

ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
40th Legislative Day
Thursday, May 16, 2019

Representative MARTIN of Eagle Lake assumed the Chair.

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

At this point, a message came from the Senate borne by Senator LIBBY of Androscoggin, of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 9:45 in the morning for the purpose of honoring Franco-American Day.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 9:45 in the morning and the Speaker appointed Representative MOONEN of Portland to convey this message to the Senate.

Subsequently, Representative MOONEN of Portland reported that he had delivered the message with which he was charged.

At this point, the Senate came and a Joint Convention was formed.

Senator LAWRENCE of York assumed the Chair.
The Convention was called to order by the Chair Pro Tem.

Prayer by Father Robert Vaillancourt, St. Brendan the Navigator Parish, Camden.
Colors presented by Franco-American War Veterans' Color Guard, Post 31, Lewiston.
National Anthem by Jerry Thibodeau, Chelsea.
Pledge of Allegiance led by Representative Harold L. Stewart, III, Presque Isle.
Doctor of the day, Marshall Chamberlin, M.D., Sanford.

ORDERS

On motion of Representative MARTIN of Sinclair, the following Joint Resolution: (H.P. 1239) (Cosponsored by President JACKSON of Aroostook and Representative: MARTIN of Eagle Lake)

**RÉSOLUTION CONJOINTE HONORANT
LES FRANCO-AMÉRICAINS**

CONSIDÉRANT QUE, l'état du Maine est nommé après la province du Maine en France et que les villages de Paris et Calais portent les noms de la capitale de France et du port français de Calais, respectivement; et

CONSIDÉRANT QUE, plus d'un tiers de la population du Maine est de descendance française et canadienne, et les franco-américains du Maine ont contribué beaucoup à la beauté et la qualité de cet état; et

CONSIDÉRANT QUE, le français est la première langue de milliers de citoyens du Maine, et il y a eu une augmentation

de l'utilisation de la langue française et une appréciation croissante de l'héritage franco-américain à travers l'état; et

CONSIDÉRANT QUE, des clubs et des associations pour promouvoir la culture et la langue française sont nés à travers l'état, y inclus le caucus francophone à la capitale; et

CONSIDÉRANT QUE, les gens qui parlent couramment le français et l'anglais sont une ressource économique et culturelle pour l'état du Maine; et

CONSIDÉRANT QUE, le tourisme culturel sera accru par les véritables centres franco-américains à travers l'état et la grande présence de franco-américains dans le Maine peut renforcer davantage nos relations avec le Canada, la France, et les autres pays francophones; et

CONSIDÉRANT QUE, le premier Jour Franco-Américain a été célébré mercredi, 6 mars, 2002, à la Capitale de l'État; maintenant, alors, qu'il soit

RÉSOLU, que nous, les membres de la Cent-Vingt-huitième Législature, assemblés dans la première session régulière, au nom des gens que nous représentons, proclamons que jeudi, 16 mai, 2019 est le Jour Franco-Américain, soit célébré à la Capitale de l'État; et qu'il soit aussi

RÉSOLU, que le Jour Franco-Américain soit célébré pour commémorer la riche histoire du peuple français dans l'état du Maine et aux États-Unis d'Amérique.

**JOINT RESOLUTION TO RECOGNIZE
FRANCO-AMERICAN DAY**

WHEREAS, the State of Maine is named after the Province of Maine in France, and the towns of Paris and Calais owe their names to the capital city of France and the French port city of Calais, respectively; and

WHEREAS, more than 1/3 of the population of Maine is of French and Canadian descent and Franco-Americans in Maine have contributed much to the beauty and quality of this State; and

WHEREAS, French is the primary language of thousands of Maine citizens and there has been a resurgence in the use of the French language and a heightened appreciation of the Franco-American heritage throughout the State; and

WHEREAS, clubs and organizations to promote French culture and language have sprung up throughout the State, including the Francophone Caucus at the Capitol; and

WHEREAS, fluent French-English bilingual people are a cultural and economic resource to the State; and

WHEREAS, cultural tourism can be greatly enhanced by the genuine Franco-American centers throughout the State, and the large Franco-American presence in Maine can further strengthen our relationships with Canada, France and the rest of the francophone world; and

WHEREAS, the first Franco-American Day was celebrated on Wednesday, March 6, 2002 at the State Capitol; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, proclaim that Thursday, May 16, 2019 is Franco-American Day, to be celebrated at the State Capitol; and be it further

RESOLVED: That Franco-American Day be celebrated to commemorate the rich history of the French people in the State of Maine and the United States of America.

READ and ADOPTED.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Dolard "Del" Gendron, of Lewiston, on his induction into the Franco-American Hall of Fame. Mr. Gendron, a founder of the business Gendron & Gendron, has been a generous supporter of a number of local institutions and nonprofits, including St. Mary's Hospital, the YWCA, the Dolard & Priscilla Franco Center and Museum L/A. We extend our congratulations and best wishes;

(HLS 354)

Presented by Representative CRAVEN of Lewiston. Cosponsored by Senator LIBBY of Androscoggin, Representative HANDY of Lewiston, Representative CLOUTIER of Lewiston, Representative BROOKS of Lewiston.

READ and PASSED in Joint Convention.

Recognizing:

Caroline Dubois, of Presque Isle, on her induction into the Franco-American Hall of Fame. Ms. Dubois has taught French for over twenty years, including for the Maine School of Science and Mathematics, for the Caribou School District, for School Administrative District No. 1 in Presque Isle and, as an adjunct professor, for Husson University. We extend our congratulations and best wishes;

(HLS 355)

Presented by Representative STEWART of Presque Isle. Cosponsored by Senator CARPENTER of Aroostook, Representative McCREA of Fort Fairfield.

READ and PASSED in Joint Convention.

Recognizing:

Robert Lacasse, of Augusta, on his induction into the Franco-American Hall of Fame. Mr. Lacasse, a veteran of the United States Army, local businessman and banker, has been an active leader in the community, including with Le Club Calumet, the Gardiner Board of Trade, Gardiner General Hospital, the Kennebec Valley YMCA, the Kennebec Valley Chamber of Commerce, the United Way and the Augusta East Little League program. We extend our congratulations and best wishes;

(SLS 518)

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

READ and PASSED in Joint Convention.

Recognizing:

Alphonse "Alphy" Poulin, of Rome, on his induction into the Franco-American Hall of Fame. Mr. Poulin had a lifelong international career as a dancer, teacher and choreographer and was for 15 years ballet master and a faculty member at the Juilliard School in New York City. We extend our congratulations and best wishes;

(SLS 517)

Presented by Senator POULIOT of Kennebec. Cosponsored by Representative KESCHL of Belgrade, Senator FARRIN of Somerset.

READ and PASSED in Joint Convention.

Recognizing:

Karen Rancourt-Thomas, of Waterville, on her induction into the Franco-American Hall of Fame. Ms. Rancourt-Thomas has served as a Waterville City Councilor and as President of the Franco-American Society of the Kennebec Valley. She also has organized Waterville's Franco-American Festival and Festival at the Falls and is currently involved in Fort Halifax Days in Winslow. We extend our congratulations and best wishes;

(HLS 356)

Presented by Representative NADEAU of Winslow. Cosponsored by Senator CYRWAY of Kennebec, Representative WHITE of Waterville, Representative MADIGAN of Waterville.

READ and PASSED in Joint Convention.

Representative MARTIN of Eagle Lake assumed the Chair.

The Convention was called to order by the Chair Pro Tem.

Recognizing:

Roger Hurtubise, of Biddeford, on his induction into the Franco-American Hall of Fame. Mr. Hurtubise is the host of "The French Hour with Roger" on The Legends radio stations and of "L'Heure Francaise Avec Roger/Our Town" on Biddeford public access television. A veteran of the United States Army, he has served on the Biddeford City Council and been instrumental in organizing the city's La Kermesse Franco-Americaine Festival. We extend our congratulations and best wishes;

(HLS 357)

Presented by Representative FECTEAU of Biddeford. Cosponsored by Senator DESCHAMBAULT of York, Representative DENK of Kennebec, Representative FOLEY of Biddeford.

READ and PASSED in Joint Convention.

Recognizing:

Susan Poulin, of Eliot, on her induction into the Franco-American Hall of Fame. Ms. Poulin, creator of the character and alter-ego Ida LeClair, is an award-winning performer, author of 10 plays and writer of the popular Maine humor blog and podcast, "Just Ask Ida." We extend our congratulations and best wishes;

(SLS 515)

Presented by Senator LAWRENCE of York. Cosponsored by Representative MEYER of Eliot.

READ and PASSED in Joint Convention.

Recognizing:

the late Armand E. Cote, of Lisbon Falls, on his posthumous induction into the Franco-American Hall of Fame. Mr. Cote, a veteran of the United States Army, founded what became The Cote Corporation, a three-generation family business. Mr. Cote, a good corporate citizen and generous philanthropist, delivered and installed Christmas trees in Lewiston and Auburn, contributed to area schools and transported and installed memorials and monuments for veterans and many churches;

(HLS 358)

Presented by Representative CRAVEN of Lewiston.
Cosponsored by Representative MASON of Lisbon, Senator
TIMBERLAKE of Androscoggin.

READ and **PASSED** in Joint Convention.

Recognizing:

the late Raymond G. Gagnon, of Saco, on his posthumous induction into the Franco-American Hall of Fame. Mr. Gagnon, a veteran of the United States Navy, served his community and State on Saco's City Planning Board and as a member of the St. Joseph's Parish Cemetery Committee, the St. Vincent de Paul Society, the St. Jean the Baptist Society, the Elks, St. Joseph's Credit Union, the State Barber's Union and the Maine State Barber Board;

(SLS 516)

Presented by Senator DESCHAMBAULT of York.
Cosponsored by Representative BAILEY of Saco, Representative O'NEIL of Saco, Representative MAREAN of Hollis, Senator CHENETTE of York.

READ and **PASSED** in Joint Convention.

Recognizing:

the late Priscilla Gendron, of Lewiston, on her posthumous induction into the Franco-American Hall of Fame. Mrs. Gendron, a founder of the business Gendron & Gendron, was a generous supporter of a number of local institutions and nonprofits, including St. Mary's Hospital, the YWCA, the Dolard & Priscilla Franco Center and Museum L/A;

(HLS 359)

Presented by Representative CRAVEN of Lewiston.
Cosponsored by Senator LIBBY of Androscoggin, Representative HANDY of Lewiston, Representative CLOUTIER of Lewiston, Representative BROOKS of Lewiston.

READ and **PASSED** in Joint Convention.

Recognizing:

the late Reverend Rudolph J. Leveille, of Old Town, on his posthumous induction into the Franco-American Hall of Fame. Father Leveille, a Roman Catholic priest, was a pastor in Hallowell, Orono and Brewer. In retirement, he ministered in Bangor, Brewer, Hampden, Winterport, Orono, Indian Island and Bradley. He was active with Old Town Knights of Columbus Le Soiree parties, which celebrated the Franco heritage of the Old Town area;

(HLS 360)

Presented by Representative VEROW of Brewer.
Cosponsored by Senator DILL of Penobscot, Representative DUNPHY of Old Town.

READ and **PASSED** in Joint Convention.

The purpose for which Convention was assembled having been accomplished, the Chair declared the same dissolved.

(After the Joint Convention)

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

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

The Journal of Tuesday, May 14, 2019 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Require Professional Licensure for Property Inspectors"

(H.P. 492) (L.D. 671)

Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)** in the House on May 9, 2019.

Came from the Senate with the Majority (9) **OUGHT NOT TO PASS** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS READ and ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

An Act Regarding the Cancellation of Subscription Services

(H.P. 576) (L.D. 771)

(C. "A" H-143)

PASSED TO BE ENACTED in the House on May 2, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-143) AS AMENDED BY SENATE AMENDMENT "A" (S-99)** thereto in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 172)

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

May 14, 2019

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

Dear Clerk Hunt,

Pursuant to my authority under Title 10, MRSA, Part 1, Ch. 1-A, §11.4-A2, I am pleased to appoint the following people to the Citizen Trade Policy Commission:

- Honorable John Patrick of Rumford to seat fifteen
- Honorable Sharon Treat of Hallowell to seat seventeen

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

Sincerely,
S/Sara Gideon
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 174)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 16, 2019

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

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:
on May 14, 2019

Albro F. Cowperthwaite, Jr. of Linneus, Jerry W. Scribner of Belgrade, the Honorable Robert S. Duchesne of Old Town, Kristin Peet of Winterport, Lindsay Ware of Ellsworth and Shelby H. Rousseau of Phillips for appointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA §10151, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Joshua A. Chalmers of Scarborough, Marian A. Reagan of Kennebunkport, Joel E. Pike of Jay, James E. Havu of Augusta and Kelly M. LaRue of Ellsworth for appointment to the Board of Trustees, Maine School of Science and Mathematics.

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

David King of Limestone and David R. Ferguson of Kennebunk for reappointment to the Board of Trustees, Maine School of Science and Mathematics.

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

Edward C. Kelleher of Scarborough for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Patricia A. Riley of Brunswick and Timothy L. Doak of Fort Kent for appointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Sara Gideon

Speaker of the House

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, Directing the Public Utilities Commission To Examine Performance-based Rates for Electric Utilities (H.P. 1240) (L.D. 1741)

Sponsored by Speaker GIDEON of Freeport.

Cosponsored by Senator LAWRENCE of York and Representative: BERRY of Bowdoinham. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Encourage Broadband Deployment in Unserved Areas" (H.P. 1241) (L.D. 1742)

Sponsored by Representative WADSWORTH of Hiram. Cosponsored by President JACKSON of Aroostook and Representatives: MARTIN of Eagle Lake, McCREA of Fort Fairfield, STEWART of Presque Isle, Senators: LUCHINI of Hancock, ROSEN of Hancock.

Bill "An Act To Amend the Charter of the Boothbay Harbor Sewer District" (H.P. 1247) (L.D. 1752)

Sponsored by Representative STOVER of Boothbay. Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

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

Bill "An Act To Reclassify Certain Waters of the State" (H.P. 1242) (L.D. 1743)

Sponsored by Representative ZEIGLER of Montville. Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Establish Appliance Energy and Water Standards" (H.P. 1245) (L.D. 1750)

Sponsored by Representative PLUECKER of Warren. Cosponsored by Senator CARSON of Cumberland and Representatives: BERRY of Bowdoinham, BLUME of York, DOUDERA of Camden, GRAMLICH of Old Orchard Beach, MAXMIN of Nobleboro, SKOLFIELD of Weld, ZEIGLER of Montville, Senator: CHENETTE of York.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed. **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed. Sent for concurrence.

Bill "An Act To Amend and Clarify the Laws Concerning American Sign Language Interpreters" (H.P. 1246) (L.D. 1751)

Sponsored by Representative FECTEAU of Biddeford. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Amend the Geologist and Soil Scientist Licensing Laws" (H.P. 1249) (L.D. 1754)

Sponsored by Representative HIGGINS of Dover-Foxcroft. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed. Sent for concurrence.

Bill "An Act Regarding the Tagging and Sale of Shellfish"
(H.P. 1244) (L.D. 1745)

Sponsored by Representative McCREIGHT of Harpswell.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

Committee on **MARINE RESOURCES** suggested and
ordered printed.

REFERRED to the Committee on **MARINE
RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act Amending the Charter of the Boothbay-
Boothbay Harbor Community School District"

(H.P. 1248) (L.D. 1753)

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

Committee on **STATE AND LOCAL GOVERNMENT**
suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL
GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Update References to the United States
Internal Revenue Code of 1986 Contained in the Maine
Revised Statutes" (EMERGENCY)

(H.P. 1243) (L.D. 1744)

Sponsored by Representative TIPPING of Orono.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

Committee on **TAXATION** suggested and ordered
printed.

REFERRED to the Committee on **TAXATION** and
ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative FARNSWORTH of Portland,
the following House Order: (H.O. 27)

ORDERED, that Representative Richard M. Cebra of
Naples be excused May 7 and 9 for health reasons.

AND BE IT FURTHER ORDERED, that Representative
Donna R. Doore of Augusta be excused May 8 for health
reasons.

AND BE IT FURTHER ORDERED, that Representative
Thom Harnett of Gardiner be excused May 14 for health
reasons.

AND BE IT FURTHER ORDERED, that Representative
Frances M. Head of Bethel be excused May 8 for health
reasons.

AND BE IT FURTHER ORDERED, that Representative
Peter A. Lyford of Eddington be excused May 9 for personal
reasons.

AND BE IT FURTHER ORDERED, that Representative
Rena D. Newell of the Passamaquoddy Tribe be excused May
9 for legislative business.

AND BE IT FURTHER ORDERED, that Representative
Paul A. Stearns of Guilford be excused April 25 for personal
reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Margaret Eliza Wakelin Carle, of Old Orchard Beach. As
a 14-year-old, Mrs. Carle founded the Sandpiper Play School
at Biddeford Pool, where she instructed children in sand castle
construction and beach lore. As an adult, she taught art in
Needham, Massachusetts, in the Bath area and on Long
Island. She was a certified green artist, whose works featured
all-natural materials, and exhibited her work with local art
associations. She curated the community art gallery on Long
Island for 10 years. In addition to being an artist and teacher,
she was a musician and songwriter for more than 50 years.
She performed with autoharp, drums and voice in local choirs
and small folk groups. She was a member of the Council of
Women, a Native American group, and a woman of faith and
devotion. A supporter of the Old Orchard Beach Little League,
she made a significant donation for the repair of the league's
snack shack, which had been damaged by lightning. Mrs.
Carle will be long remembered and sadly missed by her family
and friends and all those whose lives she touched;

(HLS 364)

Presented by Representative GRAMLICH of Old Orchard
Beach.

Cosponsored by Senator CHENETTE of York.

On **OBJECTION** of Representative GRAMLICH of Old
Orchard Beach, was **REMOVED** from the Special Sentiment
Calendar.

READ.

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

Representative **GRAMLICH**: Thank you, Madam
Speaker, Women and Men of the House. I rise today in honor
of Maggie Carle.

Maggie, as you heard, was a talented musician, artist,
thespian, and a teacher for over 50 years. She was also, as
you heard, a member of a Native American group, the Council
of Women. But she was a true advocate for children and her
love of children was honored every single day in her work.
She loved living in our beautiful seaside community of Old
Orchard Beach. Her mission was to give back in life, and that
she did, every single day. Maggie Carle will be missed by all
those who knew her. Thank you, Madam Speaker.

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

In Memory of:

Albert A. "Joe" Gaudreau, of Gilead. Mr. Gaudreau was
a veteran of the United States Army, having served from 1955
to 1963. He worked for Brooks Brothers Plumbing and Heating
in Bethel for 32 years, retiring in 2004. Mr. Gaudreau will be
long remembered and sadly missed by his wife of 59 years,
Alfreda, and by his family and friends;

(HLS 366)

Presented by Representative HEAD of Bethel.

Cosponsored by Senator KEIM of Oxford.

On motion of Representative HEAD of Bethel, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

REPORTS OF COMMITTEE

Change of Committee

Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Energy, Utilities and Technology"

(S.P. 351) (L.D. 1163)

Reporting that it be **REFERRED** to the Committee on **TAXATION**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

Report was **READ** and **ACCEPTED** and the Bill and accompanying papers were **REFERRED** to the Committee on **TAXATION** in concurrence.

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-94)** on Resolve, To Require the Construction of a New District Headquarters Building for the Bureau of Forestry in Fort Kent

(S.P. 295) (L.D. 1016)

Signed:

Senator:

DILL of Penobscot

Representatives:

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

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

Signed:

Senator:

BLACK of Franklin

Representatives:

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

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-94)**.

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-94)** 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-94)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Protect Consumers from Price Gouging by Utility Companies"

(S.P. 340) (L.D. 1120)

Signed:

Senators:

- LAWRENCE of York
- WOODSOME of York

Representatives:

- BERRY of Bowdoinham
- CAIAZZO of Scarborough
- DOUDERA of Camden
- FOSTER of Dexter
- GRIGNON of Athens
- GROHOSKI of Ellsworth
- HANLEY of Pittston
- KESSLER of South Portland
- RILEY of Jay
- RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-95)** on same Bill.

Signed:

Senator:

MIRAMANT of Knox

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

READ.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-82)** on Resolve, To Require a Study of Greenhouse Gas Emissions Reductions from the Proposed Central Maine Power Company Transmission Corridor (EMERGENCY)

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

Signed:

Senators:

- CARSON of Cumberland
- CHENETTE of York
- FOLEY of York

Representatives:

- TUCKER of Brunswick
- BLUME of York
- FAY of Raymond
- GRAMLICH of Old Orchard Beach
- HOBBS of Wells

SKOLFIELD of Weld
ZEIGLER of Montville

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

Signed:
Representatives:

CAMPBELL of Orrington
JOHANSEN of Monticello
LYFORD of Eddington

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-82)**.

READ.

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

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Resolve, Requiring the Collection of Data on the Marriage of Minors

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

Signed:
Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

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

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

Signed:
Senator:

KEIM of Oxford

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

READ.

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

The Resolve was **READ ONCE**.

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** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Implement the National Popular Vote for President of the United States"

(S.P. 252) (L.D. 816)

Signed:
Senators:

CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-44)** on same Bill.

Signed:
Senator:

LUCHINI of Hancock

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-44)**.

READ.

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

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Allow Municipalities To Adopt Stricter Building and Energy Code Standards Than the Maine Uniform Building and Energy Code"

(H.P. 676) (L.D. 921)

Signed:
Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

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

SHARPE of Durham

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

Signed:

Representative:

JOHANSEN of Monticello

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Improve School Safety by Requiring Law Enforcement Visits"

(H.P. 856) (L.D. 1182)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-254)** on same Bill.

Signed:

Representatives:

DRINKWATER of Milford
RUDNICKI of Fairfield
SAMPSON of Alfred

READ.

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

Representative STEWART of Presque Isle **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 Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This bill that we're talking about here is something that I started talking with my local sheriff when he was first elected five years ago and he at this point is doing what this bill asks; visiting schools. And because of that I think we can all say that other counties and other sheriffs are going to do the same thing. He believes so; I've talked with him at the Sheriff's convention not long ago, about three or four weeks ago, and they all agree that it's something worth doing.

The State Police already do visit many schools and so this particular piece of legislation, if it doesn't pass, I think it's

something we're going to do. There's also a commission or a study that probably will recommend the same thing. The reason that I still think that we should pass it today is that just like I started talking with my sheriff five years ago and he's now doing it, I hope we don't have to talk with sheriffs all over the state for another five years to get them to do it. And some pressure I think is perhaps a good thing to do it. There is no fiscal note with it because the State Police, which would be what we would be talking about for money, already do some of these schools. The only thing that would be required of them would be a list of the schools they already do so that the county sheriffs perhaps wouldn't have to do the same schools.

The importance of doing this is, I think, quite obvious. Just having a police presence in the school, especially in the rural parts of the state where there are not many officers in the schools. Much of the state has resource officers and that's a great thing, we do need to protect our children and the staff in the schools because they are such soft targets. And I know they're hardening the schools up, doing a better job of making sure the entrances and exits are closed at certain times. Look what we do in this building to protect ourselves in this building. In fact, I would be willing to forfeit my protection in this building if it would help do more for the schools.

I consider this sort of a gentle push, not a mandate, and it's the kind of thing that, like I said, if we don't keep up a little pressure on it, it's awfully easy to kind of let it go by the wayside until we wished we had done it. All of the agencies that testified in the committee when we held it, were all basically in favor of the concept of it and we've taken away the idea of trying to mandate twice a week, which was, the State Police gave a list of how much work that would require. Of course, we weren't expecting it of all them, anyway, in the legislation, but it did help show the kind of time.

One of the things that was discussed that might possibly be a concern was special needs children that might be frightened by a police officer coming. I think it'd probably be just the reverse. I think the special needs children would probably be the most excited to have a police officer come. But I think the misunderstanding there was the fact that there would be no warning at all that a police officer was going to be in the school and that isn't the intent of this legislation. The intent is to have it be done in such a way that no one can predict when it's done, but that doesn't mean the officer wouldn't let the school know that they're going to be there in an hour and a half or two hours, whatever it might be, so that someone that you worry about in the school that might have an adverse reaction to someone stopping in unannounced would be able to have that cleared up.

So I think it is still the kind of thing that we're probably going to do at some point in time. I know in my county, in Hancock County, we're doing it now after we've been talking about it for five years. I would hope it wouldn't take that long for it to do that in the rest of the state, and so, I would ask you to defeat the motion on the Floor so that we could perhaps keep a little bit of pressure on the law enforcement to do, it's a matter of priorities. Is it more important to protect our children and the staff in the schools than it is to do many of the other things that the police officers do? And they are busy and they're great people, but so are the people in the schools, they're great people, too. And so it is a matter of priorities and I'd like to switch my priority at least slightly in that direction. Thank you very much.

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

Representative **HANINGTON**: Thank you, Madam Speaker. I'll get through that, I just come up with a coughing fit here. I have to agree, I oppose the pending motion. I have to agree with my Good Representative, Sherman.

We as a council in Lincoln about a year ago, we voted to hire a police resource officer and we're sharing that cost with, you know, Region 3, the town P.D., and then us as the town taxpayers. And I asked a simple question. I said how is this one service officer going to be at one given place, we have four facilities. So, you know, I think this is a good move and -- because any of us with training, military or law enforcement or whatnot, all we have to do is study the pattern of security. And once you get that pattern of security down, and that soft target is down, all you have to do is just say look, I know they're doing it today, I'm going to go over here tomorrow.

So, you know, I can see both sides of this argument but I honestly have to side with the Minority Report because this is one more tool in the toolbox that we can use to help harden our schools and really do what's right for the kiddos. So, I have to agree with my good friend Sherman and, Madam Speaker, ladies and gentlemen, I respect that you would follow my light. Thank you.

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

Representative **KORNFIELD**: Thank you, Madam Speaker. The people on the Education Committee, both Minority Report and Majority Report, all agreed on the concept of having police officers come to schools. However, many of the schools, particularly large schools, already have SROs, school resource officers. A lot of the smaller schools have local agreements.

The State Police came and said in the calendar year of 2018 the Maine State Police spent 776 hours conducting school safety checks. They said they often park in the school parking lots while they work on their computer just to have a presence. They said that the original bill was for two visits a week and then that was changed to one visit a week and that would mean two additional officers. The two visits a week was 57,520 school visits annually. Cutting down that to one would be half of that but it would be two additional officers.

We agree with the concept. We have other ways of nudging this along by writing letters to the Maine Superintendents Association, Maine Schoolboards Association, to encourage this local connection with law enforcement. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative **JOHANSEN**: Thank you, Madam Speaker. I think this is well intentioned but it's another example of the Legislature getting involved in something that it knows nothing about. If they wanted officers to stop, all they'd have to do is let the word out that there's coffee available in the building and they'd be regularly visited by the police.

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. 100

YEA - Ackley, Alley, Arata, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Bickford, Blume, Brennan, Bryant, Cardone, Carney, Cebra, Cloutier, Collings, Cooper, Corey, Costain, Craven, Crockett, Cuddy, DeVeau, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Faulkingham, Fay, Fecteau J, Fecteau R, Gramlich, Grohoski, Hall, Handy, Harnett, Harrington, Hepler, Hickman, Higgins,

Hobbs, Hubbell, Hymanson, Ingwersen, Johansen, Jorgensen, Keschl, Kessler, Kinney, Kornfield, Landry, Lockman, Madigan C, Martin J, Martin T, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Connor, O'Neil, Ordway, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pickett, Pluecker, Prescott, Reckitt, Riley, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Skolfield, Stanley, Stetkis, Stover, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Austin S, Blier, Bradstreet, Curtis, Dolloff, Drinkwater, Foster, Griffin, Haggan, Hanington, Hanley, Head, Hutchins, Javner, Kryzak, Mason, Morris, Reed, Rudnicki, Sampson, Stearns, Stewart, Theriault, Wadsworth, White D.

ABSENT - Caiazza, Campbell, Daughtry, Denk, Dillingham, Foley, Gattine, Grignon, Lyford, Marean, Martin R, Millett, Perkins, Pierce T, Riseman, Swallow.

Yes, 106; No, 26; Absent, 16; Excused, 2.

106 having voted in the affirmative and 26 voted in the negative, with 16 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-246)** on Resolve, To Establish the Commission To Study Children's Mental Health (EMERGENCY)

(H.P. 41) (L.D. 40)

Signed:

Senators:

CLAXTON of Androscoggin
MOORE of Washington

Representatives:

CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
MADIGAN of Waterville
MEYER of Eliot
O'CONNOR of Berwick
PERRY of Calais
STOVER of Boothbay
TALBOT ROSS of Portland

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

Signed:

Senator:

GRATWICK of Penobscot

Representative:

HYMANSON of York

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-246)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-246)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-252)** on Bill "An Act To Ensure the Availability of Community Integration Services" (EMERGENCY)

(H.P. 568) (L.D. 763)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Sometimes when I'm in Health and Human Services, everything sounds like a good idea. This was also one of them; however, this bill has an estimated fiscal note of \$514,000 for 2019/2020, and \$2.681 million for 2020 and 2021. This increases rates for services to \$100 an hour, or \$24.25 per quarter-hour. And I believe that we need to prioritize spending.

Most of you know that in the past 14-15 months we've had seven nursing homes close down. In addition, the Department of Transportation has canceled projects. And although this may be a good idea, I think that we really need to prioritize spending and, unfortunately, this is what happens when we have government-mandated increases in the minimum wage. Thank you, Madam Speaker.

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

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

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

Representative **HYMANSON**: Thank you, Madam Speaker. Madam Speaker, if we're going to keep our corrections facilities away from being our largest mental health facility in the state then we're going to have to put some effort into community-based behavioral health systems. This is what this does. It honors the community-based behavioral health system by increasing funding for community integration. Those are people who are at home, not in our correctional systems, not in our hospitals, who are at home struggling with mental illness, who need some support in their homes. In order to get that, these are raises for our direct care workers who work with people in their homes. If we don't fund them well, we won't have those services and people who are fragile with their behavioral health who are at home will escalate in their emergency problem and show up in the emergency rooms and it's just not fair for them.

So, this is a way to put money on the table. It may not be the ultimate amount that the Appropriations Committee feels they can fund, but if we don't put this money on the table, we'll never get that chance. I urge you to vote to support the motion on the Floor. Thank you.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I would just like to remind people that spending on mental health services when we talk about paying for community integration services, that you actually are available to get the federal match in your Medicaid dollars, where when we spend it in the jails or other ways because we don't have those services available, that comes entirely from our General Fund. I support this bill because it makes more sense and to do otherwise, I think, is penny wise and pound foolish. 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. 101

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Gramlich, Grohoski, Handy, Harnett, Harrington, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Paulhus, Pebworth, Peoples, Perry A, Perry J, Pluecker, 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 - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Curtis, DeVeau, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Geffin, Haggan, Hall, Hanington, Hanley, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Martin T, Mason, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed,

Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Theriault, Tuell, Wadsworth, White D.

ABSENT - Daughtry, Denk, Dillingham, Foley, Gattine, Grignon, Lyford, Marean, Martin R, Millett, Pierce T, Riseman, Swallow.

Yes, 85; No, 50; Absent, 13; Excused, 2.

85 having voted in the affirmative and 50 voted in the negative, with 13 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-252)** 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-252)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-253)** on Resolve, To Increase Funding for Assertive Community Treatment (EMERGENCY)

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

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

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

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Again, this bill seeks retroactive funding for 2018/2019 for somewhere

between \$271,000 to about \$526,000 and increases to a minimum of \$1,085,000 in 2019/2020. The impact of the increase has put us slightly above the center for Medicaid and Medicare rates services. Due to this, the 2020/21, that cost will rise to \$1,905,000. This is another fallout from artificially increased minimum wage raises and, once again, I think we can better prioritize our spending. Thank you, Madam Speaker.

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

Representative **MADIGAN**: Thank you, Madam Speaker. For those of you that don't know, I am an LCSW and I've worked on an assertive community treatment team. This is an evidence-based practice that was started in the 1970s in Madison, Wisconsin, and actually has years - decades, even, of evidence that this actually is helpful for preventing hospitalization, reducing the amount of time for hospitalization, and integrating people into their community.

We have had ACT teams in the state since the 1990s. They are multidisciplinary teams. And to get funding for this, to qualify to bill for this, you have to meet standards, fidelity standards, and because the rate has not increased in over a decade that people are -- agencies are not able to afford to do this anymore.

I would also like to take a moment to make clear how the minimum wage has impacted this. Every person on an ACT team, actually other than a peer person, has a Bachelor's degree and has some advanced training so minimum wage likely has no effect on this because many of the people on the ACT team are things like licensed clinical social workers, psychiatrists, psychiatric nurses, rehabilitation specialists, vocational counselors; all people that make above the minimum wage. Thank you very much.

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

Representative **DeVEAU**: Thank you, Madam Speaker, and I'm going to take the advice of one of my fellow Republicans on not stating the obvious, but what I am going to say is that we have a number of bills in here that are asking for funding, funding, funding, and funding. An example is one that's coming up today, we want to use taxpayer taxes to pay for abortions. We want to use it for a number of different things. We have got to put our foot down and say what will we fund with the money that we have and not fund the other things. So, my question, if I may, to pose to the group, if I may.

The SPEAKER: The Representative may pose a question to the Members through the Chair.

Representative **DeVEAU**: When are we going to stop? When are we going to do the right thing and pay for the things that are a necessity and not the things that we want?

Now, to go back to my comments, I teach my son wants, needs, all right? We have to start, as a body, looking at what are our wants and what are our needs? I don't care what the national popular thing is, you know, red flag, everybody's paying for abortions, I don't care about that. I'm caring about our community and the 8,000 people that I represent that I have to go back to and tell them, you know what, we're in the minority, we're going to get our ass kicked each -- excuse me.

The SPEAKER: The Representative will defer.

The House will be in order and the Chair will recognize the Representative from Caribou, Representative DeVeau, who may continue.

Representative **DeVEAU**: Thank you, Madam Speaker, and I do apologize to the fellow Members of the House for my slip. It was not intended.

So, what my focus is is on this funding. Right now we are going to be tasked with determining how and what gets funded. We really need to prioritize and make that focus. So, with that, thank you.

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

Representative HYMANSON: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Perhaps we should just slow this down and talk a little bit about a need. We have a need to stop making our prisons and our correctional facilities the largest mental health facility in the State of Maine, and we need to get people out of our emergency rooms who are living there for days to weeks because there's no place to put them in the State of Maine because they have critical mental health needs, whether they are developmentally disabled, intellectually disabled, or have severe and persistent mental illness or have a behavioral disorder that has destabilized. The way to do that is to engage these types of programs that are called fidelity-based programs. That means that they're evidenced based, there are a lot of studies around them, that if you put this exact program into place in the community by using professionals that you get an outcome that stabilizes behavioral health and keeps people away from more expensive and more tragic circumstances. This is one of those programs. It's called the assertive community treatment model and it employs professionals, who are way above, getting paid way above minimum wage because they are professionals with degrees. So, this is a way to fund this model so that we can protect people who have behavioral health needs and challenges in our communities so they don't have to be put into other institutions. So I hope you consider that this is a funding bill to do that. 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. 102

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

ABSENT - Daughtry, Denk, Dillingham, Foley, Grignon, Lyford, Marean, Martin R, Millett, Pierce T, Riseman, Swallow.

Yes, 84; No, 52; Absent, 12; Excused, 2.

84 having voted in the affirmative and 52 voted in the negative, with 12 being absent and 2 excused, and accordingly

the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-253)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-253)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-248)** on Bill "An Act To Restore Services To Help Certain Noncitizens Meet Their Basic Needs"

(H.P. 952) (L.D. 1317)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-265)** on Bill "An Act To Expand Access to Head Start To Assist Opioid-affected and Other At-risk Families"

(H.P. 1030) (L.D. 1417)

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

HYMANSON of York
CRAVEN of Lewiston

MADIGAN of Waterville
MEYER of Eliot
PERRY of Calais
STOVER of Boothbay
TALBOT ROSS of Portland

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

READ.

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. So this bill requires a \$7.5 million fiscal note for 2019/2020 and a \$15 million fiscal note for 2020 through 2021 and thereafter in perpetuity. As we speak, the Head Start program receives about \$33 million annually and, in addition, it also -- that's from the federal government. In addition, it also receives some money from the State of Maine. We're one of the few handful of states that does this and the -- actually the student expenditures on this when you do the math are -- the Head Start students are getting more money than our secondary schools and I think that if we're going to make investments that we should spend more on our secondary schools where there's more to learn. And, in addition, when I reviewed this bill again, I found it rather troubling that the tribes are not allowed to take any of the funding for this new spending initiative. Thank you.

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

Representative **HYMANSON**: Thank you, Madam Speaker. Madam Speaker, Head Start is one of our most important programs for making sure that our little kids get a good start. I think in many of our committees now we've talked about adverse childhood experiences, that's trauma in kids' life that if it is not dealt with in a family manner travels with kids through their life and affects them both with their mental health and their physical health. This -- Head Start is a program that works with families so that the families learn how to be stronger, more resilient, and to put out fires that might affect the kids as they grow up.

So it is certainly worth supporting and what this bill does is clear the 1,000-children waiting list that we have in the State of Maine, children who should be in Head Start but there is no funding for them. This is an investment in our kids at the earliest level, and their families, and it pays off big time. So I hope you support this. Thank you.

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

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

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

Representative **McCREIGHT**: Thank you, Madam Speaker. I was a Head Start social worker and a home-based coordinator for nine years, working with our youngest children and their families, and to reiterate what the Representative

from York just said, the family-based focus is critical. Head Start teaches that parents are the child's first and best teacher and supports the family, supports the child.

The long-term benefits of Head Start are well established. Fewer kids who have had Head Start in their lives become involved with the legal system, fewer kids who have had Head Start in their lives are involved with substance use disorders. And I asked the same question about the tribal members. The reason the tribes are not included is because there's a separate program and their funding comes from that. So, it does not exclude the tribal members; they're getting Head Start through other sources. And I would just add that we need to let Appropriations do their job. Thank you, Madam Speaker.

Representative O'CONNOR of Berwick **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 Fort Fairfield, Representative McCrea.

Representative **McCREA**: Thank you, Madam Speaker. I'm an educator all my life. I'm on the Education Committee. Every bit of research that you can find, every major corporation that cares to address anything about education, the biggest gap that we have in the education system is birth to five years old. That's where all the research says we ought to be putting our next highest priority. So, while I agree it would be great to put more emphasis on all levels, if we've got to choose what level to support more, it's the birth to five. Thank you very much, Madam Speaker.

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

Representative **FECTEAU**: Thank you, Madam Speaker. I do support Head Start. I'm trying to understand this bill a little bit better and I'm very sensitive to Subsection 4-A where it said those who are affected or whose family is affected by substance use disorder. However, when I look in Title 22, Section 3736 -- well, the definition section of 3731; family isn't defined, so may I pose a question?

The SPEAKER: The Representative may proceed.

Representative **FECTEAU**: What is the definition of family in this circumstance? Is it immediate family or could a child's aunt or second cousin be suffering from substance use disorder? I'm just trying to find out where this substance use disorder and how close it is to the child. Thank you.

The SPEAKER: The Representative from Augusta has posed a question through the Chair if there is someone who can answer. The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you for bringing that up, and it's what we struggled with as well in the original bill. And so the amended version is really, strikes all of that out and is really just a funding bill for the thousand kids who are on the waitlist.

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

Representative **PERRY**: Thank you. Having worked for Head Start, family is a part of the Head Start program and it is immediate family. And the purpose of that is to make sure that the family is involved in the child's education. If there are any issues that the family is dealing with which is creating a problem for that child's education, then they provide the ability for this family to get the services they need so that they have, they and their child has the head start that this child needs to move forward.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Bailey.

Representative BAILEY: Thank you, Madam Speaker, Men and Women of the House. As a proud graduate of the Head Start program, I'm not sure if I'm the only Member who actually graduated from Head Start, I am forever grateful for the head start that that gave me to lead me to be the first person in my family to graduate from college, and then to go on to law school. And so I would ask you all to support this program and give that same opportunity to others. Thank you.

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

Representative McCREIGHT: Thank you, Madam Speaker. Just to add to the response to the question. Though the bill was amended, I just wanted to stress that family is critical to Head Start and not just family but natural supports. So, the broadest definition of finding those natural supports in a child's life and empowering them to do well in their lives and to help their children, and the children in the whole community.

Subsequently, Representative O'CONNOR of Berwick WITHDREW her REQUEST for a roll call.

Subsequently, the Majority Ought to Pass as Amended Report was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-265) 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-265) and sent for concurrence.

Majority Report of the Committee on LABOR AND HOUSING reporting Ought Not to Pass on Bill "An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System"

(H.P. 858) (L.D. 1184)

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BRADSTREET of Vassalboro
CARNEY of Cape Elizabeth
LOCKMAN of Bradley
MORRIS of Turner
RYKERSON of Kittery

Minority Report of the same Committee reporting Ought to Pass as Amended by Committee Amendment "A" (H-244) on same Bill.

Signed:

Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
DUNPHY of Old Town
PEOPLES of Westbrook

READ.

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

The same Representative 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 Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

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

First of all, I would like to draw your attention to the bipartisan Majority Report Ought Not to Pass that came out of the Labor and Housing Committee. I'd also like to put some perspective on the proposal. Back in 2011, a number of employees were given the choice of accepting 100% paid insurance benefits in exchange for concessions on their retirement benefits. This bill seeks to undue that agreement. The choice back in 2011 was a difficult one, but an agreement nevertheless. This is not right. We must not set a precedent where we enter into an agreement where certain employees get benefits that others do not and later on attempt to renege on that agreement.

The cost to the State is \$5.8 million. This bill is not fair to the employees who chose not to receive the 100% paid insurance benefits and certainly not to the taxpayers of the State of Maine. I urge you to vote no on the pending motion. Thank you, Madam Speaker.

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

Representative SYLVESTER: Thank you, Madam Speaker. The goalposts for state workers and teachers were changed in 2011, but it wasn't the first time. The goalposts were changed for all those folks in MePERS in the '90s when the age was raised from 60 to 62 and then in 2011/2012 folks who had survived that first change had the age changed from 62 to 65. Now, if you could stick it out to 65, even though you had been hired and planned your life around the fact that you could retire at 62, then you were fine, but if you couldn't stick it out to 65 and you retired early, you would receive a 6% penalty per year that you retired early. Now, this was not just once, and I have to admit I had to go back and check because it seemed so unfair that this kind of penalty would carry with you for the rest of your life. But, no, it was 6% figured at the amount of retirement so if you retired four years early, it would be a 24% penalty on what you were owed, on what you had worked for your entire career, not just that year, not just until you were 65, but until the end of your days. And so that, to me, seems unjust and why today I am moving the Minority Report.

Now, there is a fiscal note on this bill of \$5.8 million but to deny these folks doesn't seem right to me and dans l'esprit de jour, cette une situation terrible et injuste. Les personnes qui une travaillent pour l'etat et l'ecoles merit more. Les personnes meritent notre respect. In the spirit of the day, in this situation, it is terrible and unjust. The persons who work for our state and who work for our schools deserve more. They deserve our respect. And, Madam Speaker, that's why I ask folks to support the motion. Thank you very much.

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

Representative HANINGTON: Thank you, Madam Speaker, ladies and gentlemen. It's all about choices. A few

years back, Lincoln got \$3,096,000 for MainePERS because we overpaid MainePERS, and we're dealing with the same thing what this bill is trying to do. And we made that hard decision as a council; hey, we understand, but the decision was made and we can't honor that. You made a decision, you have to stick with that decision. And I have to agree with my good friend from Vassalboro, Representative Bradstreet, you know, and vote this motion down because it's about decisions moving forward. If I made a decision today with my brother to do something and ten years down the road when I reached 67 years old, I want to renege on that decision and say look, I want to be where I was 20 years ago. And that's why I'm against this, because it is about decisions and I want to go against the pending motion. Thank you.

The SPEAKER: The Chair will remind the Representative to please not refer to the name of another Member but only where they are from. And the Chair will also - the Member will refrain from speaking when not called upon - and the Chair will also mention to a previous speaker and Member that raising one's voice in the chamber in such a way is not appropriate. It is not strictly forbidden but it is really not in the realm of decorum for debate.

The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker. I stand opposed to the pending motion.

I sat on both sides of the table for many contract negotiations throughout my working career and also some of that included my time on schoolboard dealing with school employees. And all of the contracts that I'm familiar with all had a clause in them that if you took early retirement before your normal retirement date you were penalized a certain percentage per year for that early retirement, and that includes the pension that I have had the privilege of having myself.

I had a close relative at the time that this occurred that worked for the State. He chose, because of the opportunity to have full medical coverage for the rest of his life, to take the opportunity and retire. Yes, he did sacrifice some of his retirement dollars, but there's a good chance that by now those dollars have been offset by the cost that he may have had to contribute to his medical care. When asked by my mother (he's my age, by the way), when asked by my mother well, he's retired, why can't you retire, I told him because I need to keep working to pay taxes to help him have his medical benefits.

Madam Speaker, this is not just a burden on our taxpayers but also on the rest of those who have worked and gotten a normal retirement, and because they did not take that opportunity have seen that they need to contribute to their medical benefits and don't have full benefit as was offered to those who took that. I agree with those who have spoken that said when you make that deal, we need to stick with it, and on behalf of the taxpayers of the State of Maine, I ask that we oppose this motion. Thank you.

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

Representative **SYLVESTER**: Madam Speaker, I just wanted to apologize to the chamber. I was just trying to honor my Mémé on this day by getting the French right, I may have leaned in a little too close to my microphone, it wasn't my intention to raise my voice and holler, and I apologize to the chamber for that.

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

Representative **KESCHL**: Thank you, Madam Speaker. I just want to ensure that everyone understands that the times

in which these decisions were made presented difficulties -- there were difficulties presented to the Maine State Retirement System. The viability of the system was in doubt at times. So we shouldn't forget the times and what these decisions were made, and how those decisions impacted the financial viability of that system. I was here during that period of time, working for the State of Maine. I was here back in 2012 when the Legislature voted on changes again to the retirement system and confronted the difficult issues relative to the viability and unfunded mandates. So we should not forget that in our desire to correct some of the issues that some of these workers faced as a result of the decisions that we made. So, I urge you not to support this proposal.

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. 103

YEA - Ackley, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Collings, Cooper, Craven, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fecteau R, Gattine, Handy, Hanley, Hickman, Hobbs, Kessler, Kornfield, Madigan C, Matlack, Maxmin, McCreia, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Peoples, Perry J, Reckitt, Roberts-Lovell, Schneck, Sharpe, Skolfield, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Tipping, Tucker, Warren, White B, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin B, Austin S, Bickford, Blier, Bradstreet, Campbell, Carney, Ceбра, Cloutier, Corey, Costain, Crockett, Curtis, DeVeau, Dolloff, Drinkwater, Faulkingham, Fay, Fecteau J, Foster, Gramlich, Griffin, Grohoski, Haggan, Hall, Hanington, Harnett, Harrington, Head, Hepler, Higgins, Hubbell, Hutchins, Hymanson, Ingwersen, Javner, Johansen, Jorgensen, Keschl, Kinney, Kryzak, Landry, Lockman, Martin J, Martin T, Mason, Mastraccio, Morris, Nadeau, O'Connor, Ordway, Pebworth, Perkins, Perry A, Pickett, Pluecker, Prescott, Reed, Riley, Rudnicki, Rykerson, Sampson, Sheats, Stearns, Stetkis, Stewart, Strom, Terry, Theriault, Tuell, Verow, Wadsworth, White D, Zeigler.

ABSENT - Daughtry, Denk, Dillingham, Foley, Grignon, Lyford, Marean, Martin R, Millett, Pierce T, Riseman, Swallow.

Yes, 59; No, 77; Absent, 12; Excused, 2.

59 having voted in the affirmative and 77 voted in the negative, with 12 being absent and 2 excused, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Reduce Administrative Burdens of Forest Products Harvesters" (H.P. 1026) (L.D. 1413)

Signed:

Senators:

BELLOWS of Kennebec
GUERIN of Penobscot
LAWRENCE of York

Representatives:

SYLVESTER of Portland

BRADSTREET of Vassalboro
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
LOCKMAN of Bradley
MORRIS of Turner
RYKERSON of Kittery

KRYZAK of Acton
STEWART of Presque Isle

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

Signed:
Representative:
AUSTIN of Gray

READ.

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

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

SENATE PAPERS

The following Joint Order: (S.P. 583)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 21, 2019 at 10:00 in the Morning.

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-260)** on Bill "An Act To Fully Fund and Restore State-Municipal Revenue Sharing" (EMERGENCY) (H.P. 156) (L.D. 193)

Signed:
Senators:
CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:
TIPPING of Orono
CLOUTIER of Lewiston
DENK of Kennebunk
MAREAN of Hollis
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-261)** on same Bill.

Signed:
Senator:
POULIOT of Kennebec

Representatives:
BICKFORD of Auburn

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

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Overtime Pay from Individual Income Tax" (H.P. 718) (L.D. 963)

Signed:
Senators:
CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:
TIPPING of Orono
BICKFORD of Auburn
CLOUTIER of Lewiston
DENK of Kennebunk
MAREAN of Hollis
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 "A" (H-259)** on same Bill.

Signed:
Senator:
POULIOT of Kennebec

Representatives:
KRYZAK of Acton
STEWART of Presque Isle

READ.
Representative TIPPING of Orono moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

CONSENT CALENDAR

First Day

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

(S.P. 172) (L.D. 550) Bill "An Act To Amend the Definition of 'Subdivision' in the Laws Governing Planning and Land Use Regulation for Subdivisions and a Provision Excepting the Division of a New or Existing Structure from Those Laws Beginning July 1, 2018" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-97)**

(S.P. 294) (L.D. 1015) Bill "An Act To Support Maine Craft Distillers" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-93)**

(S.P. 321) (L.D. 1089) Bill "An Act To Ban Discretionary Clauses in Life and Health Insurance Policies" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-89)**

(S.P. 372) (L.D. 1197) Bill "An Act To Amend the Law Prohibiting the Denial by Health Insurers of Referrals by Out-of-network Providers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-90)**

(S.P. 491) (L.D. 1556) Bill "An Act Regarding Filing Fees in Transmission Line Proceedings" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-96)**

(S.P. 516) (L.D. 1619) Bill "An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-92)**

(H.P. 441) (L.D. 613) Resolve, Concerning the Adoption of Rules To Carry Out the Purpose of the Bridging Rental Assistance Program Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 878) (L.D. 1218) Bill "An Act To Allow Maine Medical Marijuana Caregivers To Measure Cultivation Limits by Plant Canopy Size" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1086) (L.D. 1484) Bill "An Act To Create a System Using the Permit for Disposition of Human Remains To Track the Burial of Cremated Remains in a Public Cemetery" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1106) (L.D. 1513) Bill "An Act To Amend the Date by Which an Applicant for Funds under the Local Road Assistance Program Must Provide Certification to the Department of Transportation" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1211) (L.D. 1696) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 161) (L.D. 198) Bill "An Act To Require That Nonmotorized Carriages Be Equipped with Reflectors and Lights" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-243)**

(H.P. 398) (L.D. 541) Resolve, To Reduce Food Waste in Schools Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-255)**

(H.P. 570) (L.D. 765) Resolve, To Revise Asset Limits for Social Service Programs Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-247)**

(H.P. 623) (L.D. 849) Bill "An Act To Allow Chiropractic Internships" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-262)**

(H.P. 727) (L.D. 972) Resolve, To Increase Access to Brain Injury Waiver Services Committee on **HEALTH AND**

HUMAN SERVICES reporting **Ought to Pass as Amended by Committee Amendment "A" (H-245)**

(H.P. 769) (L.D. 1039) Resolve, To Establish and Fund Interventions for At-risk Families and Children Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-250)**

(H.P. 773) (L.D. 1043) Bill "An Act To Establish Universal Public Preschool Programs" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-256)**

(H.P. 802) (L.D. 1079) Bill "An Act To Require Public Schools To Periodically Test for Radon" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-251)**

(H.P. 849) (L.D. 1160) Bill "An Act To Transfer the Kim Wallace Adaptive Equipment Loan Program Fund to the Office of the Treasurer of State" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-258)**

(H.P. 943) (L.D. 1300) Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-264)**

(H.P. 1008) (L.D. 1394) Resolve, To Direct the Department of Administrative and Financial Services To Conduct a Surplus Property Inventory Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-263)**

(H.P. 1014) (L.D. 1399) Bill "An Act To Improve Oral Health and Access to Dental Care for Maine Children" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-249)**

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

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

(H.P. 901) (L.D. 1240) Bill "An Act To Provide Career and Technical Training Options for Electricians" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-257)**

On motion of Representative MOONEN of Portland, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

ENACTORS

Emergency Measure

An Act To Address Electricity Costs of Agricultural Fairs

(H.P. 860) (L.D. 1186)

(C. "A" H-228)

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

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F, a Late-filed Major Substantive Rule of the Department of Health and Human Services

(H.P. 1102) (L.D. 1510)

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. 116 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Mandate

An Act To Provide School Personnel Paid Hourly a Wage Pay Option

(H.P. 224) (L.D. 300)

(C. "A" H-220)

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

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had an opportunity to reach out to the Finance and Operations Director for MSAD 15. I'm a schoolboard member and this issue has come up in the past. We used to provide this service to our hourly employees but it became quite difficult for our staff to handle, and they've written me the following: The concerns we have with this legislation include, number one, the legislation assumes hourly employees work at a specific set and unchanging number of hours weekly and it is rarely the case that hourly employees in our district work a specific set and unchanging number of hours weekly. Bus schedules, lunch schedules, snow storms, schoolwide events, etcetera, ensure school hourly employees have fluctuating schedules. Pay averaging creates a financial liability for the school district because we're at risk of paying either too much or paying too little. It is untenable that an organization like MSAD 15 that has well over 100 hourly employees and one payroll clerk can accomplish this. The best payroll practice is to pay people for what they earned in the time period they earned it. Many people, if not most with an hourly wage, choose to work in the school district because it is a 36-week school year. Adult workers who make this choice are able to organize their personal financing in such a way to stretch out their paycheck any way they see fit.

Therefore, this is why I'm going to vote against the motion. Thank you very much.

In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 73 voted in favor of the same and 63 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

Acts

An Act To Require Insurance Coverage for Hearing Aids for Adults

(H.P. 39) (L.D. 38)

(C. "A" H-241)

An Act Regarding the Membership of the Wild Blueberry Commission of Maine

(H.P. 127) (L.D. 145)

(C. "A" H-227)

An Act To Ban Telephone Solicitations Using an Artificial or Prerecorded Voice and Enhance Caller Identification

(S.P. 89) (L.D. 277)

(C. "A" S-88)

An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board

(H.P. 241) (L.D. 317)

(C. "A" H-219)

An Act To Allow an Attorney To Use a Photocopied Driver's License To Consummate a Financial Transaction

(H.P. 326) (L.D. 417)

(C. "A" H-231)

An Act To Protect Medical Payments Coverage for Consumers

(H.P. 387) (L.D. 530)

(C. "A" H-242)

An Act To Change the Membership of the Maine Commission on Domestic and Sexual Abuse To Include More Tribal Members

(H.P. 644) (L.D. 870)

An Act To Require the Department of Environmental Protection To Provide Natural Resources Protection Act Permits to Affected Municipalities

(H.P. 955) (L.D. 1320)

(C. "A" H-238)

An Act Regarding Local Workforce Development Boards

(H.P. 981) (L.D. 1359)

(C. "A" H-218)

An Act To Clarify Conflict of Interest Requirements for the Board of Environmental Protection

(H.P. 1179) (L.D. 1644)

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, Directing the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands To Establish a Law Enforcement Training Program for Park Managers and Certain Bureau Staff

(H.P. 384) (L.D. 527)

(C. "A" H-229)

Resolve, To Support Municipal Recycling Programs

(H.P. 1041) (L.D. 1431)

(C. "A" H-237)

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

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

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

(C. "A" H-120)

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

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

An Act To Prevent Discrimination in Public and Private Insurance Coverage for Pregnant Women in Maine (H.P. 594) (L.D. 820) (C. "A" H-210)

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

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

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

The **SPEAKER**: 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. 104

YEA - Ackley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Bryant, Caiazzo, Cardone, Carney, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Mastraccio, Matlack, Maxmin, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, O'Neil, Paulhus, Peabworth, Peoples, Perry A, Pluecker, Reckitt, Riley, 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, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Martin J, Martin T, Mason, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry J, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Theriault, Tuell, Verow, Wadsworth, White B, White D.

ABSENT - Daughtry, Denk, Dillingham, Foley, Grignon, Lyford, Marean, Martin R, Millett, Pierce T, Riseman, Swallow. Yes, 77; No, 59; Absent, 12; Excused, 2.

77 having voted in the affirmative and 59 voted in the negative, with 12 being absent and 2 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate

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

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment, Tuesday, May 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 Increasing Municipal Agent Fees for Motor Vehicle, All-terrain Vehicle, Snowmobile and Watercraft Registrations

(S.P. 272) (L.D. 917) (C. "A" S-70)

TABLED - May 7, 2019 (Till Later Today) by Representative MOONEN of Portland.

PENDING - PASSAGE TO BE ENACTED.

On motion of Representative McLEAN of Gorham, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-70)** was **ADOPTED**.

The same Representative **PRESENTED** House **Amendment "A" (H-279)** to **Committee Amendment "A" (S-70)** which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-70) as Amended by **House Amendment "A" (H-279)** thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-70)** as Amended by **House Amendment "A" (H-279)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

COMMUNICATIONS

The Following Communication: (H.C. 176)

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

May 16, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative John L. Martin of Eagle Lake to serve as Speaker Pro Tem to convene the House on May 16, 2019.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

SENATE PAPERS

Bill "An Act To Amend the State's Hemp Laws"

(S.P. 585) (L.D. 1749)

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

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

Bill "An Act To Allow for the Establishment of Commercial Property Assessed Clean Energy Programs"

(S.P. 582) (L.D. 1748)

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

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Move Maine Toward Affordable Health Care for Everyone"

(S.P. 586) (L.D. 1755)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

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

Bill "An Act To Amend the Licensing Laws of Certain Professions and Occupations"

(S.P. 580) (L.D. 1746)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

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

On motion of Representative GRAMLICH of Old Orchard Beach, the House adjourned at 1:39 p.m., until 10:00 a.m., Tuesday, May 21, 2019, pursuant to the Joint Order (S.P. 583) and in honor and lasting tribute to Margaret Eliza Wakelin Carle, of Old Orchard Beach and Kathleen Hanscom, of Bethel.