

# MAINE STATE LEGISLATURE

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**State of Maine**

**Daily Edition**

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

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

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

Representative STEWART of Presque Isle **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

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

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

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

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

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

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

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

**ROLL CALL NO. 268**

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

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Haggan, Hall, Hanington, Hanley, Harrington, Head, Javner, Johansen, Kinney, Kryzak, Lockman, Marean, Martin T, Mason, Millett, Morris, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

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

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

90 having voted in the affirmative and 51 voted in the negative, with 9 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**CONSENT CALENDAR  
First Day**

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

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

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-596)** was **READ** by the Clerk and **ADOPTED**.

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

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

The SPEAKER: The Representative from Orono may proceed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## CONSENT CALENDAR

### First Day

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

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

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

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

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

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## REPORTS OF COMMITTEE

### Divided Report

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

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

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

KORNFELD of Bangor  
BRENNAN of Portland  
DODGE of Belfast  
FARNSWORTH of Portland  
INGWERSEN of Arundel  
McCREA of Fort Fairfield