

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Ninth Legislature
State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
56th Legislative Day
Monday, June 17, 2019

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

Prayer by Pastor Robert Richards, Fellowship Baptist Church, Augusta.

National Anthem by Honorable Christopher J. Kessler, South Portland.

Pledge of Allegiance.

The Journal of Friday, June 14, 2019 was read and approved.

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

CONSENT CALENDAR

First Day

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

(S.P. 258) (L.D. 892) Bill "An Act To Exempt MaineCare Appendix C Private Nonmedical Institutions from the Service Provider Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-289)**

(S.P. 607) (L.D. 1794) Bill "An Act To Amend the Service Fee for Child Support Services" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-291)**

(S.P. 618) (L.D. 1828) Bill "An Act To Amend the Laws Governing Overtime" (EMERGENCY) Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-292)**

(H.P. 998) (L.D. 1377) Bill "An Act To Enhance and Improve the Maine Developmental Services Oversight and Advisory Board and To Establish an Independent Oversight Panel To Review Deaths of and Serious Injuries to Persons with Intellectual Disabilities or Autism" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-604)**

(H.P. 1259) (L.D. 1772) Bill "An Act To Secure Transitions to Economic Prosperity for Maine Families and Children" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-606)**

(H.P. 1261) (L.D. 1774) Bill "An Act To Reduce Child Poverty by Leveraging Investments so Families Can Thrive" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-605)**

(H.P. 1288) (L.D. 1808) Bill "An Act To Provide a Sales Tax Exemption for Certain Nonprofit Charitable Organizations" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-599)**

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

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable David Haggan, of Hampden, a sixth and eighth grade social studies teacher at Reeds Brook Middle School and Representative of House District 101 in the Maine House of Representatives, who has received the 2019 Middle School Teacher of the Year Award from the Veterans of Foreign Wars. We extend our congratulations and best wishes;

(SLS 674)

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

READ.

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

Representative **HANINGTON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a life member of the Veterans of Foreign Wars, a proud member of the Masonic fraternity, and also a good friend of the Honorable David Haggan, I would assume that the VFW looked at many applicants but Representative Haggan has gone above and beyond to recognize veterans in the area and we participate every year. We go down to Reeds Brook and him and his wife, Kim, are very, very hospitable, and there's no one any more deserving of this award and I'm very happy and I'm proud to call Representative Haggan my friend. I look forward to working with him in the future. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** in concurrence.

Recognizing:

Jeanne Kemper, of Fairfield, who retired from the Fairfield Police Department after serving the Town of Fairfield for nearly 36 years. Previously, Ms. Kemper taught in School Administrative District 49. We extend our congratulations and best wishes;

(HLS 561)

Presented by Representative RUDNICKI of Fairfield.

Cosponsored by Senator CYRWAY of Kennebec.

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

READ.

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

Recognizing:

Richard Bates, of Camden, who is retiring as Rockport Town Manager after a career in public service that began in 1974 in Derry, New Hampshire. Mr. Bates took up the position of Parks and Recreation Director in Raymond, New Hampshire in 1977 before becoming the town's manager in 2000. In 2013, he became Rockport Town Manager. We extend our congratulations and best wishes;

(HLS 562)

Presented by Representative DOUDERA of Camden.

Cosponsored by Senator MIRAMANT of Knox.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **DOUDERA**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise today to honor my friend, Richard Bates, who is retiring at the end of the month as the Town Manager of Rockport.

Rick has been in that position since 2013, but he is no stranger to town government. Rick's career in public service began in 1974, when he volunteered to run recreational programs in Derry, New Hampshire. At the time, he was working at a foundry in Lawrence, Massachusetts as three generations of his family had done before him. Soon, he was offered part-time work in Derry doing various odd jobs for the Recreation Department including work at the small local ski area and running night programs at the community center. When the nearby town of Raymond, New Hampshire, was looking to hire its Parks and Recreation Director in 1977, the Derry Town Manager encouraged Rick to apply. He got the job and after a year the town voted to keep him on in a full-time position.

Raymond was a poor bedroom community at the time and under Rick's direction the department quickly became the center for lots of people in the town. Rick received statewide acclaim for his work with the department, serving as president of the New Hampshire Recreation and Park Association, and being awarded a statewide professional award for excellence. In 2000, Rick agreed to become the Town Manager of Raymond, viewing it as the next logical step that gave him the opportunity to serve the town in a different way. Following that job, he served as Interim Town Manager in Milton, New Hampshire, and Sabattus, Maine.

When he took on the Town Manager job in Rockport in 2013, Bates said that one of his primary goals was to get a new town library built. That vision, a goal that he has worked steadily towards over the past six years, will be realized this year when construction will be complete at the new Rockport Public Library. Besides that important milestone, Rick leaves the town in great financial shape and equipped with a good balance of both young and seasoned department heads and employees.

Rick and his wife, Robin, are sailors. They own the original sloop, the Appledore. I hope that I will see them out on Penobscot Bay this summer, but I know that they won't stray too far from the coast because they are both civic-minded people who value their connection to the community. The residents of Rockport have been truly blessed to have had Rick Bates at the helm and we wish him fair winds and good sailing. Thank you.

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

Recognizing:

Timothy P. Wilson, of Portland, who has been inducted into the Maine Sports Hall of Fame for his more than 50 years in education, public service and coaching. We extend our congratulations and best wishes;

(HLS 563)

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by Senator CHIPMAN of Cumberland, Senator SANBORN, H. of Cumberland, Representative BRENNAN of

Portland, Representative FARNSWORTH of Portland, Representative MOONEN of Portland, Representative SYLVESTER of Portland, Representative JORGENSEN of Portland, Representative COLLINGS of Portland, Representative CROCKETT of Portland.

On **OBJECTION** of Representative TALBOT ROSS of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **TALBOT ROSS**: Mr. Speaker, Ladies and Gentlemen of the House, it is an honor to rise today to honor Tim Wilson.

Tim was inducted into the Maine State Hall of Fame on May 19th. As it was said then, Tim is one of Maine's finest citizens; a great coach, a true leader, and an inspirational figure to so many young people across the State and the world. Tim Wilson has more than 50 years of experience in education, public service and athletic coaching. Currently, he serves as the senior advisor to Seeds of Peace, an organization that he has been with since its founding in 1993, and the director of its Maine Seeds of Peace programs. Until 2006, he was the director of both the Seeds of Peace camp in Maine and the Seeds of Peace Center for Coexistence in Jerusalem.

Tim has had a long and distinguished career. He has been appointed by three Maine governors to posts, including the chair of the Maine Human Rights Commission, state's ombudsman, and the Associate Commissioner of Programming for the Department of Mental Health and Corrections. He has also served as the Director of the State Offices of Community Services Civil Emergency Preparedness and Energy. He has been the Associate Headmaster at the Hyde School in Bath, Maine, and the Director of Admissions at the Maine Central Institute in Pittsfield.

Tim's work in the community includes serving as the chair of the Abyssinian Church Restoration Committee in Portland, and on the Community Mediation Center Board of Directors, on the Maine Hospice Council Board of Directors, and Kents Hill School Board of Directors, along with the Trustee at Bridgeton Academy. In 1997, the late King Hussein of Jordan presented Tim with a Medal of Honor. Tim has also been honored with the Distinguished American Award by the Maine Chapter of the National Football Foundation, he's been inducted into the Maine Wrestling Association Hall of Fame, and awarded the Franklin H. Williams Award which honors outstanding returned Peace Corps volunteers who have put their overseas experience to work in their communities and in their professions, to promote a better understanding of other people and other cultures. Most recently, he was awarded the Gerda Haas Award for Excellence in Human Rights, Education and Leadership from the Holocaust and Human Rights Center of Maine.

I have known Tim Wilson for my entire life. He's a great family friend and family member. We have gone through a number of different experiences including fighting for civil and human rights here in the State of Maine and making sure that all of our young people, particularly our young people of color, feel fully empowered to do whatever they want in their lives here in the State of Maine. Tim is a true Maine leader and I hope that you will join me in honoring him on this special day as he was honored in the Maine Sports Hall of Fame. Please, please, help give a warm honor to Mr. Tim Wilson. Thank you.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, Men and Women of the House. From that presentation and honor, what more can be said about Timothy P. Wilson? I remember sitting on my front lawn years ago. When you get old, you get these memories, but listening to the transistor radio and hearing of this coach that coached the Dexter football team. He had an incredible career as a coach. But it was just the beginning of him working with young people. I ran into him again years later over in Oxford County with Seeds of Peace. He continues to inspire young people at the high school level. There isn't a harder worker and more dedicated to the future of Maine people, especially our youth, than Timothy P. Wilson. It's an honor for me to call Tim Wilson a friend.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It would be negligent of me not to rise as a representative of Dexter, former board member for SAD 46, to recognize Mr. Wilson.

As has already been stated, he was a great and well-known and well-remembered football coach for Dexter Regional High School. He had very much success there, but also was a great community representative and he served our community while he was there. The students and the faculty and the members of the community will long remember all that he did for the Town of Dexter and the surrounding communities during his time there, including his active role in starting a Seeds of Peace program which to this day is still very active at Dexter Regional High School. So, I salute him today, as have others.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Jay, Representative Riley.

Representative **RILEY**: Thank you, Mr. Speaker. Mr. Speaker, I rise not as a colleague of Mr. Wilson's, but as a family member. And I have known him for many years now and I appreciate very much his dedication to family. As much as he does for community and for the children in the State and around the world, he is definitely one who always puts family first and I deeply appreciate that. So, I send him my love and my thanks.

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

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

Recognizing:

Douglas Bracy, of York, who is retiring as York Police Chief after beginning work with the department in 1977. Chief Bracy has also served on the York Hospital board of directors for a decade, serving as president for a year, and is a member of the York Beach Fire Department, for which he has served as assistant chief. He served as an executive board member of the Maine Chiefs of Police Association, including as President, and served as an instructor at the Maine Criminal Justice Academy. We extend our congratulations and best wishes;

(HLS 567)

Presented by Representative HYMANSON of York. Cosponsored by Senator LAWRENCE of York, Representative BLUME of York.

On **OBJECTION** of Representative HYMANSON of York, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. I rise to honor my friend and York Police Chief, Douglas Bracy. And all of that that the clerk said, really deserves repeating, so I'll repeat it.

York Police Chief Douglas Bracy is retiring after beginning work with the York Police Department in 1977. Chief Bracy has also served on the York Hospital Board of Directors for a decade, serving as President for a year, and is a member of the York Beach Fire Department for which he has served as Assistant Chief. He served as an Executive Board Member of the Maine Chiefs of Police Association including as President and served as an instructor at the Maine Criminal Justice Academy.

You'll notice how many times I used the word "serve." Chief Bracy has served over and over for our community in York, the seacoast area and Maine. We have known each other for 35 years. Our children have grown up together. Chief Bracy grew up in York. He was quoted in *The York Weekly*; Anytime you work, it's a partnership. You surround yourself with good people and you back that up by paying them well and giving them good benefits. You treat people with respect. My successes aren't all mine. It's because of those around me and supporting me.

The Town of York, the seacoast area, and Maine have benefited from Douglas Bracy's commitment to professionalism, community, and protecting the public, and I welcome him here today.

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

Recognizing:

Brenda Bracy, of York, who is retiring from her work at the York Senior Center, part of the town's Department of Parks and Recreation. Mrs. Bracy began working at the York Police Department in 1977, remaining at the department for 18 years before working for Parks and Recreation. She also is a founding member of the York chapter of the Dream Factory, which grants the wishes of terminally ill children, and has served on the York Ambulance board for 15 years. We extend our congratulations and best wishes;

(HLS 568)

Presented by Representative HYMANSON of York. Cosponsored by Senator LAWRENCE of York, Representative BLUME of York.

On **OBJECTION** of Representative HYMANSON of York, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. I rise to honor my friend, Brenda Bracy, who is retiring from her work at the York Senior Center, part of the town's Department of Parks and Recreation.

Ms. Bracy began working at the York Police Department in 1977, remaining at the department for 18 years before working for Park and Rec. She's known for her computer skills. She had the first computer in York's municipal government in the police station. She brought those skills with

her to Park and Rec, modernizing payment and supply chain systems. She's also a founding member of the York Chapter of the Dream Factory, which grants the wishes of terminally ill children, and has served on the York Ambulance Board for 15 years.

You see, Brenda and Douglas Bracy are married. And, as Brenda says, between the two of us, we know everyone. They will be spending more time at their camp, for sure, and there's no doubt their days of keeping the community strong are not over. I offer this public thanks to them both from a grateful community.

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

In Memory of:

the Honorable James E. Davitt, of Hampden. Mr. Davitt served as a captain in the United States Army in Vietnam and received the Bronze Star. He practiced law in Maryland, the District of Columbia and Virginia before moving to Maine in 1990. In 1994, he accepted a faculty position in the Justice Studies program at the University of Maine at Augusta, Bangor Campus and later retired as a tenured professor. He and his wife Mary Louis opened Bangor's first bed and breakfast, Nonesuch Farm B&B. He was a member of the Board of Visitors of Mountain View Correctional Center, the parish council of St. Mary's Catholic Church in Bangor, the Maine People's Alliance and the Maine Education Association. He served in Maine's House of Representatives during the 127th Legislature, representing Hampden. He also served on the Hampden Planning Board and was a member of the Hampden Historical Society. Mr. Davitt will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(SLS 672)

On **OBJECTION** of Representative CUDDY of Winterport, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **VEROW**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Remembering Jim, who sat a couple of rows behind me, on the right-hand side of the aisle here. I always think of him as somewhat of a Renaissance Man. That means one who had wide interests and was an expert in many areas. He was also a man of wit and good humor. I remember that he came up with the idea that he and I would have a little contest to see how many times we would raise during a session to recognize people in the gallery. So, we had that little contest and with a small wager, and that was kind of Jim's idea as somewhat of a little entertaining and fun thing to do.

I'll miss his perspective on life. Carpe diem, which is to say seize the moment or seize the day. Jim was a wonderful Representative. Thank you, Mr. Speaker.

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

Representative **CUDDY**: Thank you, Mr. Speaker. I just wanted to rise today to say that I spoke with Jim's daughter, Claire, earlier today. The family was unable to be here today but they deeply appreciate this memoriam and the having it read out in this chamber, that her father really loved serving in

this body that he adored. So, thank you very much for this recognition today from the family.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Mr. Speaker, and I, on behalf of those that served with Jim in the 127th, I just want to express that we very much appreciated sharing good humor with Representative Davitt and express our condolences, our sincere condolences, to the family. Thank you, Mr. Speaker.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** in concurrence.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act Regarding Court Facilities in York County"

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

Majority (11) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 14, 2019.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (2) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-273)** in **NON-CONCURRENCE**.

On motion of Representative MOONEN of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 210)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 14, 2019

The 129th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 129th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 308, An Act to Authorize Municipalities to Increase Notification Time Periods for Rent Increases and Termination of Tenancies at Will.

An important function of State Government is to maintain consistent, fair standards across the state for consumers and businesses of all sizes. Creating a patchwork approach to the tenancy at will rules by extending notice periods will create confusion, add costs, and reduce the supply of affordable rental housing.

LD 308 would allow a municipality to extend notice periods to terminate a tenancy at will for anywhere between 30 and 60 days and would allow a municipality to extend the requirement notice of a rent increase to between 45 and 75 days. This will result in a vast array of standards across the state. Allowing 60 days in one town, 45 days in the next, and 48 days in still

another provides none of the certainty that tenants and landlords need. Creating burdensome rules will only serve to make rental housing more expensive to renters or force landlords to reconsider offering rental units at all. Policies that make housing more expensive or reduce the supply of affordable units are self-defeating.

In addition, the problems this legislation seeks to address can all be addressed through written leases that the renter and the landlord agree to voluntarily.

For these reasons I return LD 308 unsigned and vetoed.

Sincerely,
S/Janet T. Mills
Governor
State of Maine

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Authorize Municipalities To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will

(H.P. 232) (L.D. 308)
(C. "A" H-357)

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

Representative **KESSLER**: That's great, thank you. All right. Learning new things every day.

I have two words about this veto; local control. The amended bill that came out of Labor and Housing recognized that not all communities experience the same problems when it comes to rental housing. And it also recognized that there was some confusion amongst municipalities as to what they could and could not do in terms of creating new ordinances, having to do with time periods for a notice to quit and a rent increase.

This veto, I wholeheartedly disagree with the Chief Executive. However, I urge the chamber to please respect local control on this issue. I feel as though casting a vote, we have two choices; either we respect local control and bring further clarity, or we muddy up the issue even further. So, I urge the House to please vote to override this veto. Thank you very much, Madam Speaker.

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

Representative **STETKIS**: Thank you, Madam Speaker. I'd just like to point out a couple of things. I believe the current number that AARP says in the State of Maine, we've got about 8 or 9,000 seniors waiting for affordable housing. And I want to point out in the Chief Executive's message a point that I strongly support. She says policies that make housing more expensive or reduce the supply of affordable housing units are self-defeating. I would say let's keep in mind the amount of folks out there waiting for affordable housing and let's support those folks. Thank you.

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

Representative **SYLVESTER**: Thank you, Madam Speaker. Very briefly; if this is something your town wants to do, then this is the bill for you, and if you want to ensure that your town never has any such extension then this is also the bill for you. Thank you, Madam Speaker.

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

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

ROLL CALL NO. 272V

YEA - Ackley, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Carney, Cloutier, Collings, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Ingwersen, Jorgensen, Kessler, Kornfield, Matlack, Maxmin, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Peberworth, Peoples, Pierce T, Pluecker, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin B, Austin S, Bickford, Blier, Bradstreet, Campbell, Cardone, Cebra, Cooper, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Hymanson, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Madigan C, Marean, Martin J, Martin R, Martin T, Mason, Mastraccio, McCrea, Millett, Moriarty, Morris, O'Connor, Ordway, Perkins, Perry A, Perry J, Pickett, Prescott, Reed, Riley, Rudnicki, Sampson, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White B, White D, Zeigler.

ABSENT - Fay, Grignon, McLean, Theriault.
Yes, 71; No, 75; Absent, 4; Excused, 1.

71 having voted in the affirmative and 75 voted in the negative, with 4 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 211)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001**

June 13, 2019

The 129th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 129th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 839, An Act To Increase Funding for Multimodal Transportation.

This legislation increases the sales tax on the short-term rental of automobiles, small trucks and vans from 10 percent to 12 percent to provide funding for multimodal transportation. While I agree that it is imperative to examine more sustainable resources for transportation, including multimodal connections, I do not believe an increase in the car rental sales tax, which did not receive bipartisan support, is the appropriate mechanism.

This session, the Transportation Committee unanimously supported LD 945, An Act to Establish a Blue-Ribbon Commission to Study and Recommend Funding Solutions for the State's Transportation Systems. This bill calls for a comprehensive look at the transportation funding challenge and possible solutions to it. I am hopeful that, through the work of this commission, more sustainable, reliable, and bipartisan funding options can be presented for consideration. It is for these reasons, I return LD 839 unsigned and vetoed, and I urge the Legislature to sustain it.

Sincerely,
S/Janet T. Mills
Governor
State of Maine

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Increase Funding for Multimodal Transportation

(H.P. 613) (L.D. 839)
(C. "A" H-329)

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

Representative STEWART: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise today in strong support of this veto as this is nothing more than a tax increase, and I appreciate the veto message from the Chief Executive. And, if you'll take a moment to read it, you'll see that there is another option that will be better going forward in another bill that will look at more responsible and reasonable ways to go about addressing this problem that we're facing. So, for all those reasons, Madam Speaker, I would request that you follow my light. Thank you.

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

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

ROLL CALL NO. 273V

YEA - Ackley, Austin B, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Daughtry, Denk, Dodge, Doudera, Dunphy, Evangelos, Gattine, Gramlich, Grohoski, Handy, Harnett, Hubbell, Ingwersen, Jorgensen, Kessler, Kornfield, Mastraccio, Matlack, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Peoples, Pierce T, Reckitt, Riley, Roberts-Lovell, Rykerson, Sharpe, Sheats, Skolfield, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, Zeigler.

NAY - Alley, Andrews, Arata, Austin S, Babbidge, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Crockett, Cuddy, Curtis, DeVeau, Dillingham, Dolloff, Doore, Drinkwater, Farnsworth, Faulkingham, Fecteau J, Fecteau R, Foley, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hepler, Hickman, Higgins, Hobbs, Hutchins, Hymanson, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Madigan C, Marean, Martin J, Martin R, Martin T, Mason, Maxmin, McCrea, Millett, Moriarty, Morris, O'Connor, Ordway, Paulhus, Pebworth, Perkins, Perry A, Perry J, Pickett, Pluecker, Prescott, Reed, Riseman, Rudnicki, Sampson, Schneck, Stanley, Stearns, Stetkis, Stewart, Stover, Strom, Swallow, Tuell, Wadsworth, White B, White D, Madam Speaker.

ABSENT - Fay, Grignon, McLean, Theriault.
Yes, 61; No, 85; Absent, 4; Excused, 1.

61 having voted in the affirmative and 85 voted in the negative, with 4 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

June 17, 2019
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

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

Labor and Housing

L.D. 600 An Act To Achieve Mental Health Parity in Workers' Compensation

Veterans and Legal Affairs

L.D. 218 An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (H.C. 213)

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

June 17, 2019
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Representative Dunphy of Old Town, to report the following "Leave to Withdraw"

L.D. 1301 An Act Regarding the Confidentiality of Investigations by the Bureau of Forestry

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Representative Bailey of Saco, to report the following "Leave to Withdraw"

L.D. 1672 An Act Regarding the Admissibility of Certain Health Care Records as Evidence

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

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

**REPORTS OF COMMITTEE
Ought to Pass as Amended**

Report of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY)

(S.P. 446) (L.D. 1461)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-244).**

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-244) AS AMENDED BY SENATE AMENDMENT "A" (S-300)** thereto.

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

The Following Communication: (H.C. 212)

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-244)** was **READ** by the Clerk.

Senate Amendment "A" (S-300) to **Committee Amendment "A" (S-244)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-244) as Amended by Senate Amendment "A" (S-300) thereto was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-244) As Amended by Senate Amendment "A" (S-300)** thereto in concurrence.

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-290)** on Bill "An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program"

(S.P. 545) (L.D. 1674)

Signed:
Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

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

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-290)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-290)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-290)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass pursuant to Joint Order 2019, S.P. 584** on Bill "An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan"

(S.P. 627) (L.D. 1842)

Signed:

Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass pursuant to Joint Order 2019, S.P. 584** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS PURSUANT TO JOINT ORDER 2019, S.P. 584** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

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

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-297)** on Bill "An Act To Expand the Earned Income Tax Credit in Maine"

(S.P. 31) (L.D. 104)

Signed:

Senators:

CHIPMAN of Cumberland
POULIOT of Kennebec
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
BICKFORD of Auburn
CLOUTIER of Lewiston
DENK of Kennebunk
KRYZAK of Acton
MATLACK of St. George
STANLEY of Medway

STEWART of Presque Isle
TERRY of Gorham

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

Signed:

Representative:

MAREAN of Hollis

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-297)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-297)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-293)** on Bill "An Act To Update the Laws Relating to Liquor Licensing and Enforcement"

(S.P. 616) (L.D. 1826)

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ANDREWS of Paris
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HUBBELL of Bar Harbor
McCREIGHT of Harpswell
STROM of Pittsfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-294)** on same Bill.

Signed:

Representatives:

ACKLEY of Monmouth
HICKMAN of Winthrop

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-293)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-293)** 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-293)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Fund Energy Efficiency Programs through a Fee on the Sale of Unregulated Heating Fuels"

(H.P. 892) (L.D. 1231)

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
FOSTER of Dexter
GROHOSKI of Ellsworth
HANLEY of Pittston
RILEY of Jay

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-607)** on same Bill.

Signed:

Representatives:

KESSLER of South Portland
RYKERSON of Kittery

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **KESSLER**: Thank you, Madam Speaker. I just wanted to give a brief eulogy to this bill before it dies. And this is a serious plea to the House.

When Efficiency Maine was first created, we created a fund for weatherization that was meant to reduce our dependency on heating oil. We also created a fund, or three other funds, to fund efficiency programs for electricity, natural gas, and through the regional greenhouse gas initiative. That weatherization fund never got funded and so we have been taking from one pot of money to pay for a program which I know that we all can agree that saving energy is the most cost-effective thing we can do.

I request of my colleagues, please help us reduce our dependency on foreign oil. I will gladly work with anybody who wants to move us towards this goal. Thank you very much.

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

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

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

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the Good Representative from South Portland, his intentions are good and I respect that. However, this bill in its original form was nothing more than 1% carbon tax on fuel and it would've impacted the poorest and the most desperate people in the State. And it was an idea that I'm very glad our committee had the sense not to implement. So, I ask you to follow my vote and support the pending motion.

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

Representative **HIGGINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would just like to echo the comments of the Good Representative that this is a tax. Having served on the Energy Committee, certainly we need to do better in terms of reducing the use of particularly oil for heating in Maine, but taxing our poorest population to help pay for that is not good public policy. I urge you to support Ought Not to Pass. Thank you.

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

ROLL CALL NO. 274

YEA - Ackley, Alley, Andrews, Arata, Austin B, Austin S, Babine, Bailey, Beebe-Center, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Campbell, Cardone, Cebra, Cloutier, Corey, Costain, Craven, Cuddy, Curtis, Daughtry, Denk, DeVeau, Dillingham, Dodge, Dolloff, Doore, Doudera, Drinkwater, Dunphy, Evangelos, Farnsworth, Faulkingham, Fecteau J, Fecteau R, Foley, Foster, Griffin, Grohoski, Haggan, Hall, Handy, Hanington, Hanley, Harnett, Harrington, Head, Hepler, Higgins, Hobbs, Hutchins, Hymanson, Ingwersen, Javner, Johansen, Jorgensen, Keschl, Kinney, Kornfield, Kryzak, Landry, Lockman, Lyford, Madigan C, Marean, Martin J, Martin R, Martin T, Mason, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Moonen, Morales, Moriarty, Morris, Nadeau, O'Connor, O'Neil, Ordway, Paulhus, Pebworth, Peoples, Perkins, Perry A, Perry J, Pickett, Pierce T, Pluecker, Prescott, Reed, Riley, Riseman, Roberts-Lovell, Rudnicki, Sampson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stearns, Stetkis, Stewart, Stover, Strom, Swallow, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Verow, Wadsworth, White B, White D, Zeigler, Madam Speaker.

NAY - Babbidge, Carney, Collings, Cooper, Crockett, Gramlich, Hickman, Hubbell, Kessler, Reckitt, Rykerson, Sylvester, Warren.

ABSENT - Fay, Gattine, Grignon, McLean.

Yes, 133; No, 13; Absent, 4; Excused, 1.

133 having voted in the affirmative and 13 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-602)** on Bill "An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers"

(H.P. 1063) (L.D. 1451)

Signed:

Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
RYKERSON of Kittery

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
MORRIS of Turner

READ.

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

Representative BRADSTREET of Vassalboro **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This bill mandates that public employers must provide at least 30 minutes of time and a venue for collective bargaining agents to meet with new hires. There are several reasons why this bill is ill-advised and deserves an Ought Not to Pass.

First, there is nothing wrong with the way things are currently. Unions have ample opportunity to meet with new employees already so there's no need for this bill. Second, this would mandate an intrusion into the workday of public employers. It will take up work time that has already been planned by supervisors. This is especially important concerning new hires who may be in the process of undergoing job training. You'll undermine necessary policies and practices that are necessary for an orderly work schedule. It also requires that taxpayer-provided facilities be utilized for something that many of them are not in favor of and that no opportunity for any organization that has a different perspective is included in the bill and therefore new employees will not be given the consideration of receiving a truly balanced view.

And, finally, despite some attempts at protecting individuals' privacy rights, some very personal information such as private phone numbers and email addresses will be given and shall remain in the possession of an organization that may

not wish to join. That, in and of itself, is a situation any public employee should not have to endure.

In short, recruiting meetings should be held on collective bargaining agents' time, not the public's and, whenever possible, at their facilities, and not the public's. Thank you, and I ask that you vote against this bill. Thank you, Madam Speaker.

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. 275

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, 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, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Fay, Gattine, Grignon, Hickman, Martin R, McLean.

Yes, 87; No, 57; Absent, 6; Excused, 1.

87 having voted in the affirmative and 57 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-602)** 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-602)** and sent for concurrence.

Seven Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Ensure That Direct Initiatives of Legislation Are Compatible with the Constitution of Maine and Statutory Law

(H.P. 1196) (L.D. 1669)

Signed:

Senators:

LUCHINI of Hancock
HERBIG of Waldo

Representatives:

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

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-600)** on same RESOLUTION.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-601)** on same RESOLUTION.

Signed:

Representative:

ACKLEY of Monmouth

READ.

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

Representative O'CONNOR of Berwick **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass**.

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker. I'll be brief.

Over the years, I have watched, being in this chamber, multiple different referendum questions come forward. I put this bill in because I saw that a lot of those questions were not constitutionally compatible, they were very difficult to work with, their language did not reflect what we here as a body try to do within statutory law, and it was a big, huge reach. So, as we know, with constitutional changes, and so I can understand why the bill did need changes. So, I still think the referendum process needs some help and I basically whittled this down to just ask that the Attorney General's office as well as the Secretary of State's office look at this and send it back out and give the people who put the petitions in and ask them to fix any problems that the Attorney General or the Secretary of State might have found.

So, I think it's a good bill, or, I do not think this report is good, I think the Minority Report is good and I would hope that we don't vote for this one and we get to move mine. Thank you.

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

ROLL CALL NO. 276

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett,

Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

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

ABSENT - Fay, Gattine, Grignon, McLean.

Yes, 85; No, 61; Absent, 4; Excused, 1.

85 having voted in the affirmative and 61 voted in the negative, with 4 being absent and 1 excused, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

ENACTORS

Acts

An Act To Implement the National Popular Vote for President of the United States

(S.P. 252) (L.D. 816)
(C. "A" S-44)

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

On motion of Representative ANDREWS of Paris, was **SET ASIDE**.

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

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

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

Representative **ANDREWS**: Thank you, Madam Speaker. My Fellow Representatives, we have debated this subject more than any other issue this session. That should tell us all what a drastic change this would be to our State and our nation.

I would urge us to exercise caution. The only point I will reiterate is that no one ran on this idea of a national popular vote. Our constituents were never given a choice on this issue. To ram this through today would be unfair to them. We've --

The **SPEAKER**: The Representative will defer. The House will be in order. The Representative may continue.

Representative **ANDREWS**: Thank you, Madam Speaker. We've debated this issue as much as we can. You know where I stand and I know where those on the other side

of this issue stand. The real question, and the only question that really matters, is where do your constituents stand. I have no doubt that they have been contacting you. Will you do the right thing with their vote today? Will you protect their voice? Most of us belong to a party and all of us have pressure from powerful voices to achieve policy goals. The choice today is clear; do we listen to those voices pressuring us or do we listen to the people who sent us here? Do we do what is best for them, our State and our country? I'd ask you to find the courage inside yourself that got you here and vote down the pending motion. It's the right thing to do. Thank you, Madam Speaker.

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

Representative **ACKLEY**: Thank you, Madam Speaker, my Friends in the House. The issue before us is the national popular vote and the arguments over the course of the debate have evolved. In the end, however, Madam Speaker, one cannot give away something that one does not have.

First, we were told that the national popular vote was unconstitutional. And then we read Article 2, Section 1, and we discovered that the Electoral College vote awarding process is a State right. Then we were told that somehow the national popular vote is a betrayal of a centuries-old tradition. And a look into our history books actually tells us that states have been changing the Electoral College awarding process for about 200 years now and, most recently, Maine changed it's in 1969.

Lastly, we are now told that the national popular vote gives away the influence of Maine's Electoral College votes. And if the premise of this argument were true, Madam Speaker, we would have to have something of value to give away. The reality is, Madam Speaker, we live next to a state that is similar to Maine in every way but two. New Hampshire has about the same number of electoral votes, the same amount of population, the same urban-rural divide, and yet in New Hampshire they receive 10 times the number of post-primary presidential visits and 100 times the number of advertising dollars after the primaries. Why? Because, unlike Maine, New Hampshire is a battleground state, where the electorate is closely divided. Presidential campaigns have a chance of influencing the election by making policy promises in New Hampshire. This, of course, is why we have ethanol in gasoline despite it gumming up the chainsaws and wood splitters of Maine, it is very popular for a number of corn farmers who vote in the Midwest; Iowa corn farmers; another battleground state.

Now, right now, Maine's fate is determined by these battleground states. So, as far as I see, we don't have much to lose. We do have a lot to gain, however, with presidential campaigns because they pay attention to the cost of reaching voters. So, what presidential campaigns do when they go to battleground states, they're paying attention to the cost of reaching voters. It's an economic decision for presidential campaigns. Maine is a high-turnout, low-cost advertising state. This is where we excel.

So, Madam Speaker, you cannot give away something you don't have, but you can look at national popular vote as an opportunity to make Maine relevant in the presidential campaigns of the future. 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. 277

YEA - Ackley, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Cardone, Carney, Cloutier, Collings, Craven, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, Melaragno, Meyer, Morales, O'Neil, Paulhus, Pebworth, Perry A, Perry J, Pierce T, Reckitt, Roberts-Lovell, Rykerson, Schneck, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin B, Austin S, Babbidge, Bickford, Blier, Bradstreet, Caiazzo, Campbell, Ceбра, Cooper, Corey, Costain, Crockett, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Fecteau R, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hepler, Higgins, Hobbs, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Madigan C, Marean, Martin T, Mason, Millett, Moonen, Moriarty, Morris, Nadeau, O'Connor, Ordway, Peoples, Perkins, Pickett, Pluecker, Prescott, Reed, Riley, Riseman, Rudnicki, Sampson, Sharpe, Sheats, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Verow, Wadsworth, White B, White D.

ABSENT - Fay, Grignon, McLean.

Yes, 68; No, 79; Absent, 3; Excused, 1.

68 having voted in the affirmative and 79 voted in the negative, with 3 being absent and 1 excused, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, June 14, 2019, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

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

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

(C. "A" S-281)

TABLED - June 14, 2019 (Till Later Today) by Representative MOONEN of Portland.

PENDING - **PASSAGE TO BE ENACTED**.

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

ENACTORS

Acts

An Act To Limit the Dissemination of Juvenile Records
(H.P. 1197) (L.D. 1670)
(C. "A" H-594)

An Act To Amend the Motor Vehicle Laws
(H.P. 1268) (L.D. 1783)
(C. "A" H-588)

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.

COMMUNICATIONS

The Following Communication: (H.C. 214)

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

June 17, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Matthew W. Moonen of Portland to serve as Speaker Pro Tem to convene the House on June 17, 2019.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-610)** on Bill "An Act To Amend the Maine Exclusion Amount in the Estate Tax"

(H.P. 329) (L.D. 420)

Signed:

Senators:

CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
KRYZAK of Acton
MAREAN of Hollis
STEWART of Presque Isle

READ.

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

Representative BICKFORD of Auburn **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 Auburn, Representative Bickford.

Representative BICKFORD: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this bill will place an undue burden on the middle-class families and small business owners. Maine's estate tax applies to everything a person owns at the time of his or her death, including that person's home, other real estate, bank account balances, life insurance proceeds, annuities and other investments, IRAs and other pre-tax retirement savings, tangible personal property such as jewelry, vehicles and household items. The combined value of these assets add up quickly. This will impact small business owners including lobstermen, farmers, convenience store owners, truckers, loggers and forest products sectors.

Many small business owners do not have substantial savings, so when the estate of a small business owner is not able to pay an estate tax liability, the family must either sell the business or secure a loan to fund that payment. Removing assets from the estate is the only way to avoid this estate tax. Doing so is not an option for many who have their assets tied up in current operations. Furthermore, the fees to hire an estate planning lawyer to remove assets from the estate often can run into tens of thousands of dollars. When it is difficult to determine whether the estate of a small business owner exceeds the Maine estate tax exclusion amount, the estate must obtain appraisals of these business and its assets. The fees for an appraisal of a small business often exceeds \$20,000. At \$2 million, this is essentially a new middle-class tax and it is not the progressive tax some consider it to be.

This bill would drive high net worth Maine residents to other states. Many wealthy residents will choose to reside in homes they may already own in other states that have no estate tax. These residents almost uniformly feel that they have worked too hard and already have paid too much in Maine income tax to expose their estates to a Maine estate tax when they can avoid it. These are Maine citizens who have spent their money in Maine, paid taxes in Maine, and headed charitable campaigns involving their local hospitals, churches, schools and homeless shelters. Once these former Maine residents have changed their domicile, it is very rare that they will continue to contribute to Maine charities, buy Maine products, and work with Maine professionals even if they do come back to Maine for the summers.

This bill represents poor tax policy management. If LD 420 is enacted, Maine will have twice increased and once decreased the estate tax exemption within the past six years. This could push anyone who is on the fence to go ahead and change their domicile so that they won't have to follow all the twists and turns of the Maine Legislature. Only 11 other states and the District of Columbia still have an estate tax. It's worth noting that Florida has no estate tax or income tax. Many Maine residents own second homes or have connections to people and places there. More recently, Tennessee has repealed its estate tax in 2016, Delaware repealed its estate tax this year, New Jersey phased out its estate tax last year, and New York raised its exemption level to \$5.25 million last year and will match the federal exemption level every year.

Some of the following people do not support the estate tax reduction to \$2 million; the Maine Society of Certified Public Accountants, the Retail Association of Maine, the Wild Blueberry Commission of Maine, Hospitality Maine, NFIB, the Maine Farm Bureau, Maine Motor Transport, Professional

Loggers and Contractors of Maine, the Maine State Chamber of Commerce, the Maine Grocers and Food Producers and the Maine Bankers Association. I urge you, please follow my light and vote red on the pending motion. Thank you, Madam Speaker.

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

Representative TIPPING: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I appreciate the comments from the Representative from Auburn, my friend. But to say this is not a progressive tax is kind of a stretch. This is one of the most progressive taxes at the State's disposal. It's also important to note that this tax is highly exportable. Many of the people who pay the estate tax in Maine are actually from other states and are paying on, for instance, large estates, large houses on the coast.

Madam Speaker, I just want to read a short passage from one of those families that pays this tax. This is from a member of the Rockefeller family. Quote, the first reason I support keeping the estate tax is a personal one and has to do with my own children and grandchildren. I care about their inheritance, of course, but I don't look upon that inheritance as purely a material thing. The quality of the world they grow up in will contribute as much or more to their wellbeing as any amount of money and possessions that I could bequeath. That is to say if the world I leave them is one of gated communities and growing inequality, downward mobility for the middle class, a degraded environment, and a rotting social and physical infrastructure, then their inheritance will be a shabby one, no matter how much money they get.

Madam Speaker, this is about making sure the State has the funds to pay for things like school funding, a solid safety net, this is about making sure that the world we leave our children is better than the one we found when we grew up. I hear the concerns represented by the Representative from Auburn about businesses being forced to deal with fees, but we actually conform with the federal rules for businesses that allow them, and farms, that allow them up to 15 years to pay the estate tax when a large amount of the estate is made up in a business or a farm. Also, it's important to note that there are special evaluations and it's not simply a farm valued at how much it would be if it were sold off as land for condominiums, it's based on the actual use of the land.

So, Madam Speaker, with those thoughts in mind, I ask you support the pending motion, bring the exclusion back to the rate it was just a few years ago. Thank you.

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

Representative KINNEY: Thank you, Madam Speaker, Men and Women of the House. I wasn't going to stand, but as the Representative from Auburn pointed out, the Maine Farm Bureau and Wild Blueberry Commission are just two of many organizations who oppose this tax increase. Maine family farms are struggling every day to stay afloat. This will be detrimental to those family farms and, as the Representative from Orono pointed out, we align with the feds to take 15 years to pay for this tax, so why are we going to go away from the federal exemption that we aligned with just a couple years ago? Thank you.

The **SPEAKER:** The Chair recognizes the Representative from Warren, Representative Pluecker.

Representative PLUECKER: Thank you, Madam Speaker. I'm not a lawyer, I'm just a farmer, my land is not worth over \$2 million, unfortunately. But, if it were, or my business were worth more than \$2 million, I might take

advantage of as many of the opportunities I have to pass along my wealth to my children without paying this estate tax. There are living trusts in which you can do it progressively over time, there are family trusts where you can spread the wealth around before you die, there's also LLCs, which are a great idea for any small farmers in the room because if you screw up and somebody gets sick, you don't lose your home. So, lots of ways to avoid this tax if that is your imperative. Thank you, Madam Speaker.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Just a point on the last couple of comments. You can plan ahead, you can put estates together. Those cost tens of thousands of dollars to do. Many businesses are property rich and land rich. I don't disagree with my good friend from Orono when he says what he did about the Rockefellers and the cash, you can pay it, if you have cash. But these are not cash estates. These are property and land rich estates that can't afford, if you have a \$6 million estate, you're going to be paying, even on 15 years, you're going to be paying \$18,000 a year to pay the tax if you put it out through 15 years. So, Madam Speaker, I urge this body to vote no on the pending motion. Thank you.

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

Representative **STETKIS**: Thank you, Madam Speaker. I'm not aware of a single logger or farmer in my district with the last name Rockefeller, nor do any of them have trust funds, but they do fall under the exact same tax laws as these folks. There is no doubt that this would be a substantial burden on many of the farmers in my district that have had these farms in the family for generations. I would hope that we would vote this down and save some of our family farms. Thank you.

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

Representative **PLUECKER**: Thank you, Madam Speaker. I just wanted to clarify; the filing fee to form your LLC for your farm is \$175. Thank you.

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

Representative **HUTCHINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Even though there are ways to protect assets, many times businesses; I can think of one in Veazie that closed down a number of years ago because the elderly parent that actually was the owner of the business couldn't be talked in to setting up one of these LLCs because she didn't understand it. So, they closed the business and opened elsewhere after she passed away and, in the process, of course lost a great deal of money. But those types of things, you know, happen with the best intent being not to have that happen, but it does happen. Thank you.

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

Representative **MAREAN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm not sure how many people in this room would recognize the name Jesse James, but for those of my era, we all know who Jesse James was; he took from the rich and gave to the poor.

This is not a good idea. It is not impossible, neither is it terribly difficult if you have the ambition and you have a little luck and you work hard at it, it's not hard when you get to be my age to be at \$2 million or more in assets when you take into consideration everything that you own and you have accumulated. Lowering this to \$2 million will prohibit heirs, like

mine or others, from getting the boost from their parents when they pass on to help them to get on the road to success. I believe this is not a good idea. I think \$5.7 million is what we're conforming to now at a federal, we should leave there. Give everyone a chance to accumulate their wealth by working hard, having luck, and staying behind the wheel of the ship and keep it going. We shouldn't be doing this. This is bad business for Maine, it will give more people more reason to exit to places like Florida. Let's be Maine, let's be like the rest of the nation and at least conform to the federal levels. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've listened to this debate and, first of all, I will mention that I doubt that someone with the true heritage of the Rockefellers is worried too much about the difference between the \$5.7 and the \$2 million that we're talking about here, so it's easy for them to say.

I will say this; there are many small businessmen, farmers especially, in my district, who have become land rich because they've had to expand their operations over the years to stay in competition and stay in business. Their children and their grandchildren look forward to one day being able to use that as a reason to stay where they grew up and to take over the operation of those family businesses.

This bill would probably force some businesses and farms to sell out to pay taxes and those children and grandchildren would have lost their reasons for staying in the State of Maine. Instead of increasing the taxes in Maine, we would be much better off to be talking about reducing them and increasing investment in Maine. Letting people continue to pay taxes on the monies that they earn, the property that they purchase, and one day handing it over to somebody else that will provide income and jobs for more people in the State of Maine rather than decide that we can get more out of the rock that we're squeezing and drive more and more people away forcibly, because they have to liquidate assets to continue to pay taxes and afford to move out of the State of Maine. Thank you, Madam Speaker.

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

Representative **COLLINGS**: Good morning, Madam Speaker, Ladies and Gentlemen of the House. Real quickly, the estate tax about over a hundred years ago was put in place to the level it is today and has been debated for decades by a Republican President and it's stayed as one of the most progressive tax in this country at the federal level, as well as adopted in many states.

The purpose of the estate tax to begin with was just as the founding fathers didn't want royal families like in England to have too much power concentrated in a few hands. At a time about a hundred years ago when Teddy Roosevelt modernized this law, he saw the concentration of wealth in too few hands and was worried about the influence and going towards an oligarchy, which we see kind of very some similar streaks today. Having said that, years have gone by and the estate tax was intact, no issues. It was during the presidency of George W. Bush, where a special interest group backed by billionaires came to Washington D.C. and tried to get rid of this so they could not have to pay billions or hundreds of millions of dollars in taxes and pass that money on. A lot of that money which was concentrated which avoided taxes and then could be passed on to others, so basically it wasn't a double taxation.

So, it wasn't a group of small farmers, it wasn't a group of small businesses that went to Washington D.C. and to states and said get rid of the estate tax or change the exemptions to a much more favorable rate, it was actually special interest groups backed by wealthy donors that wanted to get rid of this for their own special interests. This has been one of the most progressive tax in our nation for years. At the time when this happened, this national movement during the terms of George W. Bush, a journalist went around the country to find out the claim that this was going to hurt small businesses and small farms, and he went around state by state and there was not one farm that ever lost their farm to the estate tax. So, we clearly saw what was really behind this.

I would ask you to pass this and keep this great bill, which one of my favorite taxes ever put forward by a Republican president. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Madam Speaker, Men and Women of the House. I agree with my good friend from Portland. I just wanted to remind everybody since we're in the habit of quoting bank robbers, Willie Sutton said it best, why did he rob banks? That's where the money was. Thank you.

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

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I try not to rise twice on the same bill, but the discussion here in the chamber today is a little bit puzzling.

We're talking about passing on millions and millions of dollars from one generation to the other. I think it's important to remind, Madam Speaker, as I'm speaking to you, that for most people, most of our constituents, most of the people in the State of Maine, they will not even earn in total, must less have at the time of their death \$2 million from working hard their entire lives. What we're talking about is a class of folks who have been lucky enough and worked hard to amass this fortune. I think it's important that we make sure we have the infrastructure in our State so that people have the opportunity when they work hard to succeed, and part of that is making sure that we have the funding to do so. So, Madam Speaker, I ask that you support the pending motion.

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. 278

YEA - Ackley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hubbell, Hymanson, Kessler, Kornfield, Madigan C, Martin R, Matlack, Maxmin, McCreia, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Pebworth, Peoples, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sheats, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, Zeigler, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin S, Babine, Bickford, Blier, Bradstreet, Caiazzo, Campbell, Cebra, Corey, Costain, Crockett, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Higgins,

Hobbs, Hutchins, Ingwersen, Javner, Johansen, Jorgensen, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Marean, Martin J, Martin T, Mason, Mastraccio, Moriarty, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry A, Perry J, Pickett, Pierce T, Prescott, Reed, Rudnicki, Sampson, Sharpe, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White B, White D.

ABSENT - Fay, Gattine, Grignon, McLean, Millett.

Yes, 70; No, 75; Absent, 5; Excused, 1.

70 having voted in the affirmative and 75 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative TIPPING of Orono, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Madam Speaker. May I speak on the record?

The SPEAKER: The Representative from Bangor has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **KORNFIELD**: Thank you, Madam Speaker. The University of Maine System went through a period before Jim Page of a series of chancellors who didn't stay very long due to, I think, not understanding Maine culture. So, when the trustees needed the right person, they found a Northern Maine boy, but he wasn't just anyone. He had both academic credentials to satisfy the faculty and business experience to satisfy the trustees. He pulled all of the seven campuses together with his one university plan, while at the same time giving each campus an identity. He also took student debt seriously and promoted college affordability by keeping tuition flat for a number of years while increasing scholarships. He also collaborated with the Community College System to make college credits transferable between the systems and among the campuses, all the while achieving fiscal stability.

Jim Page works well with the trustees, the faculty and, as you know, the Legislature. Many of you know him and know what a wonderful person he is. He has friends from one end of the State to the other. I am very sorry to see him retire, but that is what you aspire to do; to make people wish you wouldn't go when you leave.

Jim, I wish you an exciting, fun and satisfying retirement. Maybe you should run for office in your spare time. We could use you. There will be a reception in the Hall of Flags to congratulate Jim on his retirement following our session. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Stewart who wishes to address the House on the record.

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise to concur with the remarks from the Good Representative from Bangor.

As a fellow County boy, it's been great to work with Chancellor Page over the last few years and in particular regard of my work on the Education Committee in the previous Legislature. Your presence will be greatly missed in this building, as well as all around the State, the various campus

locations including one that's in my district in Presque Isle, and we're very grateful for the amount of time that you've given our State, the institution and higher education in general. So, thank you, and best of luck in your retirement. I look forward to seeing you up in the County soon.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dunphy who wishes to address the House on the record.

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise today in the spirit of both congratulations on a job well done and in regret that this superb individual who has given such a monumental charge seven years ago and who has kept that trust so well is departing.

When you hear that Jim Page was the first Maine-born and University of Maine educated person to ascend to the role of Chancellor of the University of Maine System, that he completed his education at institutions of higher learning no less prestigious than St. Andrews University in Scotland and the Massachusetts Institute of Technology, that he used his drive and expertise to rise to become the Chief Executive Officer of the James W. Sewall Company, a world-leading company in the realm of geospatial natural resource and engineering consultation, and when you meet him and witness his kind, unassuming, and humble nature, then it should be no surprise that such a towering figure is one of my constituents in Old Town.

Jim Page is a friend and a trusted champion. He's done amazing work to help modernize the systems at the University System's seven campuses, preparing a generation of students to assume leadership roles in our changing global economy. While we hate to see him leave, we nonetheless feel lucky to have had such a tremendous leader in a crucial role in a critical time.

Thank you, Jim. We'll see you downtown and up the hill. And with all the time you spent in our hallways, I also believe that you'd be an excellent candidate for the Legislature, but for the Senate, of course. We wish you all the best and thank you for everything. And, thank you, Madam Speaker.

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

Representative **JORGENSEN**: Thank you, Madam Speaker. Madam Speaker, Colleagues in the House, I just wanted to add my congratulations to the growing pile of accolades being heaped at the feet of Chancellor Page.

He's been a great partner over the past several years in so many ways. I remember very clearly when a few years ago he summoned me to the top floor of the UMaine law school, and there he proceeded to introduce me to the needs of the system's buildings, and there were a lot of needs. He outlined the system's comprehensive plan for managing its physical plant and spoke about the urgency of finding strategies to keep the campuses intact and to maintain the right size to be managed in the future. That meeting was the start of a long road toward the University infrastructure bond that the voters approved last year. And on that and on every other project and budget that I've had the pleasure of working with him on, Jim has always been there fighting with everything he has for the betterment of the University of Maine System. He literally takes up residence outside the appropriations chamber and there is absolutely no way to avoid him. He gets his message across and manages to make his point every time.

In the Legislature, it often seems that we are swimming through oatmeal. It can be a slog. Not only has Jim Page

proven himself an expert in this difficult, sometimes frustrating process, he's done so with unfailing graciousness, intelligence, humor and skill. He's been a great collaborator and a great friend, and I wish him all the very best in his retirement. Thank you, Madam Speaker.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, would like to thank Jim Page for all his incredible efforts. It's been a great pleasure working with him while I was on the State Board of Education and now last two terms in the Legislature and on the Education Committee. I've especially appreciated his enthusiasm as he embraced all the work that laid before him, which he handled with tremendous grace and dignity. But, most of all, his accessibility and approachability is something that I deeply appreciate. I wish him the very best in all the adventures that lie ahead for him and thank you, Jim.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin who wishes to address the House on the record.

Representative **MARTIN**: Thank you, Madam Speaker. I also rise to congratulate Jim for working with us in the Legislature and making it possible for the University System to move as fast as it has. I take another hat, but I need to say as a member of the faculty of the University of Maine at Fort Kent, I need to point out that Jim Page is a graduate of the University of Maine at Fort Kent. And, so, we certainly wish him the best in his retirement.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell who wishes to address the House on the record.

Representative **TUELL**: Thank you, Madam Speaker. I, too, would like to rise and congratulate Chancellor Page on his retirement. And one of the reasons I'd like to do so is for all the work he did, quite frankly, keeping the doors open at the UMaine Machias campus in recent years. It's a testament that even as we were battling Downeast to keep our prison open, the rumors of Machias closing or going through some extremely challenging times that because of Chancellor Page's leadership we got through that and we got through it one day at a time. And I've got to give him credit for helping there and keeping the worries to a minimum, and for steering the campus through for years to come because the picture could've been greatly different.

I also want to say that he has been nothing but statesmanly to all of us in Washington County, to our delegation, and making us feel welcome and involved. And as a UMM graduate, myself, I'm thankful for that and thankful for all he did for our campus Downeast. Thank you, Madam Speaker.

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

Representative **PERRY**: Thank you, Madam Speaker. I, too, want to speak and also wish Chancellor Page his best in retirement. I hope he finds retirement as pleasant as I do, which means he can run for the Legislature, as well.

I had the opportunity to work with him as a Board of Visitors at the University of Maine at Machias. He came at a time when the University System really needed to be put together in a different way. He was a man of change who worked with all of the people. He worked with our staff, with our leadership, with the Board of Visitors. He made sure that

people got together who needed to be together as the planning process went forward. He was the catalyst that kept us going. He was also the person that really brought us together with a very positive spin. I have a great deal of hope for the University System for the work that he's done that he's done with us locally and that he's done for the whole system. So, congratulations, Chancellor Page, and I hope we see you again.

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

Representative MILLETT: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, would like to offer my thanks and congratulations to Chancellor Page.

I enjoyed the opportunity to work with him and found him to be very approachable, very honest, an honest broker, if you will, and one that you could always work with in a reasonable way, without his ego getting in the way. And that reminds me of the lineup of chancellors that preceded him and my years going back to the late 60s, soon after the university was formed. I remember the first few chancellors, I remember sitting on the Board of Trustees with Chancellor Page's father, who was also a great representative from Aroostook County and a great statesman.

This chancellor has been one of the easiest persons to work with because he's very calm, very clear, very much an advocate for the University System, but not one who is flamboyant for the purpose of getting recognition or being out there in your face. It's been a pleasure to deal with him.

I'd also like to recognize Leanne, who is his partner; an honest lady also and one who I enjoyed working with as a member of the Board of the Maine State Society for the Protection of Animals. Leanne is a horse lover and a very nice lady, a pleasure to work with, just like her husband. I'm sure she's going to keep him busy in his retirement, or quasi-retirement years. So, I wish them well and I thank them for their service to this State.

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

Representative MARTIN: Thank you, Madam Speaker. Madam Speaker, it was just mentioned by several speakers that Chancellor Jim Page was from Aroostook County, Northern Maine. My good friend, however, my good friend from Old Town indicated that she is looking forward to seeing Jim Page walk the street of Old Town. We would prefer, those of us from Aroostook County, we would prefer seeing him walk the streets of Fort Kent, Maine.

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

Representative HEPLER: Thank you, Madam Speaker. With thanks to my colleagues at UMF, I offer congratulations to the Chancellor.

For the last seven years, he's had the unenviable task of leading nearly every academic in the State's employ. To say that this is like herding earthworms is to praise worm-wranglers too highly. He arrived at a moment when an active Board of Trustees launched two seemingly contrary initiatives; to reposition the University of Maine System into a world-class operation, and to do so while imposing a multi-year tuition freeze that necessitated significant cuts in budget and personnel. His task then was to do much more with much less. To this end, the Chancellor and the Board implemented the one university system. This initiative saw the consolidation of

most back-office operations, began to rationalize course offerings across the system and recognize substantive savings, both now and for years to come. Realizing these gains provided the opportunity to make new investments such as adult education and dual enrollment programs that have expanded the pool of available students, embraced the mission of life-long learners, and led to financial stability. He did so during a time when similar challenges beset states across the nation and Maine became a model for how to innovatively rise above the hurdles that faced us. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins who wishes to address the House on the record.

Representative HIGGINS: Thank you, Madam Speaker. I'd like to say thank you to Jim Page on behalf of the hundreds and thousands of students who are going to benefit from his leadership and promoting, advancing, advocating on behalf of early college for students particularly in rural Maine. His impact over the years will not only be on a few hundred students, it's going to be on thousands of students. It's going to be a legacy that will have significant impact on thousands of lives over a period of time.

So, I recognize the great work he's done in the system, I recognize the great work he's done here, but I most of all want to recognize the great work that he's done for young people in the State of Maine. Thank you, Madam Speaker.

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-608)** on Bill "An Act To Fund Opioid Treatment by Establishing an Excise Tax on Manufacturers of Opioids"

(H.P. 984) (L.D. 1362)

Signed:
Senator:

CHIPMAN of Cumberland

Representatives:

TIPPING of Orono
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway
TERRY of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-609)** on same Bill.

Signed:
Senators:

POULIOT of Kennebec
SANBORN, H. of Cumberland

Representatives:

BICKFORD of Auburn
KRYZAK of Acton
MAREAN of Hollis
STEWART of Presque Isle

READ.

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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

**CONSENT CALENDAR
First Day**

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

(H.P. 569) (L.D. 764) Bill "An Act To Limit the Dissemination of Certain Criminal Records" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-614)**

(H.P. 1164) (L.D. 1612) Bill "An Act Regarding the Presumption of Abandonment of Gift Obligations" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-613)**

(H.P. 1274) (L.D. 1792) Bill "An Act To Ensure Compliance with Federal Family First Prevention Services Legislation" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-611)**

(H.P. 1282) (L.D. 1801) Bill "An Act To Ensure Compliance with Federal Requirements for Background Checks of Certain Department of Health and Human Services Employees" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-612)**

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

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

**ENACTORS
Emergency Measure**

An Act To Amend the Laws Governing Overtime
(S.P. 618) (L.D. 1828)
(C. "A" S-292)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Amend the Service Fee for Child Support Services
(S.P. 607) (L.D. 1794)
(C. "A" S-291)

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

Resolves

Resolve, To Require the Examination of Alternatives to the Service Provider Tax

(S.P. 258) (L.D. 892)
(C. "A" S-289)

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

**CONSENT CALENDAR
First Day**

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

(S.P. 585) (L.D. 1749) Bill "An Act To Amend the State's Hemp Laws" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-299)**

(H.P. 947) (L.D. 1304) Bill "An Act To Ease Financial Burdens for Juveniles Involved in the Justice System" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-616)**

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

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

**ENACTORS
Emergency Measure**

An Act To Support Early Intervention and Treatment of Mental Health Disorders

(S.P. 446) (L.D. 1461)
(S. "A" S-300 to C. "A" S-244)

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. 125 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 Replace the Earned Income Tax Credit with the Maine Work Credit
(S.P. 31) (L.D. 104)
(C. "A" S-297)

An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program
(S.P. 545) (L.D. 1674)
(C. "A" S-290)

An Act To Update the Laws Relating to Liquor Licensing and Enforcement
(S.P. 616) (L.D. 1826)
(C. "A" S-293)

An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan
(S.P. 627) (L.D. 1842)

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.

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food
(H.P. 583) (L.D. 795)
(C. "A" H-430; H. "A" H-541)

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

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

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education

(H.P. 1080) (L.D. 1478)
(C. "A" H-597)

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

Representative SAMPSON of Alfred **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

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

ROLL CALL NO. 279

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Evangelos, Farnsworth, Foley, Gramlich, Grohoski, Harnett, Hepler, Hickman, Hobbs, Hymanson, Ingwersen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, 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, Lyford, Marean, Martin T, Mason, Millett, Moonen, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Dunphy, Fay, Fecteau R, Gattine, Grignon, Handy, Hubbell, Jorgensen, McLean, Pierce T, Sheats.

Yes, 81; No, 58; Absent, 11; Excused, 1.

81 having voted in the affirmative and 58 voted in the negative, with 11 being absent and 1 excused, and accordingly the Resolve **FAILED FINAL PASSAGE**.

Subsequently, Representative MOONEN of Portland, moved that the House **RECONSIDER** its action whereby the Resolve **FAILED FINAL PASSAGE**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the Resolve **FAILED FINAL PASSAGE**.

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 Reconsideration whereby the Resolve Failed Final Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 280

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Harnett, Hepler, Hickman, Hobbs, Hymanson, Ingwersen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, 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, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Dunphy, Fay, Gattine, Grignon, Handy, Hubbell, Jorgensen, McLean, Pierce T.

Yes, 84; No, 57; Absent, 9; Excused, 1.

84 having voted in the affirmative and 57 voted in the negative, with 9 being absent and 1 excused, and accordingly the House **RECONSIDERED** its action whereby the Resolve **FAILED FINAL PASSAGE**.

On motion of Representative MOONEN of Portland, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-597)**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-597)** was **ADOPTED**.

On further motion of the same Representative, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-597)** and later today assigned.

Acts

An Act To Enhance and Improve the Maine Developmental Services Oversight and Advisory Board and To Establish the Aging and Disability Mortality Review Panel

(H.P. 998) (L.D. 1377)

(C. "A" H-604)

An Act To Secure Transitions to Economic Prosperity for Maine Families and Children

(H.P. 1259) (L.D. 1772)

(C. "A" H-606)

An Act To Reduce Child Poverty by Leveraging Investments so Families Can Thrive
(H.P. 1261) (L.D. 1774)
(C. "A" H-605)

An Act To Amend the Maine Tax Laws
(H.P. 1279) (L.D. 1798)
(C. "A" H-596; H. "A" H-598)

An Act To Provide a Sales Tax Exemption for Certain Nonprofit Charitable Organizations
(H.P. 1288) (L.D. 1808)
(C. "A" H-599)

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 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)
(C. "A" H-592)

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

On motion of Representative HOBBS of Wells 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: 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.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Moonen, and inquires as to why he rises.

Representative **MOONEN**: Thank you, Madam Speaker. I just want to point out that the board has the wrong item on the screen.

The SPEAKER: The Chair will agree. So, the Chair will inform Members it looks like we'll have to close this vote and reopen it, so the Chair will close the vote.

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. 281

YEA - Ackley, Alley, Andrews, Austin B, Babine, Bailey, Beebe-Center, Berry, Bickford, Blier, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cebra, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Curtis, Daughtry, Denk, Dillingham, Dodge, Doore, Doudera, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Harrington, Hickman, Hymanson, Ingwersen, Kessler, Kinney, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Moriarty, Morris, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pickett, Pluecker, Prescott, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Sampson, Schneck, Sharpe, Sheats, Stanley, Stewart, Stover, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Arata, Austin S, Bradstreet, Campbell, Costain, DeVeau, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Head, Hepler, Higgins, Hobbs, Hutchins, Javner, Johansen, Keschl, Kryzak,

Lockman, Lyford, Marean, Martin T, Mason, Millett, O'Connor, Ordway, Perkins, Reed, Rudnicki, Skolfield, Stearns, Stetkis, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Babbidge, Dunphy, Fay, Gattine, Grignon, Hubbell, Jorgensen, McLean, Pierce T.
Yes, 97; No, 44; Absent, 9; Excused, 1.

97 having voted in the affirmative and 44 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.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-617)** on Bill "An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed for Special Education Students and Make Biennial Reports on the Use of Physical Restraint and Seclusion"
(H.P. 997) (L.D. 1376)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFELD of Bangor
BRENNAN of Portland
DODGE of Belfast
DRINKWATER of Milford
FARNSWORTH of Portland
FECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

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

Signed:

Representative:

RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-617)** 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-617)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-295)** on Bill "An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine"

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

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

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

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

Signed:

Representatives:

FOSTER of Dexter
HANLEY of Pittston

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-295)**.

READ.

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

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

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

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

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

I've said it before and I'll say it again that I do not oppose solar panels; I oppose solar policy, and it is only the policy that I oppose. This bill, because of its policy, will raise the electric rates on all of the ratepayers, small and large, in this State. The cost to the homeowner under this particular bill will be pretty small but to your small and medium consumers, namely the industrial and commercial places and, you know, I'm not talking large, I'm talking quite small and medium; restaurants, gas stations, hotels, greenhouses. They're going to see significant cost because of this legislation. The Public Utilities Commission has made a table, it's available for your viewing pleasure, that is quite frightening and I'm hoping that you'll take a moment to look at it.

I'm here to speak for the little guy, because under this proposal, the Public Utilities Commission says that it's only going to be about a \$50 a year impact on the average homeowner. Well, that doesn't sound like much, except, you know, that's \$4 a month. Well, that's a gallon of milk a month you can't buy, or two loaves of cheap bread you can't buy

because someone else has to have solar panels. Our policy, again, I shouldn't say panels, someone else has to have a policy that makes you pay for that policy.

In 1960, President Eisenhower when he was leaving office warned us about the creation of the military industrial complex. Well, I'm here to warn you about the solar industrial complex. And that's where one group of people, an organization, comes and lobbies and promotes something, and what they promote is a return on investment on the backs and citizens of this State. I represent those people that need to pay their bills every month and run businesses, and we all do that. There are better policies to be had. This one is not it.

I ask you to reject this policy for what it does to our citizens, not because of the panels, again, it is because of the policy. I ask you to follow my light and reject this. Thank you, Madam Speaker.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. LD 1711 is the big solar bill we've probably all heard about, some of you for a few years now. It would seek to jumpstart solar renewable energy installation in Maine, by incentivizing over 800 megawatts of new construction.

Now, I'm not opposed to solar-powered generation, but I am opposed to this bill. Not only is it big, but it is very expensive. Recently, we heard an impassioned floor speech discussing some of the reasons increased solar electric generation is necessary from the Good Representative who started working on the issue at a very young age. As we know, generating power using photovoltaic cells is not new. Many years ago in high school, I studied the physics behind what was then a fairly recent development. The rather expensive unit we had in our lab, a two-square-inch plate powering a small attached fan, showed what might one day be possible. In a few short years, around the time the Good Representative from Standish was discovering roast beef, a new generation looking to get back to nature acquired some of the old run-out farms in my area. With a trust fund in one pocket and a copy of *Mother Earth News* in the other, they built their own solar-collecting panels for hot water and to charge their bank of used Volkswagen batteries. They were off the grid. They didn't need a lot of electricity. They didn't ask for subsidies and they just wanted to be left alone to tend their farms.

Solar power has come a long way since then. Installation costs have dropped. Panels and equipment produced in China are said to be 75% less expensive today than those available just a few short years ago. We see them mounted on houses and backyards and covering old hay fields along I-95. Federal tax dollars and other subsidies have already jumpstarted their use. Although one of the more inefficient renewable energy sources available, we've decided those with solar panels will be subsidized by other electric ratepayers to help them out despite their affluence and ability to pay their own way. Large grid-scale projects have been approved with lower and lower guaranteed kilowatt hour payments the last few years. In the last two weeks, the Public Utilities Commission approved contracts at less than 4 cents per kilowatt hour. One of these, a 100-megawatt project, came in at 3.45 cents with a 2.5% increase per year with a ten-year term, not 20.

LD 1711 will be much costlier to ratepayers. First of all, there's a fiscal note of nearly \$735,000 in the first year, \$852,000 in the second, and an additional \$12,000 each of the following two years. However, 1711 will not languish on the appropriations table as these costs for the PUC to administer

this complex bill will be charged to the ratepayers. Secondly, a large portion of the projects approved will fall under the net metering part of the bill. This means those producers will have connection to the grid for sale, purchase, and access to standby generation with little cost while receiving retail pricing credits for power they sell to the grid. You may recall that the end of gross metering added \$3 million to ratepayers for a much smaller generating capacity than we're talking about procuring in this bill. Thirdly, previous legislation to determine labor requirements for construction will add project costs borne eventually by the ratepayers. Lastly, the scheme used to award contracts in this bill will result in 20-year guaranteed payments above market pricing for the larger commercial-scale projects. Although it will likely be more, a contract price just 2 cents above the going market rate would result in estimated stranded costs of more than \$13 million a year for the 375 megawatts and more than \$20 million for the estimated 800 megawatts this bill might subsidize. Again, borne by ratepayers.

Madam Speaker, last Friday night we heard on this Floor that the residents of Maine would see no new fees and no new taxes as a result of the new budget. If this bill becomes law as printed, the affected ratepayers will see increases to their monthly bills, no matter their economic situation, and businesses large and small will need to make budget adjustments in order to pay too much for too little to subsidize one of the more inefficient forms of renewable energy. Thank you, Madam Speaker, and I ask that we oppose the pending motion.

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

Representative **KESSLER**: Thank you, Madam Speaker. I request that we take a 10,000-foot view of what we are about to vote on right now. We live in a world where we need to do something about our runaway climate change. We need to do something to protect ourselves from fluctuating costs of energy. We need to produce our own energy in this State. And this bill opens up the door for all of us to be self-sustaining in our own energy production. We can talk about the numbers until the cows come home, but this is an excellent investment in our future and I urge you to vote in favor of this bill. Thank you, Madam Speaker.

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, it is a beautiful summer day, almost the longest day of the year, and the sun is shining. And, as we speak, in the New England grid, solar panels are generating less than 1% of the energy that is serving the New England demand. Sixty percent of the power being generated at this moment is coming from natural gas, the most expensive source that we have available to ourselves. Maine has less than 600 jobs in the solar field. Massachusetts, by comparison, has 10,000.

Madam Speaker, the bill before us, the bipartisan bill before us, is about jobs, it is about investment in our future, it is about our energy independence and security, and it's about increasing access and choice. The community solar provisions in LD 1711 through shared net energy billing will allow renters, those without a suitable roof, and those who can't afford the up-front cost of a solar array to participate in the benefits of net energy billing. It will lift arbitrary caps on both the number and the size of shared arrays, caps which even Central Maine Power and Emera Maine have suggested could be lifted in previous dockets before the Public Utilities Commission. It

includes robust and reasonable procurement, allowing us to hedge against the volatile costs of fuels like natural gas that set the price, the clearing price in our energy markets and affect all of us, every day.

The bill before us allows businesses and institutions to participate in net energy billing by allowing an innovative new program which provides those participating with a credit against their demand charges. I want to say, as well, that this bill is not just about solar. At this moment, there are resources participating in net energy billing in Maine that include wind, that include hydro, that include biodiesel and that include combined heat and power. The value that these programs and these policies provide to us is far more than the cost. We have seen and heard some statistics quoted by those opposed that reflect only the cost but completely omit the benefit side of the equation. Even our own Public Utility Commissions estimates reflect only the costs and, admittedly, explicitly exclude the benefits. These benefits include avoided energy costs, avoided generation capacity and reserve capacity costs, avoided transmission capacity cost. The net socialized costs, costs we all pay for carbon emission, sulfur dioxide emissions, nitrous oxide emissions which affect our health and our climate, market price response and fuel price uncertainty. All of these benefits factored in together more than outweigh the costs of the policy proposed before us today.

Madam Speaker, I can think of no better way to spend this day, this sunny day close to the summer solstice, than by passing a bill that would move Maine's economy forward, that would grow our own renewable energy jobs and businesses, make us more energy independent, and allow us to boost the portion of renewable energy, the free sunshine falling all around us today, in our energy mix. Thank you, Madam Speaker.

The SPEAKER: The pending question is acceptance of the Majority Ought to Pass Report.

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. In looking at the definition, it's saying investor-owned transmission and distribution utility, and looking at the section where it describes that, it says an investor-owned transmission and distribution utility means a transmission and distribution utility other than a consumer-owned transmission and distribution utility as defined in section 3201. Does this mean that the power generated by the solar farms or, so to speak, or these sections are going to be flowing along the CMP and Emera lines that the rest of us that don't have solar power are paying the T&D for that and these people aren't going to have to pay the T&D?

The SPEAKER: The Representative from Knox has posed a question through the Chair, and the Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. It's an excellent question. Many of our consumer-owned utilities have only a few hundred customers and for that reason they are allowed to but not required to participate in these programs. The same is true of the NMISA territory which is actually served by an investor-owned utility, for the most part. But because of the small number of customers, the proposals here could have an unbalancing impact which we wanted to make sure that they could look at and determine for themselves how to proceed. 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. 282

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, 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, Costain, Curtis, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, White D.

ABSENT - DeVeau, Fay, Grignon, McLean, Wadsworth.
Yes, 93; No, 52; Absent, 5; Excused, 1.

93 having voted in the affirmative and 52 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-295)** was **READ** by the Clerk.

Representative FOSTER of Dexter **PRESENTED House Amendment "A" (H-618) to Committee Amendment "A" (S-295)**, which was **READ** by the Clerk.

The SPEAKER: The Representative from Dexter may proceed.

Representative FOSTER: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This amendment replaces part B of LD 1711. It will allow the PUC to approve solar renewable energy projects at market rates and terms. This will allow for the construction of more generating capacity at less cost to the affected ratepayers.

Madam Speaker, being an engineer, I look to solve an issue in the most efficient, cost-effective way possible. That doesn't always work at home, but I still try. I also look at what the worst-case and best-case scenario is when faced with a problem. If I assume the worst case and can engineer a solution that will work, then I have likely secured a positive outcome. Let's assume the worst-case scenario for climate change suggested by some. If we have only a decade or so to save our children and grandchildren, I would look at the most efficient and controllable forms of renewable energy and would be retooling existing hydro dams and pouring concrete to build new ones. That aside, if I were to invest in solar, using the bill before us, I would certainly add as much capacity to the grid as I could, for the money that I have. LD 1711 does not do that. This amendment will. This amendment could allow twice the install capacity for half the money. It would allow the purchase of 750 megawatts of solar versus 375 megawatts for the same money with no impact to ratepayers.

The numbers I've included today come from the PUC. I've also requested each of you to receive a handout assembled from energy industry information. It shows current renewable energy pilot projects that were referred to by the Good Representative from Bowdoinham and their contract rates. It also includes historical data on larger scale solar projects. Please note, the solar projects contracted for installation in Maine to help Connecticut meet their renewable energy goals come in at up to 50% lower rates than LD 1711 would allow for us. Thank you, Madam Speaker, and I ask that you follow my light.

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

Representative BERRY: Thank you, Madam Speaker. Madam Speaker, I rise not to move indefinite postponement but to speak against the pending motion because, with due respect to my good friend from Dexter, I do not find it necessary or particularly helpful to the goals of this legislation. It weakens the procurement section significantly and is similar to a part of the bill that the committee ultimately, after due consideration, chose to leave out. In addition, there's a definition which I think is redundant of what qualifies as a distributed generation resource. As I mentioned, hydro, wind and other resources can currently qualify as distributed renewables.

Madam Speaker, I think that we've all worked on this bill very hard, it has very bipartisan support not only in this building but from 85% of Maine people, and I suggest that we make it law without further delay. Thank you.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-618) to Committee Amendment "A" (S-295)**.

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

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

Representative HANLEY: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this amendment is exactly what I support. My earlier statements about policy and not panels, this amendment is the right kind of policy. It will double the amount of solar power possibility and cut the cost in half to the ratepayers. It will virtually not affect the ratepayers. This is a wonderful amendment; I fully support this solar policy. I ask you to follow my light and adopt this amendment. Thank you.

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

Representative CAIAZZO: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, in deference to my good colleague from Dexter, I have a very similar background and training, and I want to point out the importance of having a very diversified generation mix. We shouldn't be putting all of our eggs in either a hydro basket or a gas turbine basket or a solar basket. What this bill does is it allows for good diversification of an energy resource that is clearly underserved right now. It needs to be brought up to the forefront, it's not the final solution, but it certainly helps in our energy diversification mix and, according to ISO New England, without a good diversified energy portfolio, we could be experiencing challenges as we electrify the grid for more heat pumps, more electric vehicles, so I urge you to vote against this amendment. Thank you.

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

Representative **DOUDERA**: Thank you, Madam Speaker. I just wanted to add something quickly. I'm someone who has worked with low-income people in Maine for the past 15 years, both through my church and as president of Midcoast Habitat for Humanity and now I'm on the board again. And one thing that I really appreciated in this bill that I think is very important and maybe hasn't been mentioned is that this bill will further reduce the barriers to solar energy by mandating that solar farms across the State serve low- and middle-income people. And I just thought that was important for people to know. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-618) to Committee Amendment "A" (S-295). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 283

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

NAY - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hymanson, Ingwersen, Kessler, Kornfield, Madigan C, Marean, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

ABSENT - Dunphy, Fay, Gattine, Grignon, Hubbell, Jorgensen, McLean, Pierce T, Sylvester, Wadsworth.

Yes, 54; No, 86; Absent, 10; Excused, 1.

54 having voted in the affirmative and 86 voted in the negative, with 10 being absent and 1 excused, and accordingly **House Amendment "A" (H-618) to Committee Amendment "A" (S-295) was NOT ADOPTED.**

Subsequently, **Committee Amendment "A" (S-295) was ADOPTED.**

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-295) in concurrence.**

**SENATE PAPERS
Non-Concurrent Matter**

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps (PUBLIC LAND)

(H.P. 107) (L.D. 125)
(C. "A" H-303)

House **INSISTED** on its former action whereby the Resolve **FAILED of FINAL PASSAGE** in the House on June 12, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-303) AS AMENDED BY SENATE AMENDMENT "A" (S-288)** thereto in **NON-CONCURRENCE.**

Speaker **GIDEON** of Freeport moved that the House **RECEDE AND CONCUR.**

Representative **ROBERTS-LOVELL** of South Berwick **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR.**

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 to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 284

YEA - Alley, Andrews, Arata, Austin B, Austin S, Babine, Bickford, Blier, Blume, Bradstreet, Bryant, Caiazzo, Campbell, Cardone, Cebra, Cloutier, Collings, Cooper, Corey, Costain, Craven, Crockett, Curtis, Denk, DeVeau, Dillingham, Dolloff, Doore, Drinkwater, Evangelos, Faulkingham, Fecteau J, Fecteau R, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hickman, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Javner, Johansen, Keschl, Kinney, Kornfield, Kryzak, Lockman, Lyford, Madigan C, Martin J, Martin R, Martin T, Mason, Mastraccio, Maxmin, McCrea, McDonald, Millett, Moonen, Moriarty, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry A, PerryJ, Pickett, Pluecker, Prescott, Reckitt, Reed, Riley, Riseman, Rudnicki, Rykerson, Sampson, Schneck, Sharpe, Sheats, Stanley, Stearns, Stetkis, Stewart, Stover, Strom, Swallow, Talbot Ross, Terry, Theriault, Tuell, White B, White D, Madam Speaker.

NAY - Ackley, Babbidge, Bailey, Beebe-Center, Berry, Brennan, Brooks, Carney, Cuddy, Daughtry, Dodge, Doudera, Farnsworth, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Higgins, Kessler, Landry, Marean, Matlack, McCreight, Melaragno, Meyer, Morales, O'Neil, Paulhus, Pebworth, Peoples, Roberts-Lovell, Skolfield, Sylvester, Tepler, Tipping, Tucker, Verow, Warren, Zeigler.

ABSENT - Dunphy, Fay, Gattine, Grignon, Jorgensen, McLean, Pierce T, Wadsworth.

Yes, 101; No, 41; Absent, 8; Excused, 1.

101 having voted in the affirmative and 41 voted in the negative, with 8 being absent and 1 excused, and accordingly the House voted to **RECEDE AND CONCUR.**

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-301)** on Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash

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

Signed:
Senators:

DILL of Penobscot
BLACK of Franklin

DIAMOND of Cumberland

O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)**.

READ.

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

The SPEAKER: The Representative may proceed.

Representative **PLUECKER**: Thank you, Madam Speaker. This bill is about two things. It's about forest management and it's about chemicals. In particular, the chemical we're talking about is glyphosate. What we do know about glyphosate, and this is generally agreed upon in the scientific community, is that it does kill the biology of our soil, it was actually originally developed as an antibiotic so it kills the biology of our soil, it kills plants and it causes cancer in animals in the lab. We also know that there's been at least one court case coming out where it was a \$2 billion award to the plaintiff who was found to have gotten cancer from the chemical. We also know there are multiple other court awards coming down of multi-million dollars where the courts have found that glyphosate causes cancer. And, so, what we're here to say is that when we go into the woods, we can use glyphosate in limited conditions when we're on the ground. But if we're applying from overhead where there's a greater likelihood of drift, we want to cause this potentially cancer-causing chemical to stay where it needs to be, to not float over to people who are potentially working in the woods.

Other things we know about glyphosate are about forest management practices, is that 80% of the land which is being harvested and which is clear-cut in the North Woods, about 80% of it does not have glyphosate that is applied to it, right? So, and 20% does. So, there are already forest management practices that are being used, that are in practice today, that do not use glyphosate. The other thing we know is that there's about 4,000 acres in the town of Allagash, where it's not being applied and the companies are still able to make money.

So, at the end of the day, this is a choice between protecting the people working in the woods, protecting the communities near the woods, and protecting our woods, and making sure that the strong, good forest management practices are still able to be applied. Thank you.

Representative KINNEY of Knox **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you, Madam Speaker. Sadly, a lot of the studies that have been done on glyphosate in the past have been nonconclusive about the effects of glyphosate. The court cases are definitely out there and they should be giving us some pause about what the effects really are about glyphosate. In committee, we really worked hard on this bill, we heard from a lot of different sides of this issue, we heard about a lot of people that are very much against glyphosate. But, again, the studies that we have before us regarding glyphosate do not state the real problems that people are assuming are happening because of court cases.

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-302)** on same Resolve.

Signed:

Representatives:

MAXMIN of Nobleboro
O'NEIL of Saco
ROBERTS-LOVELL of South Berwick

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-301)**.

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-301)** 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" (S-301)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-262)** on Bill "An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation"

(S.P. 556) (L.D. 1691)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
DIAMOND of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-263)** on same Bill.

Signed:

Representatives:

HICKMAN of Winthrop
MAXMIN of Nobleboro
McCREA of Fort Fairfield

If we could vote against the pending motion, we would be able to have the opportunity to pass the Majority Report which studies this further and will give independent studies and we can possibly find out if there are truly issues with glyphosate or if it's with other ingredients that are in the product Roundup, which is a mixture of glyphosate and other chemicals.

So, I urge you to vote against the pending motion so that we can study this with more open studies to find out whether or not this is really the problem or if it's something bigger than that. Thank you.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, I'm a little bit confused. We're voting with high regard and excitement over solar panels, which cadmium, that we make solar panels, with causes cancer, and at the same time we're voting against the use of herbicides to control some of our forest land. Thank you, Madam Speaker.

The SPEAKER: The Chair will remind Members that the subject of the bill is the bill before them, not another bill that we are voting on.

The Chair reminded all Members to stay as close as possible to the pending question.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker, Members of the House. It's obvious that I represent part of Aroostook County and a large part of it happens to be trees. Clearly, we are concerned. Clearly, we know the issue. I urge you to vote against the Minority Report because the Majority Report will solve the issue that we are talking and dealing with. But the outright ban would absolutely be destructive to the woods industry in Northern Maine and I urge you to vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Madam Speaker, ladies and gentlemen. I'd like to inform the Members that the product we're talking about is usually used at 1% of mixture, which means 1 ounce to a gallon of water. Thank you.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd have to agree with the Representative from Eagle Lake and also my friend, the Representative from Knox. I think by defeating this pending motion and having a study, in my opinion, I don't have a dog in the race here, you know, but I think there's a landowner up north and they're trying to be singled out and I think we ought to definitely defeat this pending motion and pass the study because, you know, why put the cart before the horse. Thank you, Madam Speaker.

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

Representative **PLUECKER**: I don't think we have the money to, thank you, Madam Speaker. I don't think we have the money to really put in a study of the sort that we already have access to. This has been studied for decades in Europe and studied in the States for a long period of time. There is no third party in this study. We all have a reason to care for the situation that we're being put in by chemicals used in our woods.

And I think I wanted to just reiterate the fact that this is a forest management practice, this is already being done in the

Northern Woods, and so all we're saying is you're using this forest management practice on 80% of your land, we want you to extend it to the other 20. In the committee, when asked directly how has the banning of aerial herbicide spraying in the town of Allagash affected your business, they said we just moved on to growing veneer trees and we have other aspects that we're using where we don't have to replant conifers and then spray with aerial herbicides. Management practice exists, the good ones, they're using them already; just expand the way you're doing it. Thank you.

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

ROLL CALL NO. 285

YEA - Ackley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Daughtry, Denk, Dodge, Doore, Doudera, Evangelos, Farnsworth, Fecteau R, Foley, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hymanson, Ingwersen, Kessler, Kornfield, Madigan C, Mastraccio, Matlack, Maxmin, McCreia, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Moriarty, O'Neil, Paulhus, Pebworth, Perry A, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Alley, 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, Keschl, Kinney, Kryzak, Landry, Lockman, Lyford, Marean, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Peoples, Perkins, Perry J, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Verow, Wadsworth, White B, White D.

ABSENT - Dunphy, Fay, Gattine, Grignon, Hubbell, Jorgensen, McLean, Pierce T.

Yes, 75; No, 67; Absent, 8; Excused, 1.

75 having voted in the affirmative and 67 voted in the negative, with 8 being absent and 1 excused, and accordingly the Minority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (S-263)** 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 "B" (S-263)** in **NON-CONCURRENCE** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative VEROW of Brewer, the House adjourned at 2:41 p.m., until 10:00 a.m., Tuesday, June

18, 2019, in honor and lasting tribute to the Honorable James
E. Davitt, of Hampden.