

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 5, 2018

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ONE HUNDRED TWENTY-NINTH LEGISLATURE
SECOND REGULAR SESSION
11th Legislative Day
Thursday, February 13, 2020

Representative HICKMAN of Winthrop assumed the Chair.

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

Prayer by Honorable Betty A. Austin, Skowhegan.

National Anthem by Alexis Handy, Auburn.

Pledge of Allegiance.

Doctor of the day, James "Jay" Mullen, M.D., Freeport.

The Journal of Tuesday, February 11, 2020 was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 750)

**JOINT RESOLUTION RECOGNIZING FEBRUARY 2020 AS
211 MONTH**

WHEREAS, in order to promote 211 Maine, a Maine-based health and human services and emergency preparedness and response helpline that provides Maine citizens free and confidential referrals to needed resources, we recognize February 2020 as 211 Month; and

WHEREAS, 211 Maine provides around-the-clock service statewide through efficient and effective responses from people employed in Maine to questions arising from the growing complexities and needs in health, financial and human services; and

WHEREAS, since 2006, 211 Maine call specialists have assisted with more than 750,000 requests to locate health and human services information, fielding more than 40,000 calls, text messages and e-mails in 2019 from people looking for help for themselves or someone they know; and

WHEREAS, during this past year, 211 Maine has directed more than 16,000 Maine citizens to heating and utility assistance services, which may have prevented people from contacting the wrong agency for heating assistance, prevented utility shutoffs and saved people from spending winter nights without fuel; and

WHEREAS, 211 Maine provides emergency planning and response support during natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, as evidenced by its role in supporting the Maine Emergency Management Agency during the agency's responses to the October 2017 windstorm, as well as its support of seasonal needs such as warming and cooling centers and fielding questions about growing issues such as browntail moth infestations; and

WHEREAS, 211 Maine handles a number of specialized services, including the opiate helpline and the gambling helpline, and is also a resource for finding information about needs such as tax preparation and mental health services; and

WHEREAS, 211 Maine provides a powerful example of how the government and nonprofit and private sectors can work together to improve the quality of life of Maine citizens; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize February 2020 as 211 Month.

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

READ and ADOPTED in concurrence.

The following Joint Resolution: (S.P. 751)
**JOINT RESOLUTION RECOGNIZING MAINE'S
CHARITABLE NONPROFIT SECTOR AND THE MAINE
ASSOCIATION OF NONPROFITS ON THE OCCASION OF
THE 17TH ANNUAL NONPROFIT DAY AT THE STATE
HOUSE**

WHEREAS, the Maine Association of Nonprofits is hosting the 17th Annual Nonprofit Day at the State House on February 11, 2020; and

WHEREAS, the Maine Association of Nonprofits, the only statewide organization that represents the full spectrum of the State's nonprofit organizations, was founded in 1994 by a core group of 7 nonprofit organizations and works to strengthen the leadership, voice and organizational effectiveness of nonprofit organizations throughout the State so that they can better enrich the quality of community and personal life in Maine; and

WHEREAS, more than 1,000 nonprofit members and hundreds of business and individual supporters of the Maine Association of Nonprofits work cooperatively to ensure the efficiency and effectiveness of Maine's nonprofit sector; and

WHEREAS, the Maine Association of Nonprofits adds value to and reduces costs for nonprofits by reaching across traditional boundaries and developing innovative solutions and programs; and

WHEREAS, in an era of declining revenues and increasing needs, the Maine Association of Nonprofits is committed to helping nonprofits and government work together to ensure the well-being of our residents and the qualities that make Maine the place we all love; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Maine's charitable nonprofit sector and express our appreciation to the Maine Association of Nonprofits for its excellent work on behalf of nonprofit organizations and for organizing the Annual Nonprofit Day at the State House; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of Nonprofits.

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

READ and ADOPTED in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 330)

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

February 13, 2020

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 Craig V. Hickman of Winthrop to serve as Speaker Pro Tem to convene the House on Thursday, February 13, 2020.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 331)

**STATE OF MAINE
129TH MAINE LEGISLATURE**

January 18, 2020

Major General Douglas A. Farnham
Adjutant General, Maine National Guard
33 State House Station
Augusta, Maine 04333

Dear General Farnham:

We are pleased to invite you to address a Joint Session of the 129th Maine Legislature on Tuesday, February 18, 2020, at 11:00 a.m., concerning matters of defense, veterans' services, emergency management and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 332)

**MAINE'S PUBLIC UNIVERSITIES
UNIVERSITY OF MAINE SYSTEM
OFFICE OF THE CHANCELLOR
15 ESTABROOKE DRIVE
ORONO, ME 04469**

February 1, 2020

Honorable Troy Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Senate President Jackson and Speaker Gideon:

Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required Quasi-Independent State Entity Review Report from the University of Maine System due by February 1, 2020.

The UMS has an estimated \$1.5 billion annual total statewide economic impact and increasingly is investing in Maine's economy, with \$54.7 million in goods and services purchased from businesses that are based in Maine or that employ Mainers in FY19.

While competitive procurement is the UMS standard, as provided in State law and corresponding System policy, there are legitimate reasons for waiving competitive procurement in some circumstances. For example, a majority of the expenses for which waivers from our competitive procurement process were granted in FY19 involved the purchase of goods and services that were specifically named in a federal research grant and that were not funded with State dollars. Overall, the value of UMS procurements for which waivers from the competitive process were granted was down 3.75 percent in FY19 from the fiscal year prior.

In an effort to increase transparency and public accountability, the UMS sole source report now includes a description of each

relevant transaction and our Board of Trustees reviews this report prior to its submission to the Legislature.

Sincerely,

S/Dannel P. Malloy, Chancellor

University of Maine System

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

The Following Communication: (H.C. 333)

**STATE OF MAINE
CONNECTME AUTHORITY
59 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0059**

January 2, 2020

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Troy Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Gideon and President Jackson,

Please find attached the required report pursuant to 5 M.R.S. Section 12023 from the ConnectME Authority.

Feel free to contact me if you have any questions or need additional information.

Regards,

S/Peggy Schaffer

Executive Director, ConnectME Authority

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

The Following Communication: (H.C. 334)

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

February 13, 2020

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:"

Criminal Justice and Public Safety

L.D. 1971 An Act To Allow Certain Retired Law Enforcement Officers and Trained Law Enforcement Officers To Serve as School Security Officers

L.D. 1991 An Act To Prohibit the Sale of Drug Paraphernalia That Encourage Drug Use by Young People Energy, Utilities and Technology

L.D. 1913 An Act To Prohibit Certain Wheeling Charges for the Transmission of Electricity Health and Human Services

L.D. 284 An Act To Improve Care Provided to Forensic Patients Health Coverage, Insurance and Financial Services

L.D. 1138 An Act To Ensure Health Insurance Coverage for Treatment for Childhood Postinfectious Neuroimmune Disorders Including Pediatric Autoimmune

Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome

Transportation

L.D. 1310 An Act To Address the Shortage of Department of Transportation Snowplow Drivers and Other Transportation Workers

L.D. 1887 Resolve, To Reduce the Operational Costs of Ferries in the State (EMERGENCY)

Sincerely,
S/Robert B. Hunt
Clerk of House

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Protect Consumers from Surprise Emergency Medical Bills"

(H.P. 1501) (L.D. 2105)

Sponsored by Speaker GIDEON of Freeport.

Cosponsored by Senator SANBORN, H. of Cumberland and Representatives: BICKFORD of Auburn, FECTEAU of Biddeford, FOLEY of Biddeford, HEPLER of Woolwich, MOONEN of Portland, PRESCOTT of Waterboro, TEPLER of Topsham, Senator: President JACKSON of Aroostook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

Sent for concurrence.

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

ORDERS

On motion of Representative McCREIGHT of Harpswell, the following Joint Resolution: (H.P. 1499) (Cosponsored by Representatives: ACKLEY of Monmouth, AUSTIN of Skowhegan, BABBIDGE of Kennebunk, BABINE of Scarborough, BAILEY of Saco, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BLUME of York, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CARNEY of Cape Elizabeth, CLOUTIER of Lewiston, CROCKETT of Portland, DAUGHTRY of Brunswick, DENK of Kennebunk, DEVIN of Newcastle, DILLINGHAM of Oxford, DODGE of Belfast, DOLLOFF of Rumford, DOORE of Augusta, DOUDERA of Camden, EVANGELOS of Friendship, FARNSWORTH of Portland, FAY of Raymond, FECTEAU of Augusta, FECTEAU of Biddeford, GATTINE of Westbrook, Speaker GIDEON of Freeport, GRAMLICH of Old Orchard Beach, GROHOSKI of Ellsworth, HANDY of Lewiston, HARNETT of Gardiner, HEPLER of Woolwich, HICKMAN of Winthrop, HOBBS of Wells, HUBBELL of Bar Harbor, HYMANSON of York, INGWERSEN of Arundel, JORGENSEN of Portland, KORNFELD of Bangor, MARTIN of Eagle Lake, MARTIN of Sinclair, MASTRACCIO of Sanford, MATLACK of St. George, McDONALD of Stonington, MEYER of Eliot, MOONEN of Portland, MORALES of South Portland,

MORIARTY of Cumberland, NADEAU of Winslow, O'NEIL of Saco, PAULHUS of Bath, PEBWORTH of Blue Hill, PERRY of Calais, PERRY of Bangor, PIERCE of Falmouth, PLUECKER of Warren, RILEY of Jay, ROBERTS of South Berwick, RYKERSON of Kittery, SCHNECK of Bangor, SHEATS of Auburn, STANLEY of Medway, STOVER of Boothbay, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, WARREN of Hallowell, ZEIGLER of Montville, Senators: BELLOWS of Kennebec, CARPENTER of Aroostook, CHENETTE of York, CHIPMAN of Cumberland, CLAXTON of Androscoggin, DESCHAMBAULT of York, HERBIG of Waldo, President JACKSON of Aroostook, LIBBY of Androscoggin, LUCHINI of Hancock, MILLETT of Cumberland, MIRAMANT of Knox, MOORE of Washington, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland, VITELLI of Sagadahoc)

JOINT RESOLUTION HONORING THE LEAGUE OF WOMEN VOTERS OF MAINE

WHEREAS, on February 14, 1920, 6 months before the 19th Amendment to the United States Constitution was ratified, the national League of Women Voters was formally organized in Chicago; and

WHEREAS, the purposes of the new organization included equal suffrage and citizen education aimed at all of the electorate; and

WHEREAS, the League of Women Voters is a nonpartisan citizens' organization that strives to improve our government and engage our people and our communities in the decisions that affect our lives; and

WHEREAS, the League of Women Voters has been striving to make democracy work for everyone for 100 years and has held the public trust by respectfully bringing elected leaders and the public together through nonpartisan, civil means and through thoughtfully advancing policy solutions; and

WHEREAS, the League of Women Voters operates at national, state and local levels through nearly 800 state and local leagues in all 50 states, as well as the District of Columbia, the Virgin Islands and Hong Kong; and

WHEREAS, the League of Women Voters of Maine has more than 500 active members and supporters throughout the State, with local chapters serving the Portland area, Bath and Brunswick, Hancock County, Camden and Rockland, Machias, the greater Augusta area and the greater Bangor area; and

WHEREAS, the State has benefited tremendously from the countless volunteer hours donated by league members over the league's history of enhancing democracy; and

WHEREAS, although the League of Women Voters was formed from the movement that secured the right to vote for women, the centerpiece of the league's efforts remains to expand voter participation and give political voice to all Americans; and

WHEREAS, since its inception, the League of Women Voters has helped millions of women and men become informed participants in government, providing information and support on such issues as protection for women and children, the rights of working women, food supply and demand, social hygiene, the legal status of women, American citizenship, aid for maternal and child care programs, social security, food and drug safety and changing the system of hiring within the federal civil service system; and

WHEREAS, the League of Women Voters helped lead the effort to establish the United Nations and to ensure United States participation and was one of the first organizations in the country officially recognized by the United Nations as a

nongovernmental organization, and the league continues to maintain official observer status; and

WHEREAS, the League of Women Voters believes in representative government and in the individual liberties established in the United States Constitution and that democratic government depends upon informed and active participation and respects the citizens' right to information about government records and proceedings; and

WHEREAS, the League of Women Voters believes that every citizen's right to vote should be protected, that every person should have access to free public education that provides equal opportunity for all and that no person or group should suffer legal, economic or administrative discrimination; and

WHEREAS, the League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing and coordination among the different agencies and levels of government; and

WHEREAS, the League of Women Voters believes that government should be responsive to the will of the people and that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution to economic and social problems that affect the general welfare, promote a sound economy and adopt domestic policies that facilitate solving international problems; and

WHEREAS, the League of Women Voters believes that cooperation with other nations is essential in the search for solutions to world problems and that the development of international organization and international law is imperative in the promotion of world peace; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to honor the League of Women Voters of Maine on the 100th anniversary of the founding of the national organization and to recognize the distinguished service and accomplishments of the League of Women Voters of Maine for the people of the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the League of Women Voters of Maine as a tangible token of appreciation.

READ.

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

Representative **McCREIGHT**: Thank you, Mr. Speaker. Today's Joint Resolution is in honor of the 100th anniversary of the League of Women Voters which was founded on February 14, 1920. The League operates at national, state and local levels, and in Maine has more than 500 active members and supporters. The League is a nonpartisan citizen's organization formed for the purpose of achieving equal suffrage and citizen education for all the electorate. And although the League of Women Voters was formed originally from the movement that worked to secure the right to vote for women, their efforts are ongoing, with focus on the expansion of voter participation and giving political voice to all Americans.

From its beginnings, the League has helped millions of men and women become informed participants of government, believing that democratic government depends on informed and active participation. On this important anniversary, this Joint Resolution is presented in appreciation of the ongoing

work of the League of Women Voters. Thank you, Mr. Speaker.

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

Representative **HYMANSON**: Thank you, Mr. Speaker. I have told this story before to this body but I'm going to repeat it because it allows me to speak about my mother, and I miss her every day. But when I was five years old, she took me to a League of Women Voters meeting and I didn't know what the women were talking about but I knew it was something very different because they were sitting around a table, talking with intensity about things I didn't understand. But I understood those things to be important and it reminded me about my mother and her friendships with other women who were a part of the League of Women Voters and how important it was for women to get involved in those times. This was in the early '60s and now look at me. Thank you.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

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

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

REPORTS OF COMMITTEE

Refer to the Committee on Environment and Natural Resources

Pursuant to Resolve

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** on Bill "An Act To Support and Increase the Recycling of Packaging" (H.P. 1500) (L.D. 2104)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** pursuant to Resolve 2019, chapter 42, section 2.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

Refer to the Committee on Health and Human Services Pursuant to Joint Order

Representative HYMANSON for the **Joint Standing Committee on Health and Human Services** on Bill "An Act To Amend the Nursing Facility Licensing Rules To Enhance Cost of Care Collection" (H.P. 1503) (L.D. 2107)

Reporting that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** pursuant to Joint Order 2019, H.P. 1489.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 753)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 18, 2020 at 10:00 in the Morning.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Cushnoc Brewing Company, of Augusta, which received the President's Award from the Kennebec Valley Chamber of Commerce for its leadership, exemplary business image, revenue growth and job creation in the community. We extend our congratulations and best wishes;

(HLS 833)

Presented by Representative FECTEAU of Augusta.

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

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

READ.

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

In Memory of:

Mildred Stafford, of Arrowsic. Mrs. Stafford was an active member of her town, having started the Ladies Auxiliary of Arrowsic Fire Department during World War II, before the fire department was formed. The auxiliary bought the town's first pumper and fire trucks. She served as secretary of the Arrowsic Fire Department, and she also served on the town's conservation committee, school board and long-range planning committee and as the town historian. In 2019, the town christened the new fire truck in her name. Mrs. Stafford will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(SLS 1041)

On **OBJECTION** of Representative HEPLER of Woolwich, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **HEPLER**: Thank you, Mr. Speaker. I rise to remember the life of Millie Stafford of Arrowsic, who effectively began the Arrowsic Fire Department, even if she called it the Ladies Auxiliary, during World War II when she and other women fought fires on the island while their husbands and sons worked at Bath Iron Works across the river. The all-male fire department, Arrowsic Fire Department, was formed after the war and even though one man tried to join the Ladies Auxiliary, apparently the Ladies Auxiliary decided against that decision. It is now co-ed and both organizations have worked together over the last 75 years to do the work of the island.

The Auxiliary was actually very resourceful. They talked about acquiring pumpers and other equipment, they scrounged

for that, sometimes finding this equipment at the Bath Iron Works discard pile. And I was delighted to be on hand last summer when the Arrowsic Fire Department christened the pumper in the name of her and she was actually there to christen it. So, thank you.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act Regarding the Operation of Pedal-powered Tour Vehicles" (S.P. 316) (L.D. 1084)

Signed:

Senators:

DIAMOND of Cumberland
FARRIN of Somerset

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
CEBRA of Naples
MARTIN of Greene
PERKINS of Oakland
SHEATS of Auburn
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-383)** on same Bill.

Signed:

Representative:

COLLINGS of Portland

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

READ.

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase the Minimum Amount of Insurance Coverage Required for Medical Payments for Vehicle Liability Insurance" (H.P. 1325) (L.D. 1854)

Signed:

Senators:

SANBORN, H. of Cumberland
FOLEY of York

Representatives:

BLIER of Buxton
FOLEY of Biddeford
MASTRACCIO of Sanford
MELARAGNO of Auburn
MORRIS of Turner
PRESCOTT of Waterboro
SWALLOW of Houlton

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

Signed:

Representatives:

TEPLER of Topsham
BRENNAN of Portland
BROOKS of Lewiston

READ.

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

CONSENT CALENDAR
First Day

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

(S.P. 688) (L.D. 1986) Bill "An Act To Clarify the Law Protecting Job Applicants from Identity Theft" Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(H.P. 1338) (L.D. 1872) Resolve, Regarding Legislative Review of Portions of Chapter 12: Licensure of Manufacturers and Wholesalers, a Major Substantive Rule of the Department of Professional and Financial Regulation, Maine Board of Pharmacy (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 1375) (L.D. 1931) Bill "An Act To Require Background Investigations for Certain Individuals To Receive Federal Tax Information in Accordance with Federal Standards" (EMERGENCY) Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(H.P. 1263) (L.D. 1779) Bill "An Act To Establish Standards for Operation and Maintenance and Asset Management for Publicly Owned Treatment Works and Municipal Satellite Collection Systems" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-677)**

(H.P. 1264) (L.D. 1780) Bill "An Act To Support Replacement of At-risk Home Heating Oil Tanks" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-678)**

(H.P. 1329) (L.D. 1858) Bill "An Act To Protect Teachers from Professional Teacher Certificate Endorsement Changes" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-676)**

(H.P. 1344) (L.D. 1878) Resolve, To Establish the Commission To Study the Use of Adjunct Professors in Maine's Public University and College System Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-679)**

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

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

ENACTORS

Emergency Measure

An Act To Increase Access to and Reduce the Cost of Epinephrine Autoinjectors by Amending the Definition of "Epinephrine Autoinjector"

(S.P. 674) (L.D. 1972)
(C. "A" S-379)

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, 118 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Make March Maine Childhood Cancer Awareness Month

(S.P. 719) (L.D. 2029)
(C. "A" S-378)

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, 120 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Acts

An Act To Amend the Laws Regarding Ancient Burying Grounds

(H.P. 777) (L.D. 1054)
(C. "A" H-669)

An Act To Clarify the Financial Reporting Responsibilities of Political Action Committees and Ballot Question Committees

(S.P. 641) (L.D. 1869)
(C. "A" S-377)

An Act To Modify the Financial Disclosure Requirements for a Governor-elect

(S.P. 643) (L.D. 1871)
(C. "A" S-376)

An Act Regarding the Naming of Bridges and Designating Bridge 5818 as the Specialist Wade A. Slack Memorial Bridge

(H.P. 1341) (L.D. 1875)

An Act To Repeal and Replace the Canton Water District Charter

(H.P. 1346) (L.D. 1880)
(C. "A" H-670)

An Act Regarding the Recommendations of the Federal Traumatic Brain Injury State Partnership Program Concerning the Membership of the Acquired Brain Injury Advisory Council

(H.P. 1349) (L.D. 1883)

An Act To Establish First Responders Day on September 11th

(H.P. 1362) (L.D. 1908)
(C. "A" H-668)

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

Resolves

Resolve, Directing the Department of Health and Human Services To Review the State's Public Health Infrastructure (H.P. 190) (L.D. 227) (C. "A" H-667)

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

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

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

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

SENATE PAPERS

Bill "An Act Regarding Prior Authorizations for Prescription Drugs"

(S.P. 752) (L.D. 2106)

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

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment, Tuesday, February 11, 2020, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE A BALANCED BUDGET AMENDMENT

(H.P. 1490)

TABLED - February 4, 2020 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - **ADOPTION** (2/3 Vote Required).

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

Representative **DILLINGHAM**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In 1982, President Reagan asked when pushing for a balanced budget amendment, why is the federal government incapable of doing what families, municipalities and state governments do as a matter of course; spend within the limits of their revenues. Here we are, almost 40 years later, and not much has changed. As a State, we do the hard work and at times heated work of sitting together to develop a budget that does not exceed our revenues. We should have no less of an expectation of our legislative colleagues in Washington. At a time with record revenues, the *Wall Street Journal* just reporting this morning that from October to January, federal individual withholding taxes rose 5% and through January, corporate taxes revenues are up almost 27%. Yet, we continue to spend more than we take in. Unfortunately, we say it so often, it has become trite, but nonetheless we don't have a

revenue problem, we have a spending problem, and it is time to fix it by requiring the federal budget to be balanced.

Our Founders put in a mechanism for states to push back and amend the Constitution through an Article V Convention. Constitutional scholars debate over the limitations, or lack thereof, at such a convention. Any amendment produced there would still require three-quarters of the states to ratify an amendment put forward. We as a State should not be afraid to voice our concerns at the lack of fiscal restraint of the federal government level due to the fear that other issues may be introduced. Constitutional scholar, Matthew Spalding, wrote in his report, Article V: Congress, Conventions and Constitutional Amendments, in the end, the Framers believed that the amendment process would protect the Constitution from undue change at the same time that it would strengthen the authority of the Constitution with the people by allowing its deliberate reform while elevating it above immediate political passions.

The time is now, a time of record revenues, to demand the federal government live within its means. We know it can be done. It's messy, it's hard, but we do it every two years. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise in opposition and will certainly vote against the adoption of H.P. 1490.

I would totally agree with the previous speaker and I'm certain that there are those in this body that would certainly support a balanced budget of the federal level. However, a call for a Constitution Convention of State is not the right means to addressing this issue. In fact, Congress could on their very own balance the budget by a two-thirds vote. That is their option as duly-elected federal officials. Many experts on constitutional law, including former Supreme Court Justice Scalia and former Supreme Court Justice Warren Burger have always opposed a call for Article V Conventions. And this method, as we all know, has never been used to amend the Constitution.

We've all heard the term runaway convention. As Chief Justice Burger said, there is no way to effectively limit or muzzle actions of a Constitutional Convention. The Convention could make its own rules, set its own agenda. Congress may try to limit the Convention once amended or on one issue, but there is no way to assure that the Convention would obey. After a Convention is convened, it would clearly be too late to stop the Convention if we don't like their agenda.

For all these reasons, I would ask you to oppose adoption of this resolution and, Madam Speaker, when the vote is taken, I would request a roll call.

The same Representative **REQUESTED** a roll call on **ADOPTION**.

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

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

Pursuant to Joint Rule 215.1, this Joint Resolution required the affirmative vote of two-thirds of those present for **ADOPTION**.

ROLL CALL NO. 345

YEA - Ackley, Alley, Arata, AustinS, Bickford, Blier, Bradstreet, Campbell, Cebra, Curtis, Dillingham, Drinkwater, FecteauJ, Foster, Griffin, Hall, Hanley, Harrington, Head, Javner, Johansen, Keschl, Kinney, Lockman, Marean, MartinT,

Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, WhiteD.

NAY - AustinB, Babbidge, Babine, Bailey, Beebe-Center, Berry, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, DeVeau, Dodge, Doore, Doudera, Dunphy, Evangelos, Fay, FecteauR, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hutchins, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, MartinJ, MartinR, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McLean, Melaragno, Meyer, Moonen, Morales, Moriarty, Nadeau, O'Neil, Paulhus, Pebworth, PerryJ, PierceT, Pluecker, Prescott, Reckitt, Riley, Roberts, Rykerson, Schneck, Sheats, Stover, Swallow, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, WhiteB, Zeigler, Madam Speaker.

ABSENT - Andrews, Blume, Costain, Dolloff, Farnsworth, Faulkingham, Grignon, Haggan, Hanington, Higgins, Kryzak, Lyford, MadiganC, Mason, McDonald, PerryA, Reed, Sharpe, Theriault, Wadsworth.

Yes, 42; No, 86; Absent, 20; Excused, 1.

42 having voted in the affirmative and 86 voted in the negative, with 20 being absent and 1 excused, and accordingly the Joint Resolution was **NOT ADOPTED**.

ORDERS

On motion of Representative HICKMAN of Winthrop, the following Joint Order: (H.P. 1502)

ORDERED, the Senate concurring, that the Joint Standing Committee on Agriculture, Conservation and Forestry shall report out, to the House, a bill relating to food or food products containing cannabidiol derived from hemp.

READ and PASSED.

Sent for concurrence.

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

On motion of Representative HOBBS of Wells, the House adjourned at 11:30 a.m. until 10:00 a.m., Tuesday, February 18, 2020, pursuant to the Joint Order (S.P. 753).