

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
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ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
47th Legislative Day
Tuesday, June 4, 2019

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

Prayer by Pastor Lynn Dionne, West Bethel Union Church.

National Anthem by Maryanne Quirion, Vassalboro.

Pledge of Allegiance.

Doctor of the day, Garreth Debiegun, M.D., Yarmouth.

The Journal of yesterday was read and approved.

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

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

CONSENT CALENDAR
First Day

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

(S.P. 530) (L.D. 1640) Bill "An Act To Exempt Auctioneers from Certain Record-keeping Requirements" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass**

(S.P. 218) (L.D. 705) Bill "An Act Regarding the Process for Obtaining Prior Authorization for Health Insurance Purposes" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-175)**

(S.P. 326) (L.D. 1094) Bill "An Act To Increase Funding for Staffing for the Child Welfare Services Ombudsman Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-180)**

(S.P. 375) (L.D. 1200) Bill "An Act To Amend the Maine Seed Capital Tax Credit Program" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-169)**

(S.P. 379) (L.D. 1217) Bill "An Act To Clarify the Oversight of the Family Development Account Program" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-167)**

(S.P. 382) (L.D. 1262) Bill "An Act To Allow Funds from the Federal E-Rate Program To Be Applied to Maine Preschool Programs" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-173)**

(S.P. 475) (L.D. 1526) Bill "An Act To Increase the Availability of Foster Homes" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-178)**

(S.P. 514) (L.D. 1608) Bill "An Act To Exempt Trailers Sold to Out-of-state Entities from Sales and Use Tax" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-168)**

(S.P. 524) (L.D. 1635) Resolve, To Improve Access to Early and Periodic Screening, Diagnostic and Treatment Services for Children from Birth to 8 Years of Age

(EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-182)**

(S.P. 526) (L.D. 1637) Bill "An Act To Prevent Medicaid Payment from a Savings Account Established under the Federal ABLE Act of 2014" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-179)**

(S.P. 531) (L.D. 1641) Bill "An Act To Strengthen the School Transportation Workforce" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-172)**

(S.P. 541) (L.D. 1664) Bill "An Act To Place Funds for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program into a Trust" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-188)**

(S.P. 551) (L.D. 1680) Bill "An Act To Authorize Auxiliary Liquor Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-184)**

(S.P. 554) (L.D. 1689) Bill "An Act To Address the Opioid Crisis through Evidence-based Public Health Policy" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-177)**

(S.P. 576) (L.D. 1734) Bill "An Act To Create a Postsecondary Educational Institution Program License for the Purchase of Liquor for Certain Curricula" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-185)**

(H.P. 737) (L.D. 982) Resolve, To Expand the Use of the Women, Infants and Children Special Supplemental Food Program at Farmers' Markets Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-427)**

(H.P. 751) (L.D. 1009) Bill "An Act To Provide Protections for Maine Patients Facing Step Therapy" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-432)**

(H.P. 855) (L.D. 1181) Bill "An Act To Reduce Electricity Costs through Nonwires Alternatives" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-431)**

(H.P. 1166) (L.D. 1614) Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-433)**

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

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

(H.P. 1162) (L.D. 1610) Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-434)**

On motion of Representative HICKMAN of Winthrop, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

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:

ENACTORS

Acts

An Act To Amend Maine Fireworks Laws To Include Flame Effects

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

An Act To Provide a Sales Tax Exemption for Purchases Made by Nonprofit Youth Camps

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

(C. "A" H-381)

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

Resolves

Resolve, To Increase Funding for Assertive Community Treatment

(H.P. 824) (L.D. 1135)

(S. "A" S-170 to C. "A" H-253)

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

Acts

An Act To Improve Attendance at Public Elementary Schools

(S.P. 37) (L.D. 150)

(C. "A" S-35)

An Act Concerning Spousal Support

(S.P. 144) (L.D. 479)

(C. "A" S-166)

An Act To Protect Tenants from Sexual Harassment

(S.P. 329) (L.D. 1097)

(C. "A" S-165)

An Act To Create Transportation Corridor Districts for the Purpose of Funding Transportation and Transit Services

(S.P. 386) (L.D. 1266)

An Act To Ensure Funding for Certain Essential Functions of the University of Maine Cooperative Extension Pesticide Safety Education Program

(S.P. 393) (L.D. 1273)

(C. "A" S-149)

An Act To Provide for Consistency Regarding Persons Authorized To Conduct Examinations for Involuntary Hospitalization and Guardianship

(S.P. 420) (L.D. 1352)

An Act To Amend the Laws Regarding Motor Vehicle Fees

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

(C. "A" S-164)

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.

CONSENT CALENDAR

First Day

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

(H.P. 94) (L.D. 112) Bill "An Act To Implement Changes to Maine's Solid Waste Laws Pursuant to a Review of the State Waste Management and Recycling Plan" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-439)**

(H.P. 503) (L.D. 682) Bill "An Act To Provide Seniors and Certain Persons with Disabilities Assistance with Property Taxes through the Deferral of Those Taxes" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-443)**

(H.P. 647) (L.D. 873) Bill "An Act To Limit Registration Fees on Water Well Drilling Equipment To Encourage Purchasing of Modern Equipment for Rural Well Construction" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-442)**

(H.P. 774) (L.D. 1044) Bill "An Act To Advance Children's Cancer Research in Maine" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-441)**

(H.P. 1089) (L.D. 1487) Bill "An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-444)**

(H.P. 1190) (L.D. 1654) Bill "An Act To Create Veteran-friendly Workplaces" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-445)**

(H.P. 1237) (L.D. 1739) Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-440)**

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

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

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

SENATE PAPERS

Non-Concurrent Matter

An Act To Fully Fund and Restore State-Municipal Revenue Sharing (EMERGENCY)

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

(C. "A" H-260)

FAILED of **PASSAGE TO BE ENACTED** in the House on May 28, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260) AND SENATE AMENDMENT "A" (S-174)** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (S.C. 546)

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

June 3, 2019

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

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

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry,

- The Honorable Edward C. Kelleher of Scarborough for appointment, to the State Harness Racing Commission;
- James T. Kelley, Jr. of Millinocket for appointment, to the State Harness Racing Commission;
- Upon the recommendation of the Committee on Education and Cultural Affairs, Casey Maddock of Scarborough for appointment, to the State Board of Education,
- Upon the recommendation of the Committee on Inland Fisheries and Wildlife,
- Jerry W. Scribner of Belgrade for reappointment, to the Inland Fisheries and Wildlife Advisory Council;
- Lindsay Ware of Ellsworth for appointment, to the Inland Fisheries and Wildlife Advisory Council;
- Shelby H. Rousseau of Phillips for appointment, to the Inland Fisheries and Wildlife Advisory Council;
- Kristin Peet of Winterport for appointment, to the Inland Fisheries and Wildlife Advisory Council
- Albro F. Cowperthwaite, Jr. of Linneus for appointment, to the Inland Fisheries and Wildlife Advisory Council;
- The Honorable Robert S. Duchesne of Old Town for appointment, to the Inland Fisheries and Wildlife Advisory Council;
- Upon the recommendation of the Committee on Judiciary,
- The Honorable Nancy D. Carlson of Dixfield for reappointment, as a District Court Judge;
- The Honorable Joseph Field of Freeport for reappointment, as an Active Retired Judge of the District Court.

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

READ and **ORDERED PLACED ON FILE**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Ensure Adequate Funding for the Maine Pollutant Discharge Elimination System and Waste Discharge Licensing Program"

(H.P. 1303) (L.D. 1832)

Sponsored by Representative TUCKER of Brunswick. Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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

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

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Reverend Frank Murray, of Bangor, pastor of St. Paul the Apostle Parish and formerly a member of the Maine House of Representatives representing Bangor, who has received the 2018 Theological College Alumnus Lifetime Service Award. We extend our congratulations and best wishes;

(HLS 480)

Presented by Representative VEROW of Brewer.

Cosponsored by Senator GRATWICK of Penobscot, Representative KORNFIELD of Bangor, Representative SCHNECK of Bangor, Representative CARDONE of Bangor.

On **OBJECTION** of Representative VEROW of Brewer, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **VEROW**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I am pleased that Father Frank Murray, my friend and spiritual advisor, is here to be recognized by this body, the body that he once served in for two terms as a State Representative from the City of Bangor.

Father Murray, past Representative, high school teacher, coach and hospital chaplain, was the recipient of the Theological College Alumnus Lifetime Service Award in 2018. The Lifetime Service Award was instituted in 1991 to honor those alumni who served with distinction and humility throughout their priestly ministry. Father Murray served as pastor of many churches throughout Maine since his ordination in 1981 and is currently serving as pastor of St. Paul the Apostle Parish in Bangor. That parish includes churches in Bangor, Brewer, Hampden and Winterport. Today, Father Murray continues his pastoral duties in a thoughtful and caring manner that serves his parishioners very well. I am pleased he is here today to accept the greetings of the House. Thank you, Madam Speaker.

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

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative DAUGHTRY for the **Joint Standing Committee on Innovation, Development, Economic Advancement and Business** on Bill "An Act Establishing a Review Process for Measures with a Potential Economic Impact and Directing the Department of Economic and Community Development To Develop a Strategic Economic Plan"

(H.P. 1304) (L.D. 1833)

Reporting **Ought to Pass** pursuant to Joint Order 2019, H.P. 1252.
The Report was **READ**.

On motion of Representative DAUGHTRY of Brunswick, **TABLED** pending the motion of the same Representative to **ACCEPTANCE** of the Committee Report and later today assigned.

Representative WARREN for the **Joint Standing Committee on Criminal Justice and Public Safety** on Bill "An Act Regarding Prostitution"

(H.P. 1305) (L.D. 1834)

Reporting **Ought to Pass** pursuant to Joint Order 2019, H.P. 1278.

Report was **READ** and **ACCEPTED**. The Bill **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.

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act To Amend the Maine Land Use Planning Commission Laws and Enhance the Economic Vitality of Neighboring Communities"

(S.P. 496) (L.D. 1561)

Signed:
Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

HICKMAN of Winthrop
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
SKOLFIELD of Weld

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-183)** on same Bill.

Signed:

Representatives:

MAXMIN of Nobleboro
McCREA of Fort Fairfield
O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick

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

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-176)** on Bill "An Act Regarding Telehealth"

(S.P. 383) (L.D. 1263)

Signed:

Senators:

SANBORN, H. of Cumberland
FOLEY of York
GRATWICK of Penobscot

Representatives:

TEPLER of Topsham
BLIER of Buxton
BRENNAN of Portland
FOLEY of Biddeford
MASTRACCIO of Sanford
MELARAGNO of Auburn
MORRIS of Turner
SWALLOW of Houlton

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

Signed:

Representative:

PRESCOTT of Waterboro

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-176)**.
READ.

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

Representative PRESCOTT of Waterboro **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 Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you. In Section 3C is where it talks about you don't even have to meet somebody in person at all and then you can issue a prescription for opioids. With the crisis in this state, that's the least we can expect out of doctors.

You know, you're going to hear a lot of talk about click words like clinical setting. Well, if you really look at that, it's not much. We're going to have nurses and other people assessing a person's health and then by laptop, you know, talking to a doctor who's going to write opioid prescriptions from out of state. You know, they're going to be in another state. They're going to pay their dues in another state. Well, they'll be licensed here but that's where they're going to pay all their taxes and we're going to send our money to other states and not even have these doctors be here and be responsible for their actions while they're dealing opioids. 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. 174

YEA - Alley, Andrews, Arata, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Caiazzo, Cardone, Carney, Cebra, Cloutier, Collings, Cooper, Corey, Costain, Craven, Crockett, Cuddy, Curtis, Daughtry, Denk, DeVeau, Dillingham, Dodge, Doore, Doudera, Drinkwater, Dunphy, Evangelos, Farnsworth, Faulkingham, Fay, Fecteau J, Fecteau R, Foley, Foster, Gattine, Gramlich, Griffin, Grohoski, Haggan, Hall, Handy, Harnett, Harrington, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Jorgensen, Keschl, Kessler, Kinney, Kornfield, Kryzak, Landry, Madigan C, Marean, Martin J, Martin R, Martin T, Mason, Mastraccio, Matlack, Maxmin, McCrea, McCreight, Melaragno, Meyer, Millett, Moonen, Morales, Nadeau, O'Neil, Ordway, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Reed, Riley, Riseman, Roberts-Lovell, Rudnicki, Rykerson, Sampson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Stover, Strom, Swallow, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Verow, Wadsworth, Warren, White B, Zeigler, Madam Speaker.

NAY - Austin S, Dolloff, Hanington, Hanley, Head, Javner, Johansen, Lockman, Lyford, O'Connor, Perkins, Pickett, Prescott, White D.

ABSENT - Ackley, Bryant, Campbell, Grignon, McDonald, McLean, Morris, Theriault.

Yes, 126; No, 14; Absent, 8; Excused, 2.

126 having voted in the affirmative and 14 voted in the negative, with 8 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" (S-176)** 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-176)** in concurrence.

Seven Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-186)** on Bill "An Act To Implement a Presidential Primary System in Maine" (S.P. 523) (L.D. 1626)

Signed:

Senators:

LUCHINI of Hancock
HERBIG of Waldo

Representatives:

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

Five Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-187)** on same Bill.

Signed:

Representative:

ACKLEY of Monmouth

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-186)**.

READ.

Representative SCHNECK of Bangor moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended**.

Representative STROM of Pittsfield **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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 Report "A" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 175

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

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

ABSENT - Ackley, Campbell, Grignon, McDonald, McLean, Morris, Theriault.

Yes, 88; No, 53; Absent, 7; Excused, 2.

88 having voted in the affirmative and 53 voted in the negative, with 7 being absent and 2 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-186)** 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-186)** in concurrence.

Representatives:
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act To Change the Composition of the Maine Land Use Planning Commission"

(H.P. 412) (L.D. 568)

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
ROBERTS-LOVELL of South Berwick
SKOLFIELD of Weld

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

Signed:
Representatives:

O'NEIL of Saco
PLUECKER of Warren

READ.

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

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

Representative **KINNEY:** Thank you, Madam Speaker, Men and Women of the House. This Constitutional Amendment is for a right to food.

All individuals have a natural inherent and unalienable right to food including the right to acquire, produce, process, prepare, preserve, and consume the food of their own choosing by hunting, gathering, foraging, farming, fishing, gardening, and saving and exchanging seeds or by barter, trade, or purchase from sources of their own choosing for their nourishment, sustenance, bodily health, and well-being. That will be the question that will be presented in the referendum process.

It does further go on to say as long as an individual does not commit trespassing, theft, poaching, or other abuses of private property rights, public lands, or natural resources in the acquisition of food, but then it does go on further to say; furthermore, all individuals have a fundamental right to be free from hunger, malnutrition, starvation, and the endangerment of life from the scarcity or lack of access to nourishing food. This is a declaration and has some protections, possibly, in it. But what will happen if someone does come and choose to violate the portion about theft or poaching? Because it's in the Constitution, this amendment could potentially turn around and not allow for prosecution of these people because it's an unalienable right to that food despite the fact that you can't do it by theft. This is a dangerous precedent to go down. This is a way to get more government involved in our food supply and we already have programs to ensure that people that can't afford their food have the ability to get food. It's a dangerous precedent to set and I request you follow my light and vote no on this amendment. Thank you.

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

Representative **HICKMAN:** Thank you, Madam Speaker. Co-authored by Amanda Beal, the new Commissioner of the Department of Agriculture, Conservation and Forestry, *A New England Food Vision* is a bold vision that calls for our region to build the capacity to produce at least 50% of our food by 2060 while supporting healthy food for all, sustainable farming and fishing, and thriving communities.

Today, I will read the last two paragraphs of the section in the New England Food Vision entitled Healthy Food: A Fundamental Human Right. The paragraphs read as follows: The failures of national and private food assistance programs are felt at a personal level. New Englanders tend to value independence and self-reliance. In such a culture, the inability to provide for a household's food needs can be deeply shameful, and some may hide their hunger from public view. Future changes in the global market may drive greater food

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-430)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

(H.P. 583) (L.D. 795)

Signed:
Senators:

DILL of Penobscot
DIAMOND of Cumberland

Representatives:

HICKMAN of Winthrop
MAXMIN of Nobleboro
McCREA of Fort Fairfield
O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick
SKOLFIELD of Weld

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

Signed:
Senator:

BLACK of Franklin

production in New England, with some beneficial results. But without changes in policy, stepped-up production alone cannot ensure a future in which healthy food is accessible to all. Rising demand by those who can afford the best-quality food can only go so far to boost regional food production; deliberate efforts toward achieving a larger, shared vision of a better food system for everyone to enjoy are critical as well. Such a vision must center on healthy food as a basic human right.

Madam Speaker, this Resolution is not dangerous. We would be amending the Constitution to establish a right to food and it will take this vision outlined in the New England Vision to the highest level of a declaration of rights in our Constitution. I urge my colleagues to join me in voting for the Majority Report of the committee. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Houlton, Representative Swallow.

Representative **SWALLOW**: Thank you, Madam Speaker, Members of the House. On the surface, this bill sounds straightforward and harmless enough. However, under the surface I believe there's a greater issue in this legislation. Though the Resolution includes foraging, gardening, etcetera, all good exercises in the acquisition of food and though there may be some limits to food acquisition by law in this bill, there are no absolute limits of this right. In fact, this bill states that all have unalienable and natural rights to food, and a fundamental right from hunger. Nevertheless, in the future, this will be taken to mean that should one refuse to work yet is fully capable and able of attaining work for food or the purchase thereof, that they have a right to food under all circumstances, regardless of their purposeful unwillingness to perform labor.

Now, I wish to see no one dealing with food scarcity or starvation in this state. However, food, unlike unalienable or natural rights as envisioned by the founders, is a commodity that is most often produced by an individual's labor. And that person's labor is what distinguishes food in this sense. No person has a fundamental, inherent, or unalienable right to another's labor, which is where this could take us. This is tantamount to involuntary servitude as referenced in the 13th Amendment of the Constitution. I urge you to vote no on this bill. Thank you.

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

Representative **HICKMAN**: Madam Speaker, Women and Men of the House, with all due respect to the Good Representative from Houlton, there is no way I would put in a Constitutional Amendment that would enact slavery in the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Houlton, Representative Swallow.

Representative **SWALLOW**: Thank you, Madam Speaker. I in no way question the intentions of the bill. I am considering how this bill could go in the future and the ramifications. 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. 176

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Faulkingham, Fay, Fecteau J, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen,

Jorgensen, Kessler, Kornfield, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Connor, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stover, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Cebra, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Martin T, Mason, Millett, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Stearns, Stetkis, Stewart, Swallow, Tuell, Wadsworth, White D.

ABSENT - Ackley, Campbell, Gattine, Grignon, McDonald, McLean, Morris, Theriault.

Yes, 93; No, 47; Absent, 8; Excused, 2.

93 having voted in the affirmative and 47 voted in the negative, with 8 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The RESOLUTION was **READ ONCE**. **Committee Amendment "A" (H-430)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the RESOLUTION was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-430)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect Children by Requiring the Safe Storage of Loaded Firearms"

(H.P. 288) (L.D. 379)

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

WARREN of Hallowell
COREY of Windham
COSTAIN of Plymouth
JOHANSEN of Monticello
PICKETT of Dixfield
SHARPE of Durham

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

Signed:

Representatives:

BEEBE-CENTER of Rockland
COOPER of Yarmouth
MORALES of South Portland
RECKITT of South Portland

READ.

Representative WARREN of Hallowell 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 Not to Pass** on Bill "An Act To Support Maine Families by Providing for Transportation of Parents and Guardians of MaineCare Recipients under 18 Years of Age to Their Appointments"

(H.P. 785) (L.D. 1062)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

HYMANSON of York
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
MEYER of Eliot
O'CONNOR of Berwick
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-428)** on same Bill.

Signed:

Representative:

MADIGAN of Waterville

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-429)** on Bill "An Act To Save Lives by Establishing a Homeless Opioid Users Service Engagement Program within the Department of Health and Human Services"

(H.P. 965) (L.D. 1337)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

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

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

Eight Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-437)** on Bill "An Act Regarding Energy Transmission Corridors" (EMERGENCY)

(H.P. 985) (L.D. 1363)

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox

Representatives:

BERRY of Bowdoinham
DOUDERA of Camden
GRIGNON of Athens
GROHOSKI of Ellsworth
KESSLER of South Portland
RILEY of Jay

Four Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

WOODSOME of York

Representatives:

CAIAZZO of Scarborough
FOSTER of Dexter
HANLEY of Pittston

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-438)** on same Bill.

Signed:

Representative:

RYKERSON of Kittery

READ.

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

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

Eight Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-435)** on Bill "An Act To Amend Maine's Municipal Land Use and Eminent Domain Laws Regarding Transmission and Distribution Utilities"

(H.P. 1004) (L.D. 1383)

Signed:
Senators:

LAWRENCE of York
MIRAMANT of Knox

Representatives:

BERRY of Bowdoinham
DOUDERA of Camden
GRIGNON of Athens
GROHOSKI of Ellsworth
KESSLER of South Portland
RILEY of Jay

Three Members of the same Committee report in Report
"B" **Ought Not to Pass** on same Bill.

Signed:
Senator:

WOODSOME of York

Representatives:

FOSTER of Dexter
HANLEY of Pittston

Two Members of the same Committee report in Report
"C" **Ought to Pass as Amended by Committee Amendment**
"B" (H-436) on same Bill.

Signed:

Representatives:

CAIAZZO of Scarborough
RYKERSON of Kittery

READ.

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

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

ENACTORS
Pursuant to the Constitution
Public Land

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)
(C. "A" H-303)

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

On motion of Representative HICKMAN of Winthrop,
TABLED pending **FINAL PASSAGE** and later today assigned.

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

UNFINISHED BUSINESS

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

JOINT RESOLUTION MEMORIALIZING THE
PRESIDENT OF THE UNITED STATES AND THE UNITED
STATES CONGRESS TO LEAD A GLOBAL EFFORT TO
PREVENT NUCLEAR WAR

(S.P. 448)

- In Senate, **READ** and **ADOPTED.**

TABLED - April 4, 2019 (Till Later Today) by Representative
FECTEAU of Biddeford.

PENDING - ADOPTION. (Roll Call Ordered)

Representative MOONEN of Portland moved that the
Joint Resolution and all accompanying papers be
INDEFINITELY POSTPONED.

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, you may
recall this Joint Resolution had a lengthy debate nearly two
months ago when it was first before us. In conversation with
the sponsor, we have come to an understanding that this item
can be indefinitely postponed and for those Members who are
interested in supporting what was contained in this Resolution,
the sponsor will have a sign-on letter that will be circulating, so
anyone who cares to sign can do so. Thank you, Madam
Speaker.

Subsequently, the Joint Resolution and all accompanying
papers were **INDEFINITELY POSTPONED** in **NON-**
CONCURRENCE and sent for concurrence.

Resolve, To Require a Study of Greenhouse Gas
Emissions Reductions from the Proposed Central Maine Power
Company Transmission Corridor (EMERGENCY)

(S.P. 202) (L.D. 640)

(H. "A" H-345 to C. "A" S-82)

TABLED - June 3, 2019 (Till Later Today) by Representative
MOONEN of Portland.

PENDING - FINAL PASSAGE.

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

Representative **TUCKER:** Madam Speaker, Ladies and
Gentlemen of the House, friends and colleagues, sons and
daughters of Maine, before I request a roll call on enactment; a
brief comment. When my brothers and I were little kids, it was
very hard to persuade mother we were too sick to go to school.
We tried every trick, such as putting the oral thermometer
against the bedside lightbulb. One day when I tried this clever
thermometer trick, mother took the thermometer out of my
mouth, read the thermometer, looked back and forth between
me and the thermometer and said, well, Ralphie, the
thermometer reads 108 degrees, when all you really needed
was 101. At first you had me, but you blew it. You tried too
hard and overdid it. So it is right now, as I urge your support
for this Resolve. I don't want to go on too long and overdo it.

We are simply seeking information, either way, on the
broader geographical impact of this transmission project on
greenhouse gas emissions without delaying the schedule for
issuing the DEP permit. This is a reasonable and a
responsible proposal. We have said almost everything that
needs to be said about the HydroQuebec transmission project
and this worthy greenhouse gas study. I shall not risk
belaboring the arguments any further. Many of us have made
up our minds already. Therefore, with the greatest respect and
with collegiality, I leave it to this chamber's collective good
judgement. I request a roll call on enactment. Please vote
green. Let's see whether we can reach a successful 101.

The same Representative **REQUESTED** a roll call on
FINAL PASSAGE.

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We've heard quite a bit on this bill, LD 640, and it says it's only a study. This bill is much more than a study. It's not just a bill, it is a bill that is trying to delay a project. It is an attack on our ideas of good government. Ask yourself, why does this bill exempt the DEP in this case from all procurement laws and rules? That would be Section 1, Subsection 1, lines 34, 35, 36 and 37. The Legislature put guardrails up when the State buys goods and services and for good reason; to stop corruption, to encourage transparency, to give the citizens confidence in their government. But somehow this study shouldn't comply. Why? And how about the funding? This bill says the DEP is authorized to take money from any source, public or private. That is Section 1, Subsection 2, lines 10 and 11. Really? I don't know about you, but I've noticed a lot of money being spent on this transmission project, on TV ads, on social media; I just can't get away from it. And a lot of this spending, no one; no one will take responsibility for. I do suspect that it's probably the two power plants, one from Connecticut and one from Maine, that are paid over \$100 million annually to be on standby for a few viciously cold or viciously hot days. Do we really want a state agency to take money, dark money, from unknown sources?

But let's get to what really matters; our energy security. As some of you may know, I served a couple of terms on Energy, Utilities and Technology, and it was wicked fun. I've spent a lot of time trying to understand why our electric costs are high and what we can do about it. Here's the deal; even with historically low prices for the prime fuel for electricity generation, natural gas, costs for New England's electricity could still go up in the next decade because a lot of generation is being terminated or otherwise known as retired; nuclear plants, oil-fired plants, and that is a good thing. Coal plants, about a third of all the generation in the region is retiring over the next few years. That's a good thing. Don't take my word for it, you can check out the website on the ISO New England.

Now, you would think that nobody loves shortages, right? You'd be wrong. Generators love shortages because when wholesale electricity prices go up, they pocket a lot of money, as I did say before. In fact, every day the HydroQuebec energy is delayed coming into New England costs the region's ratepayers \$3 million; \$3 million every single day for New England. What does this mean for Maine? It means our share of the region's generation is a little over 8% or about \$250,000 a day. Said another way, every day that the transmission project is being delayed, costs Mainers, homes and businesses, about a million bucks. That's a lot of money. And, on the fifth day, the fossil fuel generators have a party at our expense. Why are we listening to them? We need lower-cost electricity. We need more reliable, secure baseload generation like HydroQuebec. We don't need more studies, we don't need more delays, we don't need an eleventh-hour bill designed to kill this project.

Madam Speaker, I'll be voting down the pending motion and I invite everybody in this chamber who cares about our electricity costs, who doesn't want to see brownouts and blackouts in the near future and see our energy costs rise, I invite you to join me. Thank you.

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

Representative **KINNEY**: Thank you, Madam Speaker. May I pose a couple of questions through the Chair?

The SPEAKER: The Representative may proceed.

Representative **KINNEY**: So, my first question is; under the current permitting process, what is the date that a permit could be issued without this bill? And my second question is; how many studies have already been conducted and where are the results of those studies?

The SPEAKER: The Representative from Knox has posed two questions if there is anyone who is able to answer.

The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I rise to speak on the motion and I will be pleased to answer the question that was just posed first.

The earliest that the DEP could issue its final permit is late-October and I have that in correspondence from the Bureau director, Mark Bergeron. This bill, contrary to what has been stated, does not delay, Madam Speaker, the proposal that has been advanced by Central Maine Power to transmit power from HydroQuebec to Massachusetts. There is no delay, because the study that is contemplated would need to be submitted to the DEP well in advance of that final date and the results of the study would not bind in any way the decision to be made by the DEP. So, that's first and foremost.

Another misconception that was advanced regarding money that could be used to fund the study has been addressed in an amendment that was accepted previously both by this body and the other body, so I think it's important that people understand that that issue raised by my friend and colleague from Berwick has been answered.

There have been, in response to the other question from the Representative from Knox, there have been some previous studies but I want to speak about why those have been inadequate. We have seen in the increasing understanding of the climate crisis, Madam Speaker, many climate heroes and also some climate shysters. We have seen exciting new ideas that will bring climate solutions and exciting new ideas that will allow profits without providing real solutions. And we want to believe in every proposal because to the extent that we're concerned about climate change and the climate crisis, solutions are absolutely necessary. So we've been asking for answers for some time.

We watched as another state, New Hampshire, said no to a similar project, with a conservation law foundation opposing that project and calling the same resource from HydroQuebec out as, quote-unquote, dirty hydro that would short-circuit New England's ability to provide its own clean energy solutions, calling for a regional study, and there was none, and finally New Hampshire said no. Representative Tucker, myself, and our Senate Republican chairs, co-chairs, on our respective committees last year wrote a letter to the Massachusetts DPU asking for answers to the question, among other questions, that this study would answer; where is the climate benefit? Is this redirected power? And, if so, what will replace the redirection? Or is it, in fact, new hydro that would be deployed? Our letter expressing concern, asking for answers, asking for data, was not answered by the Massachusetts DPU even though as the co-chairs of the respective committees we requested that information over a year ago. So there's a request for data, a study, if you will, that came up short. Last fall, a study was conducted and released before the Public Utilities Commission. It was conducted by Energist, an expert energy consulting firm that was hired by two leading environmental organizations, the Maine Renewable Energy Association and the Natural Resources Council of Maine. Those two organizations requested data because they had

concerns that this study would address. The presentation of that report to the PUC demonstrated conclusively, Madam Speaker, that there was no clear climate benefit globally from this project and that HydroQuebec, because they were not in the room and because they were not willing to go under oath and to be cross-examined and to defend their claims that this was new hydro, could not be trusted to reliably provide a climate benefit with this proposed line. The PUC issued a decision later on based on that discussion, as well as another study that was conducted, but they were not required, Madam Speaker, in any way by our current statutes to address the fundamental question of this bill, which is; is there a global climate benefit? And, so, the LEI study was conducted by the PUC and it looked at only the impact on the New England grid, and it did not ask the fundamental question of is this incremental power, will it benefit the entire region from a climate perspective. That LEI study is, in that respect, not worth the paper it's printed on.

This winter, in the proceedings at the Massachusetts DPU, the Massachusetts Attorney General, Maura Healey, wrote in no uncertain terms that the contracts under which the proposed corridor would transmit power from HydroQuebec leave it entirely open to the possibility that there is no global climate benefit because most, at least most, perhaps all of the new hydro would not be new hydro at all, but would be redirected from existing demand elsewhere in the region. So, studies have been conducted, yes, but they have not answered the fundamental question and more questions remain than answers to this date.

So, Madam Speaker, LD 640 would do nothing to slow down or block the proposed CMP corridor. It merely provides us the independent answer to the regional question, the global question, the most important question that we have been asking, many of us, for years about power from HydroQuebec to the rest of New England. An answer to that question, Madam Speaker, that most important question, is the least we can do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Madam Speaker. I'm just going to say one thing, and that's what I read on the signs outside the door that said stop the corridor, support LD 640. Thank you.

The SPEAKER: The pending question is enactment. A roll call is in order.

The Chair recognizes the Representative from Blue Hill, Representative Peabworth.

Representative **PEBORTH**: Thank you, Madam Speaker. I like to make decisions based on information and for that reason I'm in favor.

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

Representative **GRAMLICH**: Thank you, Madam Speaker, Women and Men of the House. I just want to address a point that was made from my colleague from, help me if I'm mistaken, Berwick/South Berwick, relative to dark money funding the impetus around this study. That is not true. This particular piece of legislation was put forward so that we can get answers to the implications that this project will have on greenhouse gas emission, plain and simply.

There has been a study done by London Economics, it did not address how this project would impact the New England grid. This is something we need to make a decision and this this bill will not stall the project. This particular study

must be completed by August 15th. The permitting will allow for the project to take place in late-October/early-November so there's plenty of time, depending on what happens with this study, for the project to move forward if need be and I urge you to support this particular piece of legislation.

I know that in my district, and I'm sure in many of your districts, you have heard from constituents, all of us have in this body, who have questions about this particular project and I think it's incumbent upon us to do our due diligence relative to the implications of this project. I urge you to pass LD 640. Thank you very much, Madam Speaker.

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

Representative **KINNEY**: Thank you, Madam Speaker. May I pose another question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **KINNEY**: Thank you. I'm concerned; the report back is by August 15, 2019, but there it says that, notwithstanding any other provision, so on, except that it doesn't apply if by August 15th the department fails to submit the final report to the Joint Standing Committee on Environment and Natural Resources in accordance with Subsection 3. So, if we don't get a report back and we have no information for whatever reason, because I don't want to question anyone's motives but if that were to happen, if we weren't to get any kind of report back, what happens then?

The SPEAKER: The Representative from Knox, Representative Kinney, has posed a question and it looks like the Representative from Bowdoinham, Representative Berry, is ready to answer. The Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: I am; thank you, Madam Speaker. I appreciate the opportunity to clarify that portion and although I'm not on the committee that wrote this legislation, I very much appreciate what they were trying to do here.

August 15th was contemplated as the report date but they also considered the possibility based on the original funding source that no funding might be made available and a study could not be completed. So, not wanting to stand in the way of the proceeding, they wisely require that if no report came forward then no 45-day window of consideration would be necessary, what the language provides is that the expected late-October approval at the earliest approval timeline could be met regardless of whether a study is or is not completed. That's what the language would do. Thank you.

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 apologize for rising a second time, however I am happy to report that there was an amendment put on this bill which I reviewed just briefly, quite sorry that I didn't do that before, and I can tell you it did remove the private funding and now it is just public funding so it will go to the Appropriations table where all terrible bills seem to die and, that being said, I just wanted to tell you that with one of the studies that has been done regarding this project, the New England Clean Energy Connect, it will remove 264,000 metric tons of carbon out of our atmosphere and I think that's pretty darn cool. Thank you.

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

Representative **HIGGINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm going to be very brief. As a trustee of Foxcroft Academy, we've been in

operation since 1823 and our motto is knowledge is power, no pun intended.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 177

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Cardone, Carney, Cooper, Corey, Crockett, Daughtry, Denk, Dodge, Dolloff, Doudera, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Hall, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hymanson, Ingwersen, Keschl, Kessler, Kornfield, Landry, Madigan C, Marean, Matlack, Maxmin, McCrea, McCreight, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry J, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Bryant, Caiazzo, Campbell, Cebra, Cloutier, Collings, Costain, Craven, Cuddy, Curtis, DeVeau, Dillingham, Doore, Drinkwater, Dunphy, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hanington, Hanley, Harrington, Head, Hubbell, Hutchins, Javner, Johansen, Jorgensen, Kinney, Kryzak, Lockman, Lyford, Martin J, Martin R, Martin T, Mason, Mastraccio, McLean, Millett, O'Connor, Ordway, Perkins, Perry A, Pickett, Pierce T, Prescott, Reed, Rudnicki, Rykerson, Sampson, Stearns, Stetkis, Stewart, Strom, Swallow, Terry, Tuell, Wadsworth, White D.

ABSENT - Ackley, Grignon, McDonald, Morris, Theriault.
Yes, 77; No, 66; Absent, 5; Excused, 2.

77 having voted in the affirmative and 66 voted in the negative, with 5 being absent and 2 excused, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

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

On motion of Representative AUSTIN of Skowhegan, the House adjourned at 11:48 a.m., until 10:00 a.m., Wednesday, June 5, 2019, in honor and lasting tribute to the Honorable June C. Meres, of Norridgewock.