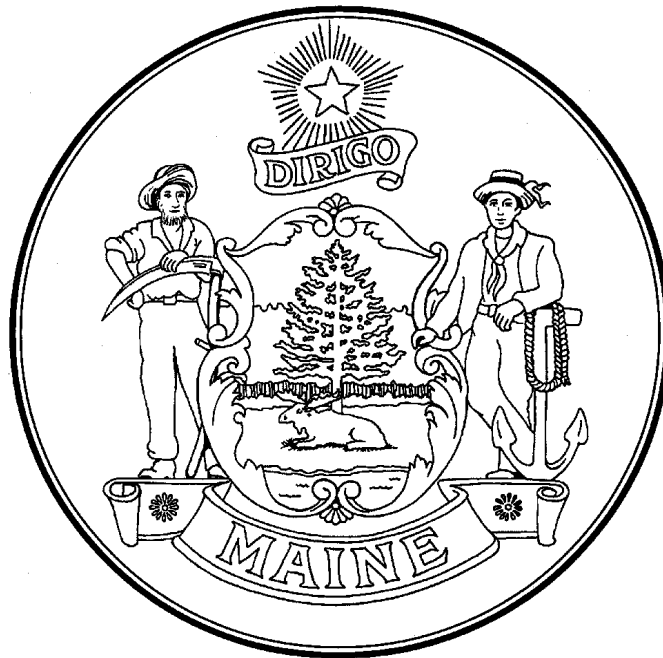


MAINE STATE LEGISLATURE

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

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First Regular Session
beginning December 5, 2018

pages 1 -

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-318)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-318)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-318)** in concurrence.

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

SENATE PAPERS
Non-Concurrent Matter

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

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

COMMITTED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in the House on June 18, 2019.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303) AND SENATE AMENDMENT "A" (S-316)** in **NON-CONCURRENCE**.

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

ENACTORS
Acts

An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws

(S.P. 603) (L.D. 1787)

(C. "A" S-315)

An Act To Make Certain Snowmobile and Watercraft Laws Consistent with All-terrain Vehicle Laws

(S.P. 614) (L.D. 1824)

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

An Act To Prohibit the Use of Handheld Phones and Devices While Driving

(S.P. 52) (L.D. 165)

(C. "A" S-317)

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

On motion of Representative MOONEN of Portland, 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. 301

YEA - Ackley, Alley, Arata, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blier, Blume, Bradstreet, Brennan, Bryant, Caiazzo, Campbell, Cardone, Carney, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Curtis, Daughtry, Denk, DeVeau, Dillingham, Dodge, Dolloff, Doore, Doudera, Dunphy, Evangelos, Faulkingham, Fay, Fecteau R, Foley, Foster, Gattine, Gramlich, Handy, Hanington, Hanley, Harnett, Harrington, Head, Hepler, Hickman, Higgins, Hubbell, Hymanson, Ingwersen, Jorgensen, Keschl, Kessler, Kornfield, Kryzak, Landry, Madigan C, Marean, Martin J, Martin R, Martin T, Mason, Mastraccio, Matlack, Maxmin, McCreight, McDonald, McLean, Melaragno, Meyer, Morales, Moriarty, Nadeau, O'Connor, O'Neil, Paulhus, Pebworth, Peoples, Perkins, Perry A, Perry J, Pickett, Pierce T, Pluecker, Prescott, Reckitt, Riseman, Roberts-Lovell, Rykerson, Sampson, Schneck, Sharpe, Sheats, Stanley, Stearns, Stewart, Stover, Swallow, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Costain, Drinkwater, Fecteau J, Griffin, Grohoski, Haggan, Hall, Hutchins, Javner, Johansen, Kinney, Lockman, Lyford, Moonen, Morris, Ordway, Reed, Rudnicki, Stetkis, Strom, White D.

ABSENT - Andrews, Brooks, Cebra, Farnsworth, Grignon, Hobbs, Millett, Riley, Skolfield, Wadsworth.

Yes, 117; No, 23; Absent, 10; Excused, 1.

117 having voted in the affirmative and 23 voted in the negative, with 10 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-238)** on Bill "An Act To Prohibit the Sale and Distribution of Flavored Tobacco Products"

(S.P. 364) (L.D. 1190)

Signed:

Senators:

CLAXTON of Androscoggin
MOORE of Washington

Representatives:

HYMANSON of York
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
MADIGAN of Waterville
O'CONNOR of Berwick
PERRY of Calais
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-239)** on same Bill.

Signed:
 Senator: GRATWICK of Penobscot

Representatives:
 MEYER of Eliot
 STOVER of Boothbay

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-238)**.

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 Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker. I need to tell a story and I'd like it on the record, if I may.

The SPEAKER: The Chair will inform the Member that she is on the record during the course of the debate of the bill.

Representative **NADEAU**: I'm telling a story from Jake. Jake Warren is a 19-year-old man from Winslow.

"As you consider how you're going to vote on this bill to prohibit the sale and distribution of flavored tobacco, I'd like to share my story. What I experienced in high school and am now seeing in college, flavored tobacco and e-cigarettes have completely taken over the school systems. When I was in high school, the bathrooms were filled with ten to 12 kids every break between classes, ripping their Juul and e-cig products. Young adults and teens don't see the connection between e-products and cigarettes and flavored tobacco. The dangers in addiction to nicotine are not recognized by my age group and younger. Some product like Juul has just as much nicotine within a pod as a pack of cigarettes. The pod is a small juice cartridge that contains nicotine, flavoring, most often fruit flavors and chemicals. These pods are much more easily consumed than a pack of cigs" Again, this is not my talk, this is him talking. "and much more quickly. It would be uncommon for a pod to last a full day. The pods are bought in packs of four and can easily be sold off within the school system. Pods are not that expensive. A pack of four retails for \$16 and the pods can be sold off for \$5 apiece, which is a reasonable price for middle school, high school and college students. For these reasons, e-cigs and Juuls and flavored tobacco have created its own underground network system that has completely spread through the schools. With no exaggeration, while I was in high school, 85% of the students were using these products. After a few weeks of using the devices, it becomes part of your life. Without even realizing it, you're addicted. It is just the norm now, it's like having a cellphone. E-cigs and Juuls and flavored was part of the social scene through my high school career. All groups in school are using, from athletes, nerds, weirdos and motorheads. I had always had an e-cig product through high school. Empire Vape would have game night for their vaping lounge. It would be filled with high schoolers and young adults. We are the consumers for this product and it was geared toward us, the new consumer. I would go there at the time at 16 and 17 years of age with no issues. If store owners claim that we aren't allowed, they are flat-out lying. E-cigs and Juul products and flavors were at our constant fingertips, ordering these products with ease on sites like eBay and Facebook. Once I got to college, where I was playing for an intense D2 soccer program, I bought my first Juul. I didn't

think it would become a problem for me since I was a driven college athlete. And while I knew my parents were very concerned about me doing this, I would dismiss their concern. I had done my research and even told my parents that. But, by the middle of the fall season, I was buying two packs per week at Cumby's, eight pods total per week, and it had completely taken over my life. I was spending much more than my budget for the week on this product. I started to rely on my Juul for my daily tasks and I couldn't go without it, because it would affect my mood and attitude too much to be productive at the level I needed to be at. I was anxious, irritable and very angry. And this is in addition to the physical effects of not feeling healthy and coughing. I am watching adults pointing the finger at each other; parents didn't do their jobs, teachers aren't paying attention, consequences aren't strict enough. But I think lawmakers let their guard down to tobacco companies. The tobacco setup money that comes to the State was used for other programs and was used to fill budget holes. Now my generation is paying the price. There's nothing out there educating me on the dangers of e-cigs, Juul, and flavors and the tobacco industry took advantage of that. There was nothing telling me and my peers that nicotine was a highly addictive drug and we could be setting ourselves up for lifetime addiction. We knew cigarettes were bad and I would never have smoked a cigarette, but we didn't know that e-cigarettes and tobacco products and flavors was bad. Campaigns should be run to tell kids, their parents, the adults who work with kids the truth about these products. More attention could be focused on efforts to help kids quit, schools can be educated on what to look for, youth can be trained to share their stories, efforts can be carried out to shut down underground markets and more. You have a chance to do something right now. Take one step in the right direction. Believe me, this cannot wait. This is addiction. We need to stop this problem before it gets worse or a whole generation will be paying the price." I thank you for your time.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-238)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-238)** in concurrence.

SENATE PAPERS
Non-Concurrent Matter

Resolve, To Reestablish the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners (EMERGENCY)

(H.P. 603) (L.D. 829)

FINALLY PASSED in the House on May 28, 2019. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AND SENATE AMENDMENT "A" (S-309)** in **NON-CONCURRENCE**.

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