty rates are higher in states with Right to Work laws, rates of 12.8% and 18% for children in poverty in states with these laws, the infant mortality rate is higher in states with Right to Work laws, states with Right to Work laws spend 32.5% less per pupil on elementary and secondary education than other states, and lastly the rate of workplace deaths is 49% higher in states with Right to Work.

Now, these are not numbers that I'm pulling out of the air, Madam Speaker, they are from little organizations like the Bureau of Labor Statistics, the Census, Henry J. Kaiser Foundation, and some organization called Harvard.

Madam Speaker, unions protect workers, the democracy within unions is well-established, and the good thing about a union is if you don't like something about it, you can bring it to the membership meeting and have it changed. So, Madam Speaker, I ask that you follow my light and support the following motion.

The **SPEAKER**: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you. I'd like to pose a question through the Chair.

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

Representative **DILLINGHAM**: I appreciate the many statistics just provided by the Representative from Portland; I'm just wondering do we actually have those statistics in reference to the people here in Maine?

The **SPEAKER**: The Representative from Oxford has posed a question if there is anyone who is able to answer.

The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Speaker. I was represented for five years. I didn't see much of a pay raise the entire time I was there. I left a job I liked. Please don't support the Majority Report. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bradley, Representative Lockman.

Representative **LOCKMAN**: Thank you, Madam Speaker. I want to thank the Good Representative from Portland. That was very helpful to learn that infant mortality rates are higher in Right to Work states than in compulsory union states. That's almost as helpful as Adam Goode's testimony in committee. Thank you, Madam Speaker.

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

ROLL CALL NO. 111

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

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

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

ABSENT - Alley, Campbell, Daughtry, DeVeau, Doore, Grignon, Maxmin, Theriault.

Yes, 86; No, 54; Absent, 8; Excused, 2.

86 having voted in the affirmative and 54 voted in the negative, with 8 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REQUIRE A BALANCED FEDERAL BUDGET

(H.P. 264)

Signed:
Senators:

CLAXTON of Androscoggin
DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
HEAD of Bethel
PEBWORTH of Blue Hill
REED of Carmel
TUELL of East Machias
VEROW of Brewer

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

Signed:
Senator:

DAVIS of Piscataquis

Representatives:

KINNEY of Knox
RISEMAN of Harrison

READ.

Representative MARTIN of Sinclair moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

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

America is broke. We're running up staggering debt and deficits and politicians in D.C. are unable to restrain themselves. But a balanced federal budget amendment would force their hand and help rein in the spending. Think about this; we're only 15 years out from Social Security insolvency. The founders gave us this tool to add amendments to the Constitution in Article 5. We are six states short of the required 34 states to call a convention. After the convention, 38 states would have to ratify any changes. The ratification process can take well up to five years. Maine has to balance our budget according to the Maine Constitution; isn't it time for the federal government to do the same? Thank you, Madam Speaker.

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

Representative **TUELL**: Thank you, Madam Speaker. I rise today in support of the pending motion and I do so not because I oppose a balanced budget amendment to the United States Constitution, rather because we already have a clear, defined process for amending the Constitution; a process that has been successfully applied 27 times in our nation's history and will, if there is such a drumbeat for change in the future, be employed in the future.

I support this motion because a convention of the states is speculative. Some would say that we could place limits on it or on our delegates to it, yet that has never been tested or proved in a court of law, nor would there be any real guarantee should we have buyer's remorse that we could ever rein it back in. I support this motion because I believe in the Bill of Rights, I believe in free speech, freedom of religion, the right to keep and bear arms, the right to a jury trial, state's rights. I support it because I believe in voting rights because I believe that the President should not be in office for life because, quite frankly, we have the best governance system of any country in the world. For all its flaws, our Founding Fathers knew what they were doing when they set up three separate but equal branches of government that may prove inconvenient or frustrating at times but serve as the foundations for our republic.

Madam Speaker, this motion before us, this notion before us is innocent enough. It seeks to put some fiscal restraint on our federal government, the same restraint that our state shows in its own constitution. But as well-intended as it is, as genuine as the sponsor is in bringing it forward, we must say clearly and decisively that the ends do not justify the means. If you're unhappy with your congressman, vote them out. If you're unhappy with your president, vote him out. But don't try to patch our Constitution together with duct tape and tinfoil, and don't try to do an end-run around it when you don't get what you want. Don't try to come up with questionable, quote-unquote, interstate compacts to undermine the electoral college or conventions that could easily go off the rails.

Madam Speaker, these conventions have always troubled me, but this year in committee I heard something that

troubled me even more. During the public hearing on this resolution, one of the supporters alleged that the Legislature, in adopting rules requiring two-thirds support for any convention coming forward, was somehow breaking the law. This action was taken in the late-70s and while the Legislature was the furthest thing from my mind at the ripe old age of two, I am very thankful that those rules were adopted so long ago, have endured 40 years of legal scrutiny, have never been challenged in court or changed when control of the Legislature changed hands ten years ago, and that there are people like the Honorable Member from Eagle Lake who had the foresight to craft language that would keep us from becoming mired in a convention of the states without overwhelming support from across the spectrum.

Madam Speaker, I do not see this as a left or right issue. I see it as a process issue and I truly believe that whether we are talking about balanced budgets or campaign finance reform or anything else, the ends do not justify the means and that these conventions to short-circuit the Constitution are only going to lead to bigger problems for our state and our country down the road. Please join me in voting this down and defending the Constitution. Thank you.

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

ROLL CALL NO. 112

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

NAY - Andrews, Arata, Austin S, Blier, Cebra, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Griffin, Haggan, Hall, Hanley, Harrington, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Morris, Perkins, Pickett, Reed, Riseman, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Theriault, Wadsworth, WhiteD.

ABSENT - Alley, Campbell, DeVeau, Doore, Grignon, Maxmin.

Yes, 103; No, 39; Absent, 6; Excused, 2.

103 having voted in the affirmative and 39 voted in the negative, with 6 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** 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. 61) (L.D. 249) Bill "An Act To Ensure Protection of Patients in Medical Reviews by Health Insurance Carriers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-107)**

(S.P. 168) (L.D. 546) Bill "An Act To Enhance Highway Safety by Strengthening the So-called Move Over Law" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-98)**

(S.P. 269) (L.D. 915) Bill "An Act To Provide Adequate Reimbursement under MaineCare for Ambulance and Neonatal Transport Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-104)**

(S.P. 345) (L.D. 1125) Bill "An Act To Amend MaineCare Reimbursement Related to Bad Debt and Bed-hold Days" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-103)**

(S.P. 402) (L.D. 1306) Bill "An Act To Promote Safe Schools through the Creation of the Safe School Climate Council" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-105)**

(H.P. 202) (L.D. 239) Resolve, Directing the Department of Health and Human Services To Explore the Development of a Behavioral Health Unit at the Cumberland County Jail Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 978) (L.D. 1356) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40: Home Health Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1140) (L.D. 1578) Bill "An Act To Improve Administration of the Maine Aeronautical Advisory Board and the Public Transit Advisory Council" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1206) (L.D. 1682) Bill "An Act To Amend the Laws Governing the Removal of Unlawful Signs" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1214) (L.D. 1699) Bill "An Act To Make a Technical Correction to the Law Governing Certification of Seed Potatoes" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 103) (L.D. 121) Bill "An Act To Require the Department of Inland Fisheries and Wildlife To Implement a Firearm Safety and Firearm Violence Prevention Program" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-276)**

(H.P. 178) (L.D. 215) Bill "An Act To Increase the Reimbursement Rate for Ambulance Service Paid by the Department of Corrections" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-283)**

(H.P. 198) (L.D. 235) Bill "An Act To Increase Funding To Contain and Manage the Spread of Invasive Aquatic Species" Committee on **INLAND FISHERIES AND WILDLIFE**

reporting **Ought to Pass as Amended by Committee Amendment "A" (H-309)**

(H.P. 391) (L.D. 534) Bill "An Act To Make Ballot Questions Easier To Read and Understand for Maine Voters" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-277)**

(H.P. 443) (L.D. 615) Bill "An Act To Protect the Integrity of the MaineCare Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-306)**

(H.P. 497) (L.D. 676) Bill "An Act To Simplify Maine's Lobster Licensing System" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-287)**

(H.P. 518) (L.D. 713) Bill "An Act To Strengthen Maine's Endangered Species Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-275)**

(H.P. 578) (L.D. 773) Bill "An Act Regarding Secondary School Education Concerning Sexual Activity and Sexual Assault" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-266)**

(H.P. 639) (L.D. 865) Bill "An Act To Amend the Laws Governing the Funding Sources of the Maine Controlled Moose Hunt Season" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-273)**

(H.P. 642) (L.D. 868) Bill "An Act To Require That the Terms of a Settlement to Which a Local Unit of Government Is a Party Be Made Available to the Public" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-269)**

(H.P. 659) (L.D. 885) Bill "An Act Regarding Daylight Saving Time in Maine" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-307)**

(H.P. 672) (L.D. 908) Bill "An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purpose of Providing Information to the Public" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-302)**

(H.P. 731) (L.D. 976) Bill "An Act To Require Additional Lead Screening for Children" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-296)**

(H.P. 760) (L.D. 1030) Bill "An Act To Amend the Laws Governing the Substance Use Disorder Services Commission" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-295)**

(H.P. 813) (L.D. 1109) Bill "An Act Regarding the Size and Weight of All-terrain Vehicles, the Operation of Motor Vehicles on Designated All-terrain Vehicle Trails and the Operation of All-terrain Vehicles on Trails Posted with Size or Weight Limits" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-272)**

(H.P. 949) (L.D. 1314) Bill "An Act To Extend Protections for Genetic Information" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-271)**

(H.P. 954) (L.D. 1319) Bill "An Act To Prohibit Employer Disciplinary Action against Firefighters and Emergency Medical Services Persons Responding to an Emergency" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-282)**

(H.P. 996) (L.D. 1375) Bill "An Act To Prevent Law Enforcement Officers from Using Their Authority To Extract Sexual Favors" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-285)**

(H.P. 1007) (L.D. 1393) Bill "An Act To Change the Requirements for Recording Plans at the County Registries of Deeds" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-291)**

(H.P. 1011) (L.D. 1397) Bill "An Act To Ensure That Statements Made by a Juvenile or a Juvenile's Parents, Guardian or Legal Custodian While Participating in Informal Adjustment Processes Are Not Admissible in Court" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-299)**

(H.P. 1109) (L.D. 1516) Bill "An Act To Improve Efficiency in Communication in the Court System" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-270)**

(H.P. 1117) (L.D. 1534) Bill "An Act To Amend Maine Fireworks Laws To Include Flame Effects" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-286)**

(H.P. 1126) (L.D. 1551) Bill "An Act To Clarify Fishing Laws between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources as They Relate to Striped Bass in Inland Waters" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-308)**

(H.P. 1127) (L.D. 1552) Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-289)**

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

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

ENACTORS

Emergency Measure

An Act To Support Maine Craft Distillers

(S.P. 294) (L.D. 1015)

(C. "A" S-93)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption

(S.P. 516) (L.D. 1619)
(C. "A" S-92)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 126 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Amend the Definition of "Subdivision" in the Laws Governing Planning and Land Use Regulation for Subdivisions and a Provision Excepting the Division of a New or Existing Structure from Those Laws Beginning July 1, 2018

(S.P. 172) (L.D. 550)
(C. "A" S-97)

An Act To Increase Access to Nutritious Foods in Schools by Implementing an After-school Food Program for At-risk Students

(H.P. 421) (L.D. 577)
(C. "A" H-226)

An Act Regarding the Cancellation of Subscription Services

(H.P. 576) (L.D. 771)
(S. "A" S-99 to C. "A" H-143)

An Act To Clarify Maine's Protection from Abuse Statutes

(H.P. 733) (L.D. 978)

An Act To Ban Discretionary Clauses in Disability Income Insurance Policies

(S.P. 321) (L.D. 1089)
(C. "A" S-89)

An Act To Amend the Law Prohibiting the Denial by Health Insurers of Referrals by Out-of-network Providers

(S.P. 372) (L.D. 1197)
(C. "A" S-90)

An Act Regarding Filing Fees in Transmission Line Proceedings

(S.P. 491) (L.D. 1556)
(C. "A" S-96)

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, Requiring the Collection of Data on the Marriage of Minors

(S.P. 288) (L.D. 998)

Resolve, To Require the Construction of a New District Headquarters Building for the Bureau of Forestry in Fort Kent

(S.P. 295) (L.D. 1016)
(C. "A" S-94)

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

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, Thursday, May 16, 2019 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-260)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (H-261)** - Committee on **TAXATION** on Bill "An Act To Fully Fund and Restore State-Municipal Revenue Sharing" (EMERGENCY)

(H.P. 156) (L.D. 193)

TABLED - May 16, 2019 (Till Later Today) by Representative TIPPING of Orono.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

Representative **HARNETT**: Thank you, Madam Speaker. Good afternoon, Women and Men of the House. Immediately before joining the Legislature, I served as the Mayor of Gardiner for six years and as a city councilman for a year before that. I want to talk about the direct impact that the ongoing raid of revenue sharing is having on my district right now as municipalities approach FY 2020. Under the budget proposed by the Chief Executive, the Town of Farmingdale will lose \$283,868 from historically statutorily required 5% in revenue sharing. My home, the City of Gardiner, will lose \$968,792. For my district and every municipality in Maine, yours, mine and ours, that loss of revenue sharing continues the hardships that have challenged our communities for decades.

Beginning in 2006, Maine municipalities have lost over \$694 million in revenue sharing; \$694 million placed on the backs of property taxpayers. Those numbers, while both meaningful and staggering, do not tell the entire story. We are awash in numbers here. But when I think about the cuts to revenue sharing, it is not the numbers that come to mind, it is the people. I think of the faces of my constituents. I have sat in too many executive sessions where these constituents, my friends and neighbors, have come asking for poverty abatements because they can no longer afford to pay the tax on their property. I do not think of numbers. I think of people like John and Mary. In their 70s, they live in a house that was in Mary's family for seven generations. They entertain their grandchildren, their great-grandchildren, and they hope to stay in that home and pass it on to their family. But in executive session while I was mayor, John and Mary came to council shaking. In that executive session, John and Mary shared how they are forced to decide whether to fill their grocery cart, fill their prescriptions, fill their oil tank or pay their property taxes. Nobody should be faced with those choices. When John and Mary came to executive session, they were embarrassed and humiliated because they had to share their personal experience in a public way. They had no other choice. When they came before us, they were afraid; afraid that they were going to lose their home, that home that had been in their family for generations. Now, John and Mary were responsible. They paid their taxes in full and on time all of their lives. They played by the rules only to have the rules changed in a way that was beyond their control. This is neither fair nor just. The rules, however, are under our control. We can make it right.

Municipal leaders face three choices when they craft budgets every year in the face of dwindling revenue sharing. They can raise mill rates and property taxes, they can decrease needed services, or they can dip into fund balances if we have them. In Gardiner, and I imagine throughout the state, we have done all three.

I recently learned from my successor, Mayor Patricia Hart, that the City of Gardiner is facing yet another significant increase in the property tax rate, with a corresponding reduction in services for the next fiscal year. This type of municipal budgeting is simply not sustainable. Municipalities deserve full revenue sharing because they are the economic engines that fuel the state's economy. We are the home to the businesses that generate the state's sales tax revenue, our constituents pay all of the state's income taxes. Our communities cannot grow and prosper nor maintain an increased population in the face of decreased public services including public safety services such as police and fire while raising property taxes. It just does not work.

I truly believe this is a nonpartisan issue because these impacts are nonpartisan. They affect us all the same. Potholes on local streets that are not properly maintained because the dollars are not there will ruin the tires and break the axles of a car whether the driver is an Independent, a Republican, a Democrat or doesn't care about politics at all. Just take a drive down the streets of my hometown, or yours, down streets that are sometimes embarrassing and awfully unsafe. Remember John and Mary? After working with us and cobbling together the money so they could pay their property taxes, they too drive down these streets that are pothole-scarred every day.

This bill is asking to restore revenue sharing to the statutorily-required level of 5% retroactive to January of 2019. If you do that, municipalities will know now the money they have available to craft their 2020 budgets in a way that can actually reduce property taxes. The impacts of the historic reduction on revenue sharing by as much as 60%; we funded at 2%, a 60% reduction from the historical figure, have been nothing short of devastating. Municipalities are asking for only 5% of the sales and income taxes that they send to Augusta. That leaves 95% for us to work with in our budget. We promised them that money. It's theirs, not ours. If we truly want to grow our population, keep our young people in Maine, develop our workforce and grow our economy, we must restore revenue sharing to 5% retroactive to January 1st of this year. I thank you for your time and attention and I ask you to vote to move forward LD 193. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Cloutier.

Representative **CLOUTIER**: Thank you, Madam Speaker. Madam Speaker and Honorable Women and Men of the House, I rise today in support of the pending motion.

Revenue sharing has been an essential element of the partnership between the state and municipalities for almost 50 years. This partnership recognizes that Maine towns and cities provide the basic services that support Maine's economy such as road maintenance, water, sewer, law enforcement, fire protection and more. The State collects over \$2 billion a year in sales and income taxes from that economic activity. Revenue sharing allows communities to recoup a small percentage of that income.

From 1972 to 2005, the State was a reliable partner, fully funding revenue sharing except for some minor cuts in three recessionary years. Beginning in 2005, that partnership

dramatically eroded as the State retained more and more of the revenue sharing funds until it reached the current 60%.

As many of you know, I also serve as the Mayor of Lewiston and in Lewiston we were hit hard by the recession and especially by the reductions in revenue sharing. Over 30 employees were laid off, services were reduced or eliminated, capital investment was curtailed and property taxes were increased. We have yet to fully recover. The loss of revenue sharing amplified the effects of the recession. Without full restoration of revenue sharing, we will continue to struggle to meet current service and future infrastructure needs while keeping taxes affordable. By law, revenue sharing is 5% of state sales and income tax revenues or \$174 million for FY 20. If revenue sharing had been fully restored for this year, Lewiston could've reduced its property tax levy by almost 15% and our property tax rate by \$2.12.

The proposal for revenue sharing in the current budget will increase the amount Lewiston receives by an estimated \$725,000 in FY '20 and \$1.45 million in FY '21. This is clearly progress but over the biennium we will still receive \$6.6 million less than we would at the full 5%, requiring an addition of \$1.85 to our municipal tax rate to cover the shortfall.

For these reasons, Madam Speaker, I ask my fellow Members of this body to join me in supporting the pending motion. Thank you.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker. I rise in reluctant opposition to this pending motion, and I'll tell you why.

I have always been down here and I have always fought for revenue sharing, to implement it to its fullest. Revenue sharing is incredibly important to me and the towns that I represent. I support revenue sharing and I support restoring it to the statutorily 5%. But the bill as written goes too quickly and the result is that the fiscal note on this is \$80 million. I fear that if we fund the full amount in a single fiscal year, we will be sacrificing other important responsibilities that we as legislators need to pay attention to. And I say that we will jeopardize something else. We need to make gains for our most vulnerable citizens, we need to strengthen our workforce, and we need to shore up rural hospitals and we need to repair our government. It is important to me as we bring back full revenue sharing that we don't also sacrifice these other critically important priorities.

I would be very happy with a larger increase than the Chief Executive's budget proposes and gradually phasing back into full revenue sharing. That way, we would better absorb the cost and still get things done in other areas. Thank you.

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

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

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

Representative **BRENNAN**: Thank you, Madam Speaker, Men and Women of the House. For just a second, I'd like to put a finer point on a comment made by the Good Representative from Gardiner. If in 2006 I had submitted a bill requesting \$694 million be cut from revenue sharing over the

next 13 years, I don't think I would've gotten one co-sponsor for that bill. I don't think that bill would be endorsed by the Legislature and I don't think that bill would've seen the light of day. Yet for the last 13 years, the Legislature has consistently reduced revenue sharing and shifted that \$694 million of cost to local municipalities.

Now, I'd say most voters, most citizens, don't understand the nuance of revenue sharing or understand how it interacts with state funding, but the overwhelming majority of voters in this state and citizens in this state understand the fact that for the last 13 years they have increased, paid more property tax to fund their schools, fund police, and fund fire protection in their community. And on top of that, in addition to the reductions in revenue sharing, we've seen significant cuts in general assistance, a transfer of teacher retirement costs to local municipalities and inadequate school funding.

Now, most policy analysts say that a state is doing a good job when they have a third of their revenue or taxes due to sales tax, a third to income tax and a third to property tax. We don't have that in the State of Maine. We are terribly skewed and dependent on property tax and not on sales tax, not on income tax; we don't have that balance.

And I also understand that the Legislature sometimes is skeptical of funding municipal revenue sharing because they don't directly control how that money might be spent at the local level. But I think that mistrust is misplaced. And at the local level, schoolboard members, town councilors, city councilors, put together lean budgets and they recognize that every dollar they spent is going to manifest itself and increase property taxes. So I believe today, as we stand here, that the best opportunity that this Legislature has to advance property tax reliefs across the State of Maine and every municipality is to fund this bill and to support this motion and to restore that partnership between state government and local municipalities that's so important to the future of this state. Thank you very much.

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

Representative MADIGAN: Thank you, Madam Speaker, friends and colleagues here in the House. I won't speak long. I get up in support of this motion.

I talk a lot about revenue sharing to people in my town because it's one of the things that we as a Legislature can do as a direct property tax relief for our constituents. It directly helps owners by providing property tax relief to the towns. Towns are free to use it like that.

Maine is one of the oldest states in the nation. Many of our residents are elderly and are on fixed incomes so this is one of the things when I talk about to people, I always point out, you know, if you don't like how much income tax you pay, you can try to make more money and, you know, get out of that. You can't, like, have less of a house and pay less in property taxes, you're kind of locked in to whatever it's going to be. And as previous colleagues here have pointed out, it's a real hardship for some of the people we represent. There's a woman who lives just a few blocks from me who makes too much to qualify for some assistance like food stamps and things like that and she can't pay her property taxes. And that just seems to me pretty wrong. I want to remind people that revenue sharing when it was first passed was a promise. In other words, towns are going to get some of that sales tax and that way, you know, you can't do local sales tax option. So, that's what we were supposed to get because towns still have to pay for things like schools, your roads, things like that, snow removal, and it's important that we be able to fully fund those

and not do that on the backs of some of our most vulnerable citizens. I fully support getting back to full revenue sharing. Thank you very much.

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

Representative STEWART: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise today to actually concur with my colleague from Winslow about the issues that this bill and, in particular, this Majority Report presents to us today. I'll briefly touch on two.

The first is that the restorative funding, the backfilling, if you will, of revenue sharing is going to be a tremendous amount of money that's going to hit our budget this year. We didn't see that come up in the Chief Executive's change package, I don't think that there's any sort of way to actually find a mechanism to fund that this year.

The second is that as everybody in this chamber knows, this is very much an ongoing discussion and it's one that's going to continue to develop here for the next month or so, the level at which we fund revenue sharing as well as if there is any sort of backfilling that may occur or not. It's one that I think both sides are empathetic to and understand the significance behind. I've certainly heard some good justifications as to why revenue sharing matters today on the Floor of the House. I, myself, come from a service-centered community and there's a serious interest in making sure that revenue sharing is supported at a level that's responsible going forward.

That said, my colleagues on the Taxation Committee, that I happen to serve on, feel as though this bill is too much too fast and does not account for the fact that we're trying to put a budget together over the next month or so. As such, our thoughts on the committee were that we should concur with the Chief Executive and her approach to this problem, which was to gradually ramp up revenue sharing. I can't speak to what the Minority Report does but I can suggest to you that it would be something incredibly similar to that.

That said, Madam Speaker, I want to make sure that our position as a caucus is made abundantly clear to the people of the State of Maine; that when our lights go red today, this is not at all a sign that we do not support revenue sharing, it's not even a sign that we don't necessarily support it at an amount that's higher than is currently proposed. It just means that there's an ongoing negotiation that's going to continue to occur, and that we look forward to working with your side and other folks in this building on the second and third floor, to solve this problem for the people of the State of Maine. So, with that, I respectfully ask that my colleagues follow my light. Thank you, Madam Speaker.

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

Representative HEPLER: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Shortly after I was elected last fall, I visited every Select Board of the towns I represent, including the one that I serve on, to get a sense of their priorities regarding the State. Two issues came up consistently; roads and municipal revenue sharing. So, as an example, I'd just like to address the municipal cost of the winter plowing of state roads. As you may know, revenue sharing bears no resemblance to the number of miles of state roads and it's based, because the mill rate is based on, revenue sharing is based on mill rate and population. The point I'd like to drive home is that there's no direct reimbursement per mile for winter plowing of state roads, and the current municipal revenue sharing doesn't begin to pay for the town's plowing of state roads in any of my towns, much less cover other costs

that the towns incur for doing the state's business. Revenue sharing is supposed to cover any number of services that towns provide on behalf of the state. Under the proposed budget, increasing revenue sharing to 2.5% would not cover the costs in any of the towns I represent and I suspect not in others, as well. In fact, the funds from the state-mandated 5% would cover the cost of only two of the towns I represent. We can do better to help towns and their residents. Please support this bill.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, I too come from a service-centered community and I'm proud to say that my service-centered community's budget is looking at only a 1.2% increase in property taxes. I think that tells a good story about what kind of stewards our city council are for our community. Even in the beginning stages, the early stages of a new high school, we're still able to hold property taxes down. The municipal budgets end in 39 days. And this bill brings us back to January 1st for funding, revenue sharing to 5%. What in the world is a municipality going to do in 39 days with the millions of dollars that we're asking to put back to the municipalities? Fifty million dollars, Madam Speaker. I request that you follow my light. Thank you.

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

Representative **DAUGHTRY**: Thank you, Madam Speaker, Women and Men of the House. I rise in strong support of the pending motion.

While I have my own strong thoughts on why this is so important, I think the words of the Brunswick Town Council are the strongest. They are the ones in the municipal budget trenches and are personally making the difficult decisions required as results of these cuts. I'm going to pare down what they wrote, but this was in a letter that they sent to the Brunswick delegation. They give the history of revenue sharing, which I know we've all heard so I will skip over that, and I read: We estimate that since 2010 these raids on the revenue sharing fund have cost Brunswick property taxpayers close to \$12 million. We cite the history of revenue sharing and the last 13 years' experience to share with you the frustration we and all municipalities have faced and continue to face in delivering vital services with a vast majority of our funding coming via the regressive and burdensome property tax. We have just completed our most recent budget process. While the final vote on the size of our tax increase was closely divided, all nine town councilors feel deeply the frustration of being backed into a financial corner by this continued loss of funding. Property taxes are squeezing many older residents and multigenerational Brunswick families to the brink of some very difficult choices, including having to leave their homes. The budget process is pitting families with school-aged children against retirees and seniors. Our economic diversity is in grave danger, our fire department is understaffed and we continue to lag behind in infrastructure maintenance. When the first revenue sharing reductions began in 2006, they were touted as temporary and we adjusted with the understanding that temporary meant short-term. These adjustments included postponing important projects and maintenance and drawing on reserves. Neither of these approaches is sustainable. Following the failed effort to eliminate the program altogether in prior years, the law was changed to restore revenue sharing to full funding beginning with the 2020 fiscal year. While we applaud the Chief Executive efforts to increase funding for

revenue sharing but the failure to restore full funding leaves us once again feeling as if the goal posts have been moved. Add two more years to 13 years of underfunding. Respectfully, John N. Perreault, Chair on behalf of the Brunswick Town Council. I urge you to follow my light.

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

Representative **HUTCHINS**: Thank you, Madam Speaker, Men and Women of the House. I rise for the experience that I've had with revenue sharing as a selectman for 11 years and as a moderator for 30. And this year I'm scheduled to do five towns, moderate; I've done one of them, so I've got four more to go. They happen to be the towns I represent. And state revenue sharing is something that the taxpayers and the officials of the towns understand. But I'm saying that this group doesn't. And the reason I'm saying that is because in the last few weeks we've spent plenty of money that would've funded this issue that we're talking about now and that's the problem. It isn't the problem of the towns that we represent, it's the problem of the spending in this room. If we do not cut spending, we will never increase needed revenue for things of this nature. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Bath, Representative Paulhus.

Representative **PAULHUS**: Thank you, Madam Speaker, Men and Women of the House. In Bath, I am a city councilor, I have been a city councilor for the last ten years or so, and we just recently got done with our budget workshops. And every year we work very hard to make sure that our budget is very low and we make sure that we have equipment that works but we always say to the departments can you go one more year, can you go two more years with that truck that is getting old, 20 years old or something, can you go one more plow season with that. I think if we're going to help property tax relief, I think revenue sharing, which the communities, you know, for the last, as its been mentioned, for the last 13 years it's been reduced and communities keep having to work hard at it to make sure that our budgets at a local level are working for our people but we need to make sure; yes, it is hard in one year, in one budget, but we've had 13 years of municipal budgets that have been worked hard and property tax relief not there because we've had to increase property taxes on our citizens at the local level for the last 13 years and I think that this is way overdue for making sure that our communities and our local citizens have the tax relief that they need, and I think it's well overdue and I think that we should be supporting this and I'll be supporting this today. Thank you.

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

Representative **HARNETT**: Thank you, Madam Speaker. It's the first time I've ever rose a second time.

I just want to point out that the Good Representative from Winslow mentioned a figure, a fiscal note of \$80 million. The fiscal note that was reported to the Taxation Committee was far less than that. It's a substantial number, it's \$49 million, but I just wanted people to know the numbers. I also heard that this is too fast too soon. The only thing I would add is for our property taxpayers, our friends and neighbors, they have lost too much, for too long. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker. I under no circumstance think that we should not restore revenue sharing. Please, and I've been sitting and listening to everyone talk. My intent when I came down here almost eight

years ago was to restore municipal revenue sharing. Yes, it would be nice to do it 13 years ago but for the last seven or eight years I have been fighting for that. I just, I believe that this is going to hurt some other programs. I've talked to some people on Appropriations and some things will have to suffer because we are going to restore or try to restore to the 5%. We cannot afford to let our schools go down, we cannot, our kids are our future. To me, municipal revenue sharing, my town has a five-year plan, they're hoping in five years, it will be fully restored. They don't believe that this should happen in one year, they're not even expecting it to happen in one year. Would it be nice? Yes. Would something else have to give? Yes. So, that is all I have to say. Thank you very much.

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. 113

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

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

ABSENT - Alley, Campbell, DeVeau, Doore, Fecteau J, Grignon, Maxmin, McCrea, Peoples, Theriault.

Yes, 89; No, 49; Absent, 10; Excused, 2.

89 having voted in the affirmative and 49 voted in the negative, with 10 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-260)** 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-260)** and sent for concurrence.

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

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass** on Bill "An Act To Authorize Certain Health Care Professionals To Perform Abortions"

(H.P. 922) (L.D. 1261)

Signed:

Senators:

SANBORN, H. of Cumberland
GRATWICK of Penobscot

Representatives:

TEPLER of Topsham
BRENNAN of Portland
FOLEY of Biddeford
MASTRACCIO of Sanford
MELARAGNO of Auburn

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

Signed:

Senator:

FOLEY of York

Representatives:

BLIER of Buxton
MORRIS of Turner
PRESCOTT of Waterboro
SWALLOW of Houlton

READ.

Representative TEPLER of Topsham moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative PRESCOTT of Waterboro **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, LD 1261 is designed to recognize the unique role that advanced practice clinicians like nurse practitioners and physician assistants play in the healthcare system, and allow them to provide the care that they are qualified and trained to offer to their patients, if they choose.

Currently in Maine, abortion can only be provided by licensed physicians. This law, adopted in the mid-1970s after the Roe v. Wade decision, was originally intended to protect women's health and safety. Before abortion was legal, in desperation, women pursued any means necessary to access abortion; putting their health and lives at tremendous risk. Hundreds of thousands of women died. It has been estimated that as many as 20% of the deaths attributed to pregnancy or childbirth in the 1960s were the result of illegal and unsafe abortions. It is this tragic human cost we seek to avoid in making abortion more equitably available.

Abortion is one of the safest medical procedures performed in the United States. Data, including from the CDC, show that abortion has a 99% safety record and is much safer than most other medical procedures provided in healthcare settings. Scientific evidence indicates that legal abortions in

the U.S. are extremely safe and rarely result in complications. Advanced practice clinicians who are properly trained can safely provide medication and in-office abortions to their patients. Restrictions on providers like the one in Maine law do not increase safety for women. APCs, that is, advanced practice clinicians, already provide a wide range of reproductive healthcare procedures that are similar to or more complicated than abortion. Leading medical groups including the American Public Health Association, the American College of Gynecologists and Obstetricians and the Maine Medical Association all support APCs providing abortion care to their patients. A growing number of states, including New Hampshire and Vermont, allow APCs to provide abortion care to their patients with no negative impact to health or safety. It's also supported by women who want to be able to seek care from a trusted provider, someone she may have a longstanding relationship with, a provider who may have delivered her baby, counseled her on test results or helped her determine a course of action to improve her health. I think we can agree that a woman should be able to seek medical care, including an abortion, from a provider she trusts and with whom she has an established relationship.

This bill would allow women to stay in their community and receive high-quality care. The science and research are clear; APCs are qualified to provide abortion care to their patients.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Men and Women of the House. This bill will allow for healthcare professionals with less knowledge of specific medical procedures to perform them in instances where women's health is at a very high risk. For example, advanced nurse practitioners and physician assistants have about six years of training including their undergraduate degree, whereas a physician has double that amount, with 12 years in all aspects of human health, including undergraduate degree study. While I absolutely love that PACs are available in my doctor's office and for that I am grateful, in fact, just last week I visited a PA for my annual physical and to get help for my allergies and asthma, and you might notice that I'm coughing a little bit less today versus last week. Yet they often consult physicians in the office before making a diagnosis. Physicians carry malpractice insurance, but what about the other healthcare professionals who will be allowed to perform this invasive procedure? Where will these healthcare professionals perform the invasive procedure? Will they have hospital privileges? Is this where an anesthesiologist will come into play? Will the hospitals be then liable under malpractice when a woman is seriously injured or dies from the procedure? This bill will not ensure safe access to healthcare, as a life is taken every time an abortion is performed.

Eleven years ago I personally suffered when my eight-week-old baby died in the womb. When my body began the active miscarriage process; I started to hemorrhage and passed out at least twice before getting to the ER where a D&C was performed under anesthesia. Again, I ask, who will be the anesthesiologist with the healthcare professional? I almost died from the hemorrhaging. I was suffering in the natural act of a miscarriage. I suffered after the D&C with a very high fever and I needed care from others upon my return home. I was otherwise very healthy at the time of the procedure, yet it came close to killing me. I have to wonder if a lesser-qualified healthcare professional had performed the D&C if I would be here today. In fact, my own doctor, a

licensed M.D. who delivered my second child successfully only two years earlier, was not comfortable despite her training in women's health. She referred me to an OB/GYN, a specialist in women's reproductive health. My procedure was not considered risky at the time, as I was already in active discharge of my baby who had died, yet my life was very much at great risk and had I not been in the care of a specialist, I question whether or not I would be here today.

Overall, this proposed legislation will reduce healthcare for women, not increase it. Why would we as legislators want to push for a grave health issue to be performed by someone who isn't even diagnosing a bronchial infection without physician oversight? We didn't remove the provision that a physician oversee these healthcare professionals, so they'll still need to be involved. It's adding just another person to be billed, therefore costing even more for the procedure. How does this aim to make it easier for patients?

Some have promoted this bill to provide access to abortions in our state. Why is this necessary? Women come to Maine from 18 other states, including Hawaii, and I dare say that that's the farthest state away from this one, and Canada, despite their government-run healthcare system. Why do these women come to Maine if it's so hard to get an abortion here?

I urge you to follow my light on this backwards step in women's healthcare and vote no on the pending motion. Thank you.

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

Representative **PERRY**: Thank you, Mr. Speaker, I almost said Madam, but, I'm going to actually, I'm coming up to testify in support of LD 1261 and I'm going to start out by telling you I am a family nurse practitioner and I am not inferior to an M.D. in any procedure in my scope of practice that I am allowed to do. In that area we are considered equal. I also have the ability to practice independently. I also had privileges in my hospital and served as vice chief of staff of the medical staff in the hospital I am. I am qualified. So, let me read my testimony.

Trained and advanced practice clinicians like nurse practitioners, nurse midwives, and physician assistants to provide abortion care to their patients, it would dramatically improve access to abortion for women who would prefer to receive this care by a trusted provider in their community. Maine law gives advanced practice clinicians broad authority to provide a wide range of healthcare services including the authority to prescribe medications, perform procedures with complexity, and risks are comparable or greater than those of an abortion. Such examples include inserting an intrauterine device, performing endometrial biopsies, that's the removal of tissues from the uterine lining, performing cervical biopsies. Abortion is only another medical procedure identified as Maine law as beyond the scope of practice for advanced practice clinicians like nurse practitioners even though these providers are qualified and trained for this care of their patients. In fact, APCs routinely provide the same exact procedures to their patients when providing treatment for a miscarriage. Despite the proven safety of abortion care and the proven ability of advanced practice clinicians to provide such care safely and effectively in other states like New Hampshire and Vermont, Maine law prohibits under the threat of criminal prosecution anyone other than a licensed physician from providing these services.

Federal law also recognizes the increasingly central role that APCs play in the delivery of healthcare. The Affordable

Care Act defined APCs as primary care clinicians, as primary care providers. APCs are particularly critical for expanding timely and comprehensive access to reproductive healthcare. In a rural state like Maine, the role of APCs is essential to the healthcare system. Because of limited physician availability in Maine, barring APCs from providing abortion care constraints where and when abortion services are available to women. Many women who have made the decision to end a pregnancy are faced with significant and costly travel burdens and delayed access to care. However you may feel about abortion, we can agree that when a woman has made the decision to end a pregnancy, should she be able to turn to a trusted provider for care? Advanced practice clinicians are qualified and capable of providing this care safely to their patients. Please join me in supporting this pending motion.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. As a physician, I worked often in a hospital that had open-heart surgery, level 2 trauma center, orthopedics, every procedure done, and I worked alongside physician's assistants all the time and you'll be happy to know that as physician extenders, they really do do major work on people such as closing the chest after open-heart surgery or working side by side the trauma team in the emergency departments, so, they work and understand their scope of practice and work alongside physicians all the time. So, I just wanted to report that and tell you that I fully support physician assistants and nurse practitioners in doing this procedure. I will support this. Thank you.

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

Representative **MORALES**: Thank you, Mr. Speaker. Thank you colleagues in the House. I rise in support of LD 1261.

For the past some-odd 50 years almost, the law of the land has provided women with the constitutional right to control our reproduction, which includes the right to terminate a pregnancy before viability. The constitutional right includes the right to be free from unduly burdensome government regulation. Today, the question before us is about access to this constitutional right for the many Maine women who live in our rural towns and unorganized territories.

The medical community is clear that advanced practice clinicians such as nurse practitioners and physician's assistants are trained and qualified to perform abortions. Fourteen other states agree. It is time for Maine to remove the barriers to access to full reproductive rights including access to abortion services for all Maine women. Thank you, Mr. Speaker.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I'd like to pose a question through the Chair.

The SPEAKER PRO TEM: The Member may proceed.

Representative **FAULKINGHAM**: I'd like to pose a question to the Representative from Calais. My question is if the procedure is performed in the absence of a licensed physician away from an abortion clinic, will there be a way to determine if the fetus was successfully killed by that procedure?

The SPEAKER PRO TEM: The Member has posed a question through the Chair to anyone who cares to answer.

The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker. This bill is about access. As is well known, the number of clinics that provide abortion services and the number of physicians who perform them, has shrunk in recent years due to public sentiment, lack of funding and a number of other reasons. This bill would greatly enlarge the availability of places that a woman, particularly in the rural parts of our state, can go to get these constitutionally protected services. And I also want to remind this body that abortions are 14 times safer than childbirth; 14 times. Having a child is risky business, having an abortion is not. Thank you.

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

Representative **VEROW**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill.

My late daughter was a nurse practitioner and she attended to many women who were in various stages of pregnancy. She took great pleasure when receiving thanks from women who she counseled and encouraged to continue their pregnancy to full term. I can say with confidence that if she were here today, she would stand with me in opposition to this bill. Thank you, Mr. Speaker.

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

ROLL CALL NO. 114

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

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

ABSENT - Alley, Austin B, Caiazzo, Campbell, DeVeau, Doore, Fecteau J, Grignon, Hickman, Jorgensen, Martin J, Maxmin, McCrea, Peoples, Perry J, Theriault.

Yes, 74; No, 58; Absent, 16; Excused, 2.

74 having voted in the affirmative and 58 voted in the negative, with 16 being absent and 2 excused, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 182)

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

May 21, 2019
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Matthew W. Moonen of Portland to serve as Speaker Pro Tem to convene the House on May 21, 2019.

Sincerely,
S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash

(S.P. 594) (L.D. 1762)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Support Children's Healthy Development and School Readiness"

(S.P. 592) (L.D. 1760)

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

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

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

Bill "An Act To Transform Maine's Heat Pump Market To Advance Economic Security and Climate Objectives"

(S.P. 597) (L.D. 1766)

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 Clarify and Amend MaineCare Reimbursement Provisions for Nursing and Residential Care Facilities" (EMERGENCY)

(S.P. 588) (L.D. 1758)

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

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

Bill "An Act To Update the Maine Insurance Code"

(S.P. 596) (L.D. 1764)

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

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

Bill "An Act Regarding the Electronic Data and Court Records Filed in the Electronic Case Management System of the Supreme Judicial Court"

(S.P. 589) (L.D. 1759)

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

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

Bill "An Act To Transfer Responsibility for Licensing of Land-based Aquaculture from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources" (EMERGENCY)

(S.P. 595) (L.D. 1763)

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

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act To Assist Small Beer Manufacturers"

(S.P. 593) (L.D. 1761)

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

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

The following Joint Resolution: (S.P. 591)
**JOINT RESOLUTION RECOGNIZING MAY 24, 2019 AS
MAINE RECOVERY DAY**

WHEREAS, many communities in the State are affected by substance use disorder; and

WHEREAS, recovery is a process of change through which people improve their health and wellness, live self-directed lives and strive to reach their full potential; and

WHEREAS, recovery is self-determined and voluntary and occurs via many pathways; and

WHEREAS, recovery flourishes when it is supported by relationships, social networks, family, friends and community members; and

WHEREAS, the Maine Recovery Coalition, representing recovery communities throughout Maine, aims to dispel the myths and stigmas about drug addiction through public education, sharing stories of recovery, creating positive social

change and providing recovery support services for those in need; and

WHEREAS, recovery supports include integrated and coordinated services such as housing, employment, transportation, education, clinical treatment for substance use disorder, mental health, primary health care, dental care, complementary and alternative services, faith, spirituality, creativity, social networks and community participation; and

WHEREAS, recovery is based on respect, and acceptance and appreciation for people affected by substance use includes protecting their rights and eliminating discrimination; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize May 24, 2019 as Maine Recovery Day, express our support for those individuals who are achieving and sustaining long-term recovery and call upon the people in our communities to observe this day by supporting individuals and families of individuals in and seeking recovery.

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

READ and **ADOPTED** in concurrence.

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

On motion of Representative TUCKER of Brunswick, the House adjourned at 2:43 p.m., until 10:00 a.m., Thursday, May 23, 2019, in honor and lasting tribute to Joseph Arthur Cobb, of Deer Isle and Steven Charles Lane, of Franklin.