

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 5, 2018

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ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
55th Legislative Day
Friday, June 14, 2019

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

Prayer by Reverend Peter Panagore, East Boothbay.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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

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

REPORTS OF COMMITTEE
Divided Report

Eleven Members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-586)** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021" (EMERGENCY)

(H.P. 743) (L.D. 1001)

Signed:

Senators:

BREEN of Cumberland
HAMPER of Oxford
SANBORN, L. of Cumberland

Representatives:

GATTINE of Westbrook
DUNPHY of Old Town
HUBBELL of Bar Harbor
JORGENSEN of Portland
KESCHL of Belgrade
MARTIN of Eagle Lake
MILLETT of Waterford
PIERCE of Falmouth

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-587)** on same Bill.

Signed:

Representative:

ARATA of New Gloucester

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representative:

WADSWORTH of Hiram

READ.

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

Representative DILLINGHAM of Oxford **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. 264

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

ABSENT - Bailey, Collings, Cuddy, Grignon, Lyford, Riley, Sylvester, Theriault, White D.

Yes, 89; No, 52; Absent, 9; Excused, 1.

89 having voted in the affirmative and 52 voted in the negative, with 9 being absent and 1 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-586)** was **READ** by the Clerk.

Representative ORDWAY of Standish **PRESENTED House Amendment "A" (H-595) to Committee Amendment "A" (H-586)**, which was **READ** by the Clerk.

The SPEAKER: The Representative may proceed.

Representative **ORDWAY**: Thank you. Madam Speaker, this amendment seeks to put in, back into the budget, the Chief Executive's original request for the Maine Community College System. Some people may think I'm prejudiced about the Community College System; they're right. Not because I work there; I truly believe in their mission.

This amendment and these funds will probably not affect me, I am at the retirement age and probably will take them up on that. But let me just go a little bit. The Community College System in the State of Maine, for my thinking, is the best system. Think of another system of anything in this state that works as well. Ninety-five percent of the people that graduate from the Community College System get a job and stay in Maine. They lift their selves up, they lift their families up. We get a lot for the money. These students also graduate with very little student debt. As a matter of fact, the courses that they take in the Community College System transfer to the University at less than half the cost. Same classes, half the cost. I urge you all, to please support the Community College

System and its mission. It's critical to the economic and the social welfare of this state. Thank you.

Representative GATTINE of Westbrook moved that **House Amendment "A" (H-595) to Committee Amendment "A" (H-586) be INDEFINITELY POSTPONED.**

Representative STEWART of Presque Isle **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-595) to Committee Amendment "A" (H-586).**

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 Indefinite Postponement of House Amendment "A" (H-595) to Committee Amendment "A" (H-586). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 265

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

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

ABSENT - Ackley, Bailey, Collings, Grignon, Higgins, Lyford, Riley, Theriault.

Yes, 89; No, 53; Absent, 8; Excused, 1.

89 having voted in the affirmative and 53 voted in the negative, with 8 being absent and 1 excused, and accordingly **House Amendment "A" (H-595) to Committee Amendment "A" (H-586) was INDEFINITELY POSTPONED.**

Subsequently, **Committee Amendment "A" (H-586) 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" (H-586)** and sent for concurrence.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 626)

JOINT RESOLUTION COMMEMORATING THE BICENTENNIAL OF PITTSFIELD

WHEREAS, the Town of Pittsfield was originally incorporated as Warsaw, Massachusetts in 1819 and was renamed Pittsfield in 1824 in honor of William Pitts of Boston, a large landowner in the town; and

WHEREAS, early settlers made their money as farmers, blacksmiths and sawmill workers; and

WHEREAS, Maine Central Institute was established in 1866 by the Reverend Oren B. Cheney and the Reverend Ebenezer Knowlton and continues to serve as the local school for area students as well as boarding students; and

WHEREAS, in 1855 a railroad came to town, playing a significant role in the growth of the town; and

WHEREAS, in 1869 one of the State's earliest woolen mills was established in Pittsfield, and later woodworking and canning factories were established, providing jobs to local residents; and

WHEREAS, in 1895 water service was established through the creation of Pittsfield Water Works, and in 1900 electric power was brought to the region through the formation of the Pittsfield Electric Light and Power Company; and

WHEREAS, the Civil Works Administration assisted the town as part of the New Deal by providing \$25,000 to construct an airport that was used by the United States Navy for training from 1943 through the end of World War II; and

WHEREAS, during the 1930s Cianbro, a bridge-building firm, opened in Pittsfield and continues to be a well-respected construction company, managing projects as far away as Texas; and

WHEREAS, Peltoma Acres, a housing development for workers, was built in 1946; and

WHEREAS, Seabasticook Valley Hospital was built on Grove Hill in the 1960s and continues to provide health care services to the community; and

WHEREAS, Interstate 95 was constructed in 1964, making Pittsfield a prime location for rest stops between southern and northern Maine, and a motel, restaurant, gas station, shopping center and large park remain in existence today for the use of residents and people passing through; and

WHEREAS, Pittsfield is home to the Central Maine Egg Festival, which is celebrating its 47th year; 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 commemorate the 200th anniversary of the Town of Pittsfield; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Pittsfield Town Office.

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

READ.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Strom.

Representative **STROM:** Thank you, Madam Speaker, and it is with great pride that I rise to speak on this Joint Resolution.

My hometown, the town of Pittsfield, is celebrating their bicentennial this week and I'd just like to take a minute and talk a little bit about the town I represent and the town I grew up in. About a year ago, when the Town decided that they wanted to form a committee to oversee the celebration, the very first thing they did was they came up with a slogan and it was; Pittsfield,

a good place to call home. And I think that's extremely appropriate because we talk a lot in this building about how we get people to move to Maine, how we keep our kids here in Maine, or how we get them to come back to Maine after they leave to go to college. And as a very personal example, shortly after graduating high school from Maine Central Institute in Pittsfield, in fact nine days after, I was in bootcamp in San Diego for the United States Navy. And after serving 20 years in the Navy, I had a decision to make. I was living in Virginia Beach at the time with my two young boys, and was I going to stay there after I retire or was I going to move back home or was I going to go anywhere because I had some choices. I mean, the Navy would move me wherever I wanted to go, so what was my decision going to be? And I thought about it and it was really two things that really stuck out; where do I want my kids to go to high school and where do I want them to grow up? And it was simple. I wanted my kids to go to high school at Maine Central Institute in Pittsfield, like I did. I like to brag a lot that it's the best high school in the State of Maine. Some people might argue with me on that in here, but I'll stand my ground on that one. And where do I want them to grow up and Pittsfield was an easy choice.

I don't worry about my kids if they go to the movies at night and they're walking home after dark. I don't worry about that. If they're gone all day playing ball at the park, I don't wonder if they're okay, I know they are because it's Pittsfield. And one of the things that I love so much about MCI, I want to talk about this year's graduating class, the class of 2019. Besides having students from all over the State of Maine, we graduated kids from 11 other states besides Maine. We graduated kids from several countries including Vietnam, Spain, Italy, China, Rwanda, and Japan. That was just this year's graduating class at MCI. It's something that really adds to Pittsfield. It is why I'm proud to call that my home.

And, this week, we're going to be celebrating. Now, this weekend alone we're going to have a bike rodeo, we're going to be opening the time capsule tomorrow morning, and then the local restaurants will be serving birthday cake for the town. Sunday, we have a golf tournament and then at night an illuminated boat parade and pond fire. Then all next week they'll be concerts and comedy shows, although something tells me I'll be here spending time with about 151 of my favorite people, so I may not get to partake in all of that. But if you can't make it to any of the events this week, don't worry; next month, we have our 47th annual Egg Festival celebration. Then in August, if you are fortunate enough to graduate from Maine Central Institute, like I was, it's alumni weekend. So, we do have festivities all year long. If anybody is looking for something to do this weekend, please come out to Pittsfield. It is a great town and, like the saying goes, it is a good place to call home. Thank you.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I wish to thank the Representative from Pittsfield for reminding us all what a great place Pittsfield is and for the invitation to go there. I encourage everyone to take him up on his invitation, and you should visit some of the wonderful things in that town. One of my favorite restaurants in the State of Maine is Vittles, which is right on Main Street in Pittsfield. You'll get one of the most amazing meals you'll ever have and please go to the Egg Festival, and thank you very much to the Good Representative from Pittsfield.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 209)

STATE OF MAINE

CLERK'S OFFICE

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

June 14, 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 Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

Energy, Utilities and Technology

L.D. 334

An Act To Change the Definition of "Renewable Capacity Resource"

Sincerely,

S/Robert B. Hunt

Clerk of House

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

The Following Communication: (S.C. 604)

MAINE SENATE

129TH LEGISLATURE

OFFICE OF THE SECRETARY

June 13, 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 nomination:

Upon the recommendation of the Committee on Energy, Utilities and Technology,

- The Honorable Philip Bartlett, II of Portland for appointment, to the Public Utilities Commission.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 605)

MAINE SENATE

129TH LEGISLATURE

OFFICE OF THE SECRETARY

June 13, 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 Judiciary,

- The Honorable Richard Rosen of Bucksport for appointment, to the Maine Indian Tribal-State Commission;
- Robert Checkoway of Freeport for appointment, to the Maine Indian Tribal-State Commission.

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 606)

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

June 13, 2019
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it Passed to be Enacted Bill "An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools" (H.P. 991) (L.D. 1369) in non-concurrence.

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

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative FARNSWORTH of Portland, the following House Order: (H.O. 31)

ORDERED, that Representative Betty A. Austin of Skowhegan be excused June 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Heidi E. Brooks of Lewiston be excused April 30 and May 2, 7, 8, and 9 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Josanne C. Dolloff of Rumford be excused June 7 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Victoria W. Doudera of Camden be excused June 7 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Justin Fecteau of Augusta be excused June 7 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sheldon Mark Hanington of Lincoln be excused June 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas H. Martin, Jr. of Greene be excused June 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joel R. Stetkis of Canaan be excused June 7 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Timothy S. Theriault of China be excused June 12 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Sharon Beaver, of Augusta, who is retiring from teaching music at Farrington Elementary School and Hussey Elementary School after 46 years of service. We extend our congratulations and best wishes;

(HLS 557)

Presented by Representative DOORE of Augusta.

Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative FECTEAU of Augusta.

On **OBJECTION** of Representative DOORE of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ and PASSED and sent for concurrence.

Recognizing:

Marcia Hughes, of Augusta, who is retiring from teaching fourth grade at Farrington Elementary School after 48 years of service. We extend our congratulations and best wishes;

(HLS 558)

Presented by Representative DOORE of Augusta.

Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative FECTEAU of Augusta.

On **OBJECTION** of Representative DOORE of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ and PASSED and sent for concurrence.

Recognizing:

Elizabeth Chadwick, of Augusta, who is retiring from teaching fifth grade at Farrington Elementary School after 47 years of service. We extend our congratulations and best wishes;

(HLS 559)

Presented by Representative DOORE of Augusta.

Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative FECTEAU of Augusta.

On **OBJECTION** of Representative DOORE of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **DOORE:** Thank you, Madam Speaker, Men and Women of the House. Marcia Hughes has taught fourth grade for 48 years. As a child, she loved to play school and never considered any other career path. Ms. Hughes loves teaching and her special relationships with her students and especially loved being their mom for the day. Thank you, Ms. Hughes, for dedicating your career to teaching Augusta's fourth-grade students.

Sharon Beaver was a music teacher for both Hussey and Farrington School and other elementary schools in Augusta for 46 years, but has always considered Farrington Elementary home. She told her students every day; Farrington Elementary is your home, too.

Liz Chadwick taught one year at Hodgkins Middle School and then moved to Farrington as a fifth-grade teacher. She also served as a teaching principal for a bit while teaching her fifth graders. Ms. Chadwick, thank you for spending your teaching career here in Augusta for 47 years.

Each of these teachers has taught children of whom they taught their parents. These three teachers arrived at 6 a.m. every school morning and would leave long after the other staff had gone and often worked weekends. They have seen immigrants from many different countries, who learned English as a second language. They remember when special education students were separated from other students. They remember when teachers had more time for instruction, with less testing. Even with all these changes, these three teachers still encourage other young people to be a teacher if you love children. These teachers have laid the groundwork for the students they instructed, making Augusta and Maine better because of their dedicated service. Thank you, ladies, for your combined service of 141 years. Thank you, Madam Speaker.

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

In Memory of:

Jeffrey Paradis, of Augusta. Mr. Paradis was one of Maine's most effective advocates for veterans struggling with post-traumatic stress disorder after service overseas. He was one of the first soldiers to deploy to Afghanistan in support of Operation Enduring Freedom on October 7, 2001. He produced a video that has been shared over 100,000 times and viewed over 4 million times, and he can easily be credited with saving dozens of lives by showing veterans "You're worth it." He worked as the friendly and outgoing bartender at The Black & Tan in Augusta, where he greeted locals and legislators with genuine hospitality. Mr. Paradis will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 555)

Presented by Representative FECTEAU of Augusta. Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative DOORE of Augusta.

On **OBJECTION** of Representative FECTEAU of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **FECTEAU**: Madam Speaker, Ladies and Gentlemen of the House. I rise today to memorialize one of Maine's most fantastic and outgoing people; my friend, Jeff. And it's only fitting that today is the Army's 244th birthday. Members in this chamber, if they've ever been to the Black & Tan in Augusta, would've known Jeff Paradis as the friendly bartender who greeted every single guest with that Maine hospitality we all know and love.

Serving in the U.S. Army during 9/11, Jeff deployed to Afghanistan in support of Operation Enduring Freedom on October 7, 2001. Making him one of our nation's first responders to protect and defend this nation against international terrorism. After getting out of the service, Jeff made it his life's mission to be a strong voice for veterans. He was Maine's biggest advocate for veterans suffering from posttraumatic stress disorder and other invisible wounds. It didn't matter the day or time, if a brother- or sister-in-arms reached out to Jeff, he was there for them.

One day last spring, he was at the Togus VA right here in Augusta to visit one of his brothers-in-arms who was suffering from severe suicidal thoughts. In the parking lot of the VA, he took out his phone and spoke to the world. In his raw and

unfiltered video, he spoke about the importance of checking on veterans, making sure they're okay, and told any veteran in the entire nation to reach out to them if they ever thought about hurting themselves or leaving this planet, and they did. He told them all; you're worth it, which is the cleaned-up version of his famous tagline. His plea to this nation went viral. To date, it has been shared over 100,000 times and has been viewed over 4 million times. From the messages he received from this video and his tireless work in Maine, Jeff can be easily credited with saving dozens of veteran lives.

I ask this body, and all Maine people today, to reach out to a veteran and ask them if they're okay. Tell them you'll always be there for them and tell them; you're worth it.

Jeff, your friends, family, and I miss you dearly. The State of Maine and this grateful nation owe you a great deal. We can all do better for our returning veterans. I can do better for our returning veterans. Jeff, I salute you, and thank you for your service. You are worth it.

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

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-592)** on Bill "An Act To Amend the Laws Governing the Maine Uniform Building and Energy Code To Ensure It Is Consistent with Current Standards and Applies to Small Municipalities"

(H.P. 1101) (L.D. 1509)

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

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

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

Signed:

Representative:

JOHANSEN of Monticello

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-592)** 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-592)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1268) (L.D. 1783) Bill "An Act To Amend the Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-588)**

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

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

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

ENACTORS

Emergency Measure

An Act To Provide Funds to the University of Maine System to Continue the Statewide Online Advanced Placement Course Program

(S.P. 613) (L.D. 1815)
(C. "A" S-283)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Authorize Early Payment of Anticipated Funds to the Loring Job Increment Financing Fund

(S.P. 620) (L.D. 1835)
(C. "A" S-271)

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

Acts

An Act To Extend the Availability of Protection from Abuse and Protection from Harassment Orders

(S.P. 161) (L.D. 496)
(C. "A" S-282)

An Act To Ban Child Marriage
(S.P. 167) (L.D. 545)

An Act To Increase the Number of Franklin County Commissioners

(H.P. 695) (L.D. 940)
(S. "A" S-266 to C. "A" H-488)

An Act To Improve the Educational Opportunity Tax Credit

(S.P. 352) (L.D. 1164)
(C. "A" S-229)

An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils

(S.P. 602) (L.D. 1778)
(C. "A" S-267)

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.

An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers

(S.P. 593) (L.D. 1761)
(C. "A" S-281)

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

On motion of Representative MOONEN of Portland, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** 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:

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.

SENATE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (S-273)** - Committee on **JUDICIARY** on Bill "An Act Regarding Court Facilities in York County"

(S.P. 97) (L.D. 357)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-273)**.

TABLED - June 13, 2019 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, on motion of Representative BABBIDGE of Kennebunk, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-235)** - Minority (5) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Maine Uniform Building and Energy Code"

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

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE**

ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235).

TABLED - June 10, 2019 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

Representative PICKETT of Dixfield **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 Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker. First of all, I'm rising in opposition to the pending motion.

LD 1543 would allow municipalities to adopt a more stringent version of the International Energy Conservation Code. It would require the Technical Building Code and Standards Board to create an appendix of the more restrictive requirements and make it available for municipalities to adopt. It places the decision-making of what to adopt to the board, and the municipality decides what to voluntarily adopt.

The State Fire Marshal's office spoke to this bill and the bill, if passed, would result in increased expense to new construction costs in these municipalities that adopt the more stringent version, the International Energy Conservation Code. I ask that you follow my light. Thank you, Madam Speaker.

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

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. May I pose a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **CAMPBELL**: Can I ask for anyone who would like to answer how this would affect the municipality's budget in terms of the requirements of a code enforcement officer?

The SPEAKER: The Representative from Orrington has posed a question through the Chair if there is anyone who is able to answer.

The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker. To answer the question, only municipalities that want to adopt a higher code would do so, so I think a municipality that has a code enforcement officer or a municipality that wants to hire one to do this would make that decision on their own. But this is not a requirement, it's not mandatory, it's only municipalities that want to do so, so I don't think it will have any impact unless they make the proactive decision to do so.

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

Representative **BRADSTREET**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. Just a brief statement here. As I recall when this, the so-called MUBEC code was first enacted, the important part was that it be uniform. That is, that when a builder gets ready to build a particular building in a community, he needs some type of assurance and certainty of what that code will be, and it's my concern that this measure today will addle that and make it less understandable. Thank you, Madam Speaker.

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

Representative **KESSLER**: Good morning, Madam Speaker. I just wanted to clarify for Members of the chamber that in terms of adopting a stretch code, there will be consistency in the stretch code statewide. View it as an addendum to the existing code itself. So, in terms of addressing inconsistencies, the main goal of this was to ensure that there was consistency throughout the state if a municipality decided, and I stress, it's up to the municipality to adopt this code. Thank you.

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

Representative **STETKIS**: Thank you, Madam Speaker. I stand in opposition to this motion.

The Maine Uniform Building and Energy Code has been decades in the making. There has been legislation after legislation, Member after Member on both sides of this issue, and we have found ourselves in a spot now that there is a Maine Uniform Building Code. And all those who have fought to put this into place, their argument over and over and over and over was that we needed a uniform building code. If towns, whether it's an option or not, is different than other towns within the state, it is no longer uniform and that was the entire objective of a Maine Uniform Building Code.

Let's please vote this motion down and respect the hard work that's gone on for the last couple of decades to create a uniform building code. Thank you.

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

Representative **RECKITT**: Thank you, Madam Speaker, Members of the House. I rise today as a Representative of one of the, I believe, two communities who are considering adopting, if this were to pass, a stretch code; those being South Portland and Portland. And we're not talking about the building of a structure, we're talking about the energy efficiency standards in the city. And it is the desire of South Portland to have a particularly high standard of energy efficiency in the city. And so, their hope is to have consistency in the city as to where it goes beyond the requirements of the Maine Uniform code.

I have to say, I sat on the committee that heard this act and I know more about building codes than I ever thought I would ever have a desire to know. I sat through three or four days, I swear, of testimony and conversation about this. I do not believe that allowing municipalities who choose to reach higher than the expectation should be dampened by us here in this chamber. We would still have to meet all of the codes that would be in the uniform codes, it's just that if we want to do a little better in some arenas, and I have not heard any conversation about anything other than the energy code. If we're going to change the way that we deal with energy in this world, a lot of that has to do with how we build our buildings, and that's what the attempt is in South Portland and I think, although I can't say for sure, in Portland is about. I hope you would give us the opportunity to do that in a way that can be articulated and spread out to other folks who might want to do this. I cannot imagine that there will be many municipalities who want to, perhaps some of the other bigger ones who could have a big impact on our energy consumption in this state. But if South Portland and Portland want to do better; let them. 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 a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **KINNEY**: Thank you. It's kind of lengthy, but I'll try to be fairly concise. I'm wondering if a homeowner or businessowner expands their existing building, would they need to upgrade the entire building to the more restrictive code if it's no longer up to code? Will the owners have to upgrade if it's no longer up to code, now, will they have to upgrade even if they're not selling or be in violation? What happens if the building is up to code and they want to sell the building? And now that I'm finding out that it's regarding Portland and South Portland, my family had only recently sold some very historic buildings in the west end of Portland which would've been very difficult to bring to a higher energy savings efficiency just because of the design of the building and they were historic under the Historical Society in the City of Portland, meaning with heating systems and window requirements, some of the windows are very oddly shaped and some old fireplaces that were in these buildings and had to stay because of historical requirements. I mean, we did a lot of upgrade to fire doors and such, but I'm wondering what would happen to these types of buildings in those cities.

The SPEAKER: The Representative from Knox has posed a question through the Chair.

The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Madam Speaker. In answer to the question, bring a building up to code depends on the monetary value of the work, in comparison to the real estate value of the property.

The second question was on historic buildings. There is an existing international building code for existing buildings. That's a separate volume and it allows many exceptions for historic structures. Thank you.

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

Representative **DeVEAU**: Thank you, Madam Speaker. Request to pose a question.

The SPEAKER: The Representative may proceed with the question.

Representative **DeVEAU**: We have uniform standards. If a municipality wants to have more stringent standards, is there something from preventing them from doing that now?

The SPEAKER: The Representative from Caribou has posed a question through the Chair if there is someone who is able to answer.

The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Thank you. The existing law does not allow a municipality to adopt a standard aside from what is in current law, so that's the whole point of this bill.

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, when this bill first came in front of the Criminal Justice and Public Safety Committee, I wasn't initially on board for exactly some of the concerns that you're hearing. I really supported the goal of uniformity. But then the Maine Municipal Association came and testified in support of it and as a former Mayor, as a former City Councilor, I know that when the Maine Municipal Association policy committee made up of 70 elected officials across our state representing different municipalities, when they support something together, that holds a lot of weight with me. And so what they said was, the association wishes to support the ability for municipalities to adopt improved efficiency requirements without substantially undercutting the

code's uniformity. It appears to Maine Municipal Association's policy committee that LD 1543 proposes a policy that could balance both of those interests. When I read that, when I heard from code enforcement officers from all across the state that supported this, I voted in favor of it. Thank you, Madam Speaker.

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

Representative **AUSTIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. To dovetail or piggyback on the remarks of the Good Representative from Canaan, I would have to add, too, that after 12 years of serving on the committee that gave these requirements oversight, that the one thing we heard from our builders who in many times were not in total support of, they said at least one thing we can be assured of is that there will be uniformity as we move and work on jobs from town to town.

And to the Good Representative from South Portland, I don't want to say I challenge his answer to a town being able to adopt stricter codes, but it was my understanding that towns did have the authority, as long as they were not below State mandates and requirements, that they could be stricter. So, maybe someone else can help us on that one. And that's what I was going to say, that if this allows someone to opt out, then I think that they should be able to do more, if they wish. Thank you.

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

Representative **PICKETT**: Thank you, Madam Speaker. I just wanted to point out that I was, myself and my caucus, was very aware of Maine Municipal's remarks regarding this bill. However, the last sentence where it says it appears to MMA that LD 1543 proposes a policy that could balance both of these interests; that is could, not would, and that word was problematic to us. Thank you, Madam Speaker.

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

Representative **DeVEAU**: Thank you, Madam Speaker. The reason I asked that question earlier is because standards are the minimum standards, it's not the maximum standards. Municipalities are allowed to increase their purview as they see fit, so, in my opinion, there's no need for a bill that says you can go above the minimum standard, it's already set in place. This is just another one of the bills that there's no real purpose for.

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

Representative **RYKERSON**: Thank you, Madam Speaker, Men and Women of the House. I think there's confusion here as far as what a uniform building code is. It's a single building code for the whole state. There are obviously regional differences in the building code. Their snow loads are different, you have to look up the town and see what the snow load is for that town. The frost foundation depths are different because some places are colder than others. So, if you vote for this bill, it's a uniform code, there will be an appendix to that code that's similar to snow loads and frost foundation depths. It would be if you go to a certain town, you look up the appendix and it will be here is the stretch code. So, it's still a uniform code, there of course are regional differences in that code. Thank you.

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

Representative **KESSLER**: Thank you, Madam Speaker. I just needed to make much more clear, that existing law does

not allow a municipality to adopt a code aside from what is currently allowed in state law. The purpose of this bill is to allow for a municipality to go above and beyond. If a municipality were able to currently go above and beyond, then we would not be having this discussion at this very second. Thank you.

The SPEAKER: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative SKOLFIELD: Yes, Madam Speaker, I apologize. I'm assuming, and perhaps someone could answer this question?

The SPEAKER: The Representative may ask a question.

Representative SKOLFIELD: Does anyone know if this would affect state buildings such as the City of Augusta, the City of Farmington, and other university towns where they will be adding buildings or re-construction? Would it affect state institutions and state buildings? Thank you.

The SPEAKER: The Representative from Weld has posed a question through the Chair and the Representative from Kittery has risen.

The Chair recognizes the Representative.

Representative RYKERSON: Thank you, Madam Speaker. The State buildings and commercial buildings are approved by the State Fire Marshal's office, so it's not a municipal code that would be relevant there. You would be applying for a State building permit. 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. 266

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

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

ABSENT - Bailey, Grignon, Lyford, Riley, Theriault.

Yes, 91; No, 54; Absent, 5; Excused, 1.

91 having voted in the affirmative and 54 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-235)** 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-235)** in concurrence.

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

**ENACTORS
Acts**

An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States

(S.P. 80) (L.D. 268)
(S. "A" S-277 to C. "A" S-218)

An Act To Provide Equitable Taxation for the Food and Beverage Industry

(S.P. 194) (L.D. 607)
(C. "A" S-280)

An Act To Enact the Peer-to-peer Car Sharing Insurance Act

(H.P. 1167) (L.D. 1615)
(S. "B" S-278 to C. "A" H-540)

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.

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

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-594)** on Bill "An Act To Limit the Dissemination of Juvenile Records"

(H.P. 1197) (L.D. 1670)

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

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

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

Signed:

Senator:

KEIM of Oxford

Representatives:

CURTIS of Madison

DeVEAU of Caribou
HAGGAN of Hampden

READ.

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

Representative STEWART of Presque Isle **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report**.

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

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

Representative **HAGGAN**: Thank you, Madam Speaker, Men and Women of the House. Maine is fortunate to have a juvenile justice system that fairly balances the interests of youth who violate the law and public safety. Unlike many other states, Maine structures its juvenile system, justice system, to retain almost all youth who commit acts of delinquency including those who engage in serious violence and crimes against persons. A majority of first-time and low-risk offenders are diverted from the juvenile court altogether. Those that do appear in court are frequently offered deferred dispositions and/or other alternatives that result in dismissal or reduction of petitioned charges. Consequently, the Legislature has chosen to make record of certain juvenile adjudications, i.e. adjudications for class A, class B, or class C crimes and murder part of an individual's nonconfidential criminal history in order to ensure public safety. We are not talking small crimes here, this is not petty stuff, these are the largest and most serious crimes that people can commit. Their records are not sealed upon discharge.

This bill provides for the sealing of juvenile records. After they are discharged from disposition, this must be done immediately. The court is required to automatically and immediately enter an order of sealing from public inspection all records pertaining to the juvenile crime and its disposition. I'm not a lawyer, but I do watch way too much TV. I asked the District Attorney if my thoughts are true from watching too much Law & Order, which I watched again last night. Are juveniles actually dismissed from corrections at 21 years of age for these kinds of crimes and the answer was; yes.

This proposal to mandate automatic sealing of all juvenile records immediately upon juveniles' discharge from disposition to me is very undesirable. It was argued in committee by some that it is important for the juvenile upon release in order to be able to start a meaningful and productive life, their record should be sealed from the public. While it is important to be well-meaning, I believe this measure is misguided as unknowing society will not be protected from the knowledge that a potential employee or other may have a very violent or turbulent past. I feel that society should have the ability to know if a person has committed serious crimes in their past. Whether an employee or individual, they should not be denied the information that could keep them from becoming a future victim. Consequently, LD 1670 proposes a statutory change that is not necessary to protect the interests of juveniles, and significantly compromises public safety. I urge you to vote down this measure. Thank you.

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

Representative **TALBOT ROSS**: Thank you, Madam Speaker, and distinguished Members of the House. I am proud to bring this bill forth as a way in which we can address

a record system that is inconsistent, misunderstood, and often unintentionally punishes young Mainers long after their time in the juvenile justice system has ended. The amended bill maintains a three-year wait for all crimes against the person and any class A or B crimes before a youth can petition for the record to be sealed. It also requires that the juvenile has been discharged from the disposition before petitioning the courts.

A 2017 report from Muskie School of Public Service entitled *Unsealed Fate: The Unintended Consequences of Inadequate Safeguarding of Juvenile Records in Maine*, found that individuals with juvenile records face barriers in applying for jobs and professional licenses, enrolling in the military, accessing housing, and securing other financial supports. In addition, as I hope you will all agree, the report found that juveniles with records experience marginalization and stigmatization.

I want to make it clear that the amended version of this bill maintains the three-year wait for all crimes against the person and for all other crimes there is not an automatic sealing, there is an immediate sealing that has to go through the District Attorney's office, the Department of Corrections, and the judicial court system before it will be sealed. 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. 267

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

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

ABSENT - Bailey, Grignon, Lyford, Riley, Theriault, White B.
Yes, 86; No, 58; Absent, 6; Excused, 1.

86 having voted in the affirmative and 58 voted in the negative, with 6 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-594)** 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-594)** and sent for concurrence.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Require the State To Distribute 25 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities"

(H.P. 260) (L.D. 335)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484) in the House on June 6, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484) AS AMENDED BY SENATE AMENDMENT "A" (S-287)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Amend the Laws Governing Veterans' Services"

(H.P. 1286) (L.D. 1806)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-532) in the House on June 10, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-532) AND SENATE AMENDMENT "A" (S-279)** in **NON-CONCURRENCE**.

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

ENACTORS

Acts

An Act To Provide Relief to Survivors of Economic Abuse

(H.P. 553) (L.D. 748)

(C. "A" H-585)

An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion

(H.P. 1020) (L.D. 1405)

(C. "A" H-584)

An Act To Increase Protections for Land Installment Contracts

(H.P. 1039) (L.D. 1426)

(C. "A" H-582)

An Act To Eliminate Profiling in Maine

(H.P. 1077) (L.D. 1475)

(C. "A" H-581)

An Act To Provide Maine Children Access to Affordable Health Care

(H.P. 1122) (L.D. 1539)

(C. "A" H-578)

An Act To Amend the Maine Uniform Building and Energy Code

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

(C. "A" S-235)

An Act To Amend Certain Education Laws

(H.P. 1270) (L.D. 1785)

(C. "A" H-583)

An Act To Amend the Laws Governing Investigations by School Entities into Holders of Credentials

(H.P. 1297) (L.D. 1820)

(C. "A" H-591)

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.

An Act Concerning Pavement Sealing Products

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

(C. "A" H-166; H. "A" H-225)

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

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

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Curtis.

Representative CURTIS: Thank you, Madam Speaker. Madam Speaker, I know we probably should've had this discussion prior to this point, but I think there is some information in regarding to the pavement sealing products that are being talked about. As I understand, and I may be corrected if I'm wrong, but as I understand it, it's the plastics in the sealing products that we're trying to remove. And, just for your information, before we make a vote on this, probably we ought to realize the fact that liquid asphalt is one of the major products in our Hot Mix paving program across the state and across the country.

Years ago, that product was the residue left in a barrel of crude oil when all of the other products had been refined out. As time went on, our technology allowed us to retrieve more products from that barrel of crude, like gasoline, kerosene, fuel oil, and all down, all the way down through to the bottom of the barrel, we have pulled out of that crude oil a number of different types of plastics to the point where now when Hot Mix asphalt is created or put together in Hot Mix plants, we have to take that bottom of the barrel oil, which is very little left, and put it through a process where we have to add plastics back into it to make it a doable product that holds your pavement together that you ride on every morning and home every night.

So, I don't know if that has any information on how we vote on this bill, but if you're thinking about pulling out all of the plastics out of paving products, then we're left with nothing to hold the aggregate together in your Hot Mix asphalt. It's just information; make a decision from there. Thank you, Madam Speaker.

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

Representative DAUGHTRY: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to correct a confusion from the prior speaker and thank him for expressing his concerns. This actually doesn't seek to ban the plastics at all and, in fact, this bill doesn't affect asphalt-based or latex-based pavement sealing products.

What this specifically is looking to phase out are coal tar-based sealants. So, this is another distillation left over from the process of steel. This is a waste product that has had many different applications throughout its history but as time went on it became incredibly clear that this is a product with a large amount of known carcinogens. Studies worldwide have shown that this product has caused numerous amounts of cancer, it's caused issues with birth defects, reproductive health, issues with children's IQ but, more importantly, if we're thinking about our state, it's become a known toxin in our

waterways. It's been shown to not only cause aquatic die-off, it's actually showing up in Maine's waterways, which is where this bill has come from. The coal tar-based ones, not the asphalt or latex which actually the great thing about the asphalt- and latex-based products is a lot of them are actually made right here in New England. So, it's one of those rare times where we actually get to have a product that we're looking to phase out and have two great products to use in its stead.

Just real quick, the bill has a three-year phase-in for everyone to work forward to this. You can't actually buy this product at Home Depot, Lowe's, or Ace Hardware and, in fact, this week True Value announced that they are going to be no longer allowing it in their stores due to concerns about its health impacts. The Department of Environment Protection supports this bill. You can't buy this product anywhere in the EU, it's been banned. Canada is working towards banning it. And, especially important to me, Maine Municipal Association as well as the Maine Water Environment Association which is made up of a lot of our water and sewer districts testified in support of this bill, one part because if you're a community that's under MS-4 you're required to deal with the contaminants to clean this up, so it saves our municipalities money, and it also keeps our waterways clean.

We're known for our quality of life. This makes sure that when people are coming into our state and, more importantly, for the generations after us, that when they go fishing in Maine's water or they turn on the tap that they're getting quality water that we're known for and making sure these products aren't hurting us or the environment. So, I urge you to support enactment.

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 Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. I really appreciate the Representative from Madison explaining the process of the refinement. This is a coal tar bill. This is to remove coal tar from a product that we put on our asphalt driveways. Yes, there are two other remaining products that are used. They're absolutely not used as commercial applications. One is an asphalt base and the other is latex. Asphalt on top of asphalt really doesn't protect the asphalt for much time and the latex is basically useless. It makes it black, but that's about it.

So, in order to protect this product that we spend so much on, the coal tar base is the best form, especially in this colder climate. Coal tar is a waste product, but if you look in your medicine cabinet, you use it every day in cosmetics, in shampoos, so it does come in contact with your skin. It's a product that works and it's unfortunate that we are expecting to ban it, especially in a climate at this where it does work. Thank you, Madam Speaker.

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

Representative **DAUGHTRY**: Thank you, Madam Speaker. I apologize for rising a second time and I just want to say one last quick thing. Actually, these products, the asphalt and the latex, are currently being used in Maine. I spoke with many applicators who are using them and having great success with them. Also, this is a product that is not being used by the DOT or any Maine roads for transportation and it's not a health and safety product. If anything, it's a beautification

product for our driveways, so there's great alternatives, it's not being used to promote or create, you know, safe situations, it is literally just a cosmetic product on our driveways.

And as far as having it in our shampoo, that's actually being phased out and banned because, as the Good Representative from Orrington said, it is a waste product and what's happening is they're figuring out it's a very, very, very toxic waste product.

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. 268

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Cuddy, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Moriarty, 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, Campbell, Cebra, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Javner, Johansen, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Bailey, Crockett, Doore, Fecteau R, Grignon, Keschl, Lyford, O'Connor, Theriault.

Yes, 90; No, 51; Absent, 9; Excused, 1.

90 having voted in the affirmative and 51 voted in the negative, with 9 being absent and 1 excused, and accordingly the Bill was **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 item appeared on the Consent Calendar for the First Day:

(H.P. 1279) (L.D. 1798) Bill "An Act To Amend the Maine Tax Laws" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-596)**

On motion of Representative TIPPING of Orono, was **REMOVED** from the First Day Consent Calendar.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-596)** 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**.

Representative TIPPING of Orono **PRESENTED House Amendment "A" (H-598)** which was **READ** by the Clerk.

The SPEAKER: The Representative from Orono may proceed.

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this is an annual department bill that is more than just technical changes to the tax code. It's presented by the Department of Administrative and Financial Services to the committee. The committee did make some substantive changes in the committee. A few more changes were brought up as this was transitioning from the committee to the Floor. This is one of our late-arriving bills and there wasn't a lot of notice given. So, in the interests of making sure that everything in this bill gets a full hearing that could be seen as possibly objected to, this amendment removes provisions concerning photocopiers, vending machines, and other changes that require a fiscal note.

So, this bill would just limit the bill to the language portions of the bill, not the fiscal portions of the bill. Thank you.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, I want to thank the Good Representative from Orono for the work on this bill and creating this amendment for us and I urge you to follow my light. Thank you.

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

Representative **ANDREWS**: Thank you. I just wanted to raise a Point of Order. On the supplement sheet, it says (H-596) and that says 598. I just want to make sure we're talking about the same thing.

The SPEAKER: The Chair would answer that right now for consideration in front of us is House Amendment, which is the House Amendment 598 and that's why that's on the board rather than the Committee Amendment.

Subsequently, **House Amendment "A" (H-598)** was **ADOPTED**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-596)** and **House Amendment "A" (H-598)** and sent for concurrence.

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

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Hanington who wishes to address the House on the record.

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand before you today, the Army is celebrating 244 years old today. For those of us that's been in the Army, there's an acronym that we go by, it's the seven core values, it spells LDRSHIP; loyalty, duty, respect, selfless service, honor, integrity, and personal courage. It also is our Commander in Chief's birthday today, 73 years old.

I have a request, could I ask you for a request, Madam Speaker?

The SPEAKER: Oh, yes; the Representative may proceed with his request.

Representative **HANINGTON**: Where today is also National Flag Day and we didn't sing the anthem this morning, I was wondering if we could pair up some music and sing God Bless the USA?

The SPEAKER: There is a request from the Member from Lincoln, Representative Hanington, to sing together God Bless America.

Representative **HANINGTON**: God Bless the USA, God Bless America; I'm sorry, yeah, Lee Greenwood.

The SPEAKER: And I'm going to pose this as a unanimous consent question and so hearing no objection, would you like to lead us in the song, Representative?

Representative **HANINGTON**: Not me, but --.

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

Representative **KINNEY**: Thank you, Madam Speaker. I have it queued up on my iPad and can play the music and we can sing along to, it's Lee Greenwood's God Bless the USA, is the song that we had tried to come up with.

The SPEAKER: This is a new endeavor for us. Okay, the Representative may proceed. And perhaps everyone should stand for this occasion.

The Chair would advise Members in the future to please inform the Chair if you are going to have a request like that because I did misunderstand what the intention was and, it's not really in our decorum to have an event like that.

CONSENT CALENDAR

First Day

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

(H.P. 561) (L.D. 756) Bill "An Act To Improve the Maine Workers' Compensation Act of 1992" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-603)**

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

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

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-597)** on Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1080) (L.D. 1478)

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 Resolve.

Signed:

Senator:

POULIOT of Kennebec

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 to Pass as Amended Report**.

Representative SAMPSON of Alfred **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. 269

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Moriarty, 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, Campbell, Cebra, Corey, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, Ordway, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D .

ABSENT - Bailey, Costain, Grignon, Kinney, Lyford, O'Connor, Perkins, Theriault.

Yes, 92; No, 50; Absent, 8; Excused, 1.

92 having voted in the affirmative and 50 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-597)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-597)** and sent for concurrence.

ENACTORS

Acts

An Act To Amend the Laws Governing Veterans' Services
(H.P. 1286) (L.D. 1806)
(C. "A" H-532; S. "A" S-279)

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.

An Act To Require the State To Distribute 12 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities

(H.P. 260) (L.D. 335)
(S. "A" S-287 to C. "A" H-484)

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

On motion of Representative STEWART of Presque Isle, was **SET ASIDE**.

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

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

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

Representative **STEWART**: Thank you, Madam Speaker. So, this bill would fundamentally change the previous agreement in the 128th Legislature whereby the Legislature enacted the rules that were going forward to govern recreational marijuana in the State of Maine. And, so, a part of the issue that our side has with this bill is that those rules haven't had a chance to get played out yet. And there's a number of stakeholders that would like to see that happen before any changes or shifts are made into the way that this program is operated.

And, so, for that reason, Madam Speaker, we'd request that you'd follow my light on this, vote down this measure, so that we can give the previous agreement time to be worked out and actually see what's going to happen as we move forward with recreational marijuana in the State of Maine. Thank you.

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

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, with new data comes more information and the Taxation Committee has more information now than the Marijuana Implementation Committee had previously.

We've heard from towns that say they've already experienced costs trying to implement this law. This bill would allow some of the income from marijuana legalization to go back to the towns to help them implement the law. I think it's a fair deal and I hope you vote for the bill.

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

Representative **COREY**: Thank you, Madam Speaker. I sat on the Marijuana Legalization Implementation Committee in the 128th Legislature. My biggest concern about parsing off a certain amount towards the municipalities, at this point is that if you look at sort of the past fiscal notes on this law, there was a great amount of getting started. You know, we've just hired a new marijuana, I don't know what we're calling it, a marijuana director, over there. He's got a whole staff now underneath him. We're also out there and we're, you know, they're writing

the rules so they've brought in consultants to write all those rules from Colorado. There's going to be a whole licensing, you know, program that we're going to have to create and everything else.

I feel like this is something that could maybe come in Legislature in another year, but right now I feel like we have so many startup costs and the amount of money that we're going to generate in tax revenue off of this marijuana program isn't even that much. From what I remember last session, based on I think it was a 20% tax, and I don't know where the tax is falling right now, we were looking at, I think about \$30 million. And I think for all of us that are here, we know how much just \$30 million is in the total State budget, so I would request that we vote this down and that we move forward with getting the program up and running before we start to pull away from the revenue that we need to get it started. Thank you.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, we spent a lot of time in the Marijuana Committee in the last Legislature going through, painfully, every bit of the marijuana bill. We knew what we had in front of us. We listened to testimony. Many, many hours were spent on this.

When prohibition ended, the municipalities opted in. When they opted in, the State did not give them any special revenue share. When you go to a liquor store or a convenience store and buy alcohol, the municipalities do not get a revenue share from that except for the revenue share that the State already gives them on all retail income taxes.

I urge you to please follow my light, keep this as a forward-looking program that possibly next year or in the next Legislature we can look back on and make corrections as necessary, including possibly revenue sharing with the municipalities. But we have to have history before we can do that, Madam Speaker. I urge you to follow my light and vote down the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Strom.

Representative **STROM**: Thank you, Madam Speaker. I rise in opposition to the pending motion, and I do so because just yesterday the Veterans and Legal Affairs Committee voted on the rules for recreational marijuana and we have a three-way report and this would conflict with any of the three reports that were voted out of committee yesterday. We have a Majority Report that calls for all the money to go to the General Fund, a three-way report that calls for 25% of the money to stay with the local municipality, and then we have a one-person report of Ought Not to Pass. And I would assume those rules are coming to this body next week so I would feel that that would conflict with what we're doing today, so I would say we vote this Ought Not to Pass. Thank you.

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, as someone who represents a community that has already worked on this issue, has already incurred expenses, I ask you to vote for this proposal. If we don't do this, our state will be the only state that does not share with municipalities the revenue that's going to come in from this market.

The amount of revenue that comes in from this market is directly correlated to whether or not we share the revenue with municipalities. We cannot expect municipalities to opt in if they're going to shoulder all of the cost and get none of the

revenue. And, I will say again, we have put together a lot of time and effort to get a new market up and running in this state. If we want municipalities to opt in, we should share the revenue with them.

And one of the pieces of putting this forward was we do not want to see deserts, we don't want to see adult use marijuana legalized but in some portions no place to buy legal, in some portions of the state, no place for that activity to happen.

So, I ask you to vote for this, let this go forward; it's the right thing to do. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Marean. If the Representative could please use the microphone of the Representative from Pittston? Thank you.

Representative **MAREAN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Having served two years on the Marijuana Committee with the Good Representative from Bickford, I totally agree with the things that he's saying.

We very carefully considered revenue sharing with the municipalities, we decided against that. We have yet to sell dollar one of the adult program. We haven't sold one dollar yet, but we're willing to take from a cookie jar and the cookies haven't even been made yet. So, I ask you please to vote against this motion and let's take another look at it next time. Thank you.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I too served on the Marijuana Legalization Implementation Committee and I also currently serve on the Veterans and Legal Affairs Committee where, yes, we did vote out rules yesterday. But I want to make something clear; this law has nothing to do with the rules that we voted on. There is already a tax scheme set up in statute for how we will distribute any money. This will simply change that so when the program is up and running, after licenses are issued, a generating municipality can expect to receive some revenue.

This was a highly-debated issue, but we know that one Legislature cannot bind the next. Part of the deal last session was that we would fix the parts of the law that we knew needed improvement. This was one of those things. And so I strongly support this bill because in rural communities that need revenue for this particular market this would allow for that to happen when the rules are finalized, adopted, and when licenses are issued.

One of the reports yesterday did require 20% or 25%, but that's in statutory law. So, we have rules that are going to be improved as a Resolve, with unallocated language, inside statutory amendments that we absolutely had to make in order for this program to work. This is a statutory amendment that happened in a different committee. Had it happened in our committee, we probably would have had a different result, but this is a good result and I strongly support it, and ask the chamber to do the same. Thank you, Madam Speaker.

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

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I also sat on the Committee of Marijuana Legalization and this topic was covered. But I think we want to remember that the original referendum by the people was that when this passed it would be treated like alcohol is treated. And when we collect taxes

on alcohol, they do not stay in the municipality where they are collected, they go to the State.

So, to fulfill the will of the people, we should actually treat marijuana like we treat alcohol, just as it was wished. Thank you.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Madam Speaker, my Colleagues in the House. As a child of the 60s, I urge my colleagues to please give this time to work out. Let's get it through the process before we're trying to put the cart before the horse. And I realize, my colleague, the Representative from Pittston, marijuana is not like alcohol. We need time to work this out. And I know it's frustrating to a lot of people, but it's not like alcohol. I can have a glass of merlot to enhance the beef, but if I roast a bowl, it's for one purpose. Please give this time.

The SPEAKER: The Chair recognizes the Representative -- the House will be in order. Really, the House will be in order. The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, in response to my good friend, the Representative from Hallowell, the State is not in the business, we don't believe, from the Marijuana Legalization Committee, of encouraging municipalities to opt in to marijuana. Municipalities are on their own. They can do what they want. If they choose to opt in, they choose to opt in. It is not in the State's best interest to put a carrot out, to ask municipalities to opt in. Municipalities are adults. They can make their own choices. We do not need to encourage that. Thank you, Madam Speaker.

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. 270

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

ABSENT - Bailey, Costain, Grignon, Kinney, Lyford, O'Connor, Perkins, Theriault.

Yes, 88; No, 54; Absent, 8; Excused, 1.

88 having voted in the affirmative and 54 voted in the negative, with 8 being absent and 1 excused, and accordingly

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

Act

An Act To Improve the Maine Workers' Compensation Act of 1992

(H.P. 561) (L.D. 756)
(C. "A" H-603)

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.

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

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021

(H.P. 743) (L.D. 1001)
(C. "A" H-586)

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

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Madam Speaker, Women and Men of the House. It is a great privilege to be able to rise in support of enactment of a bipartisan report from the Appropriations Committee that sets forth a pathway for Maine for the next two years and even farther into the future; a pathway that will lead to better education for our students, improved healthcare for all Mainers, a better-trained workforce, a cleaner environment, a greater opportunity for our older neighbors to remain independently in their homes, and support for much-needed economic development including broadband investment in our rural communities.

This budget is the result of four months of work. This work was done not just by the 13 members of the Appropriations Committee. Every Member of this body, as members of policy committees that participated in weeks of public hearings and work sessions, contributed in a positive way to the creation of this budget. And I am pleased to report, Madam Speaker, that all of that work and effort paid off and resulted in the report that is in front of this body now for enactment.

Using the Chief Executive's proposal as a starting point, the committee took 1,154 individual votes on various spending initiatives and language parts. We voted most in, we voted some out, we amended others, but of those 1,154 votes that we cast together as a committee, 1,146 of those votes were unanimous. Literally, over 99% of the votes that we took in the committee were unanimous. And the reason that we were able to take so many unanimous votes is because we dove into the details of what the Chief Executive proposed, because we listened carefully to the public who showed up to testify over weeks of public hearings, because we trusted the work of the policy committees who deliberated carefully and gave us excellent thoughtful report-backs, and we were unanimous on all these votes because as a committee we listened to each

other as we negotiated to find common ground and to build a bridge across any differences that we had.

Madam Speaker, the budget itself is 626 pages long. I'm not going to read it all tonight, but I'd really like to point out some of the things that we were unanimous on. We voted unanimously to fully fund the cost of Medicaid expansion and to fund a special stabilization fund to protect against unanticipated costs as that program continues to ramp up. We voted unanimously to provide an additional \$111 million in state support for K through 12 education, increased funding for technical schools and school lunch initiatives. The Chief Executive's proposal included funding for an additional \$54 million in revenue sharing above the previous budget. Not only did we fund her proposal, but we voted unanimously to fund an additional \$45 million in revenue sharing, putting Maine on a better trajectory to meet our statutory promise of 5%. And when it comes to property tax relief, we went even further, voting unanimously to increase the homestead exemption to \$25,000 and expanding the property tax fairness credit to an additional 13,000 low-income Mainers and seniors. Unanimously, we voted to invest over \$17 million in Maine's public universities and community colleges and continued funding for vital workforce development initiatives in our higher education system. We also unanimously voted in committee to support adult education and degree completion initiatives.

This budget provides \$4 million to fund DECD initiatives including broadband and rural development grants and it funds a new pre-release center in Washington County. This budget supports older Mainers, not just through the property tax initiatives, but through increased funding for prescription drug and Medicare premium supports which will benefit an additional 1800 low-income seniors, it clears the Meals on Wheels waitlist, and increases funding for nursing homes and Maine's veterans' homes.

As a committee, we voted to protect Maine's children by funding 62 additional child protective workers and increasing staff at the computer crimes unit. We voted to fight for victims of domestic violence and sexual abuse. We voted to support additional staff at Dorothea Dix Hospital so that people with mental illness don't have to languish in emergency rooms or, worse, clog our county jails.

And we did all of these things, including all the additional property tax relief, while reducing the overall appropriation proposed by the Chief Executive by over \$50 million. And we did it without raising taxes, without raising a single fee, and we were still able to set aside \$45 million to stabilize state operations and MaineCare from any future revenue challenges. This is something that we were not able to do in the previous budget.

So, Madam Speaker, the point I'm trying to make is that although this is a budget proposed by a new governor that fulfills the promises she made to the Maine people, in fact this is a budget that we can all claim ownership over and we can all be proud of, that we all had a chance to influence, whether we are a Democratic Member, a Republican Member, or an unenrolled Member. Because, Madam Speaker, at the end of the day, I believe that we all care about a lot of the same things. We want our kids to have the best education and the best chance to succeed. We want the hardworking people in our towns and cities to crawl out from under the burden of stifling property taxes, we want vulnerable children to remain safe from abuse and neglect, we want our older neighbors to live independently in their homes and in their communities, we want our economy to thrive and our environment to flourish, we want people with disabilities to live independently, we want

healthcare to be affordable and accessible whether you live in Maine's biggest cities or Maine's smallest towns. And this budget will put Maine on a path to achieve all of these things.

And as the chair of the committee, I'm proud to be able to tell this body that this is something we worked on together, collaboratively, it is something we can be proud of collectively, and I am grateful for all the hard work that the entire House has done to get us to this point. This is a good budget that will do good things for all of our constituents and I urge all the Members to cast a vote today to move this forward to final enactment. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative MILLETT: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would like to commend the good chair of the Appropriations and Financial Affairs Committee, the Representative from Westbrook, for a very thorough summary and analysis of the content and the process of getting this budget to us here tonight. I would like to also to thank the persons or the people that made this happen around the horseshoe, starting with my three colleagues from this body, the Representative from Belgrade, Representative Keschl, the Representative from Hiram, Representative Wadsworth, and the Representative from New Gloucester, Representative Arata. We came together as a team, I'm proud of the work that we did, and I think we've had a positive influence on the overall product.

I'd similarly like to talk about the other Members from this body around the horseshoe. I've gotten to know them and feel good about them in many different ways. My seatmate to my right, Representative Hubbell from Ellsworth, one of the most analytical and detailed people I've ever worked with, but always with a smile. My neighbor to the left, the Representative from Falmouth, Representative Pierce, who put up with me on all of our educational assignments, which were in the weeds most of the time but she was very statesmanlike and very helpful to me. I work around the center of the horseshoe to the Representative from Eagle Lake. I don't need to say much about him, we've known each other so long, we can make eye contact and almost know what each other is thinking. Sometimes he's right, every once in a while, but more often than not I know where he misspeaks. But, generally, we're on the same page. The Representative from Portland, Representative Jorgensen, there's no reason not to like this guy, even though he's a member of the other party, I find it enjoyable to work with him. And the Representative from Old Town, Representative Dunphy, and I worked on the Marine Resources Committee work and she's a treat to work with.

So, overall, I'd like to think that this is a bipartisan budget that many of you would expect us to put together, knowing the work involved and knowing the role that you played as policy committee members, giving us your thoughts, your recommendations, and many of them involved making our job more difficult but mostly they were helpful to us. We've come to this point, accomplishing a lot of Republican objectives to mainly reduce the level of spending so that we could look at it from the point of view of sustainability and the Good Representative from Westbrook mentioned the 57-plus reduction in spending. We brought the overall spending down from 8.044 billion after the change back is down to 7.987 billion as we look at it tonight. We made that investment in property tax relief and I commend all of you who contributed to it. It wasn't all Republican ideas but we wanted from the get-go to do a lot of targeted property tax relief. We know, from Augusta, we cannot really predict or specify the mill rate that

our local constituents have to pay on their property taxes, but we know, as we always do, the burden that it places on some of the lower income people. So, we put together a package, that number of over \$75 million in revenue sharing growth, in homestead expansion, and also in the property tax fairness credit, and I think that was an accomplishment that few people would have expected us to make along the way.

So, overall, I believe that we have a bill and a budget that will sustain us and will reflect well upon the process. And, I might say in conclusion, the civility and the respect that occurred throughout the last four and a half months, I think was a step forward and hopefully signals a good working relationship going forward. We have much more work to do. We now have \$882 million on the Appropriations Table. Who would've thought it? And we have carved out for ourselves \$6 million as a maximum, which is one of the larger appropriation table allowances that I've seen in many years. But think of the magnitude that we have to work from. We have over \$2 billion worth of bond bills that we will start working on on Monday. So, our chore is not done, but the work before us tonight represents a good start and I commend all of you who have contributed to it and I thank you very much, Madam Speaker.

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

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to oppose enactment.

In the Chief Executive's inaugural address, she stated that we should be fiscally cautious because there may be a recession around the corner. We are in the longest bull run in U.S. history and when times are good, we need to save. This budget is not putting nearly enough into the Rainy-Day Fund to protect against economic downtrends. In fact, our Rainy-Day Fund has been spent down from \$279 million to \$218 million.

I also worry about spending more than our revenues, which means that we're deficit spending. I want to recognize the Good Representative from New Gloucester for her work on the Minority Report, which put a lot more in the Rainy-Day Fund than the Majority Report does. This budget is not fiscally cautious and puts us back on the path to shortfalls, red ink, and increased taxes. So, for these reasons, I cannot support the budget tonight. Thank you, Madam Speaker.

Representative DILLINGHAM of Oxford **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: 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.

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. 271

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Beebe-Center, Berry, Bickford, Blume, Brennan, Brooks, Bryant, Caiazzo, Campbell, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Harrington, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Keschl, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Millett, Moonen, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Peabworth, Peoples, Perry

A, Perry J, Pierce T, Pluecker, Prescott, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stearns, Stover, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Blier, Bradstreet, Cebra, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Head, Hutchins, Javner, Johansen, Kryzak, Lockman, Martin T, Mason, Morris, Ordway, Pickett, Reed, Rudnicki, Sampson, Stetkis, Stewart, Swallow, Wadsworth, White D.

ABSENT - Bailey, Costain, Grignon, Kinney, Lyford, O'Connor, Perkins, Theriault.

Yes, 104; No, 38; Absent, 8; Excused, 1.

104 having voted in the affirmative and 38 voted in the negative, with 8 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker.

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

On motion of Representative FECTEAU of Augusta, the House adjourned at 9:34 p.m., until 10:00 a.m., Monday, June 17, 2019, in honor and lasting tribute to Jeffery Paradis, of Augusta.
