

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-seventh Legislature**  
**State of Maine**

**Daily Edition**

**First Regular Session**  
December 3, 2014 - July 16, 2015

**Second Regular Session**  
January 6, 2016 - April 29, 2016

pages 1 - 2193

LEGISLATIVE RECORD – HOUSE APPENDIX

The following were received in the Office of the Clerk for inclusion into the Journal and Record of the 127th Legislature.

**COMMUNICATIONS**

The Following Communication: (H.C. 580)

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

August 4, 2016

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

Dear Clerk Hunt:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On June 21, 2016

Bradford A. Pattershall, Esq. of Freeport for appointment to the Commission on Governmental Ethics and Election Practices.

Pursuant to Title 1, MRSA §1002, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Frederick C. Oettinger of Penobscot for appointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA §4561, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Joseph J. Klaus of Oakland and

Jean A. Roy of Lewiston for appointment to the Maine Unemployment Insurance Commission.

Pursuant to Title 26, MRSA §1081, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Emery A. Deabay of Bucksport for reappointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

On June 28, 2016

Honorable Orland G. McPherson of Eliot for reappointment to the State Liquor and Lottery Commission.

Pursuant to Title 5, MRSA §283-A, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Amos S. Eno of South Freeport for appointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, MRSA §10308, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Carl A. Guignard of Lewiston and

Dennis E. Welch of Windham for appointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Mark W. Eves

Speaker of the House

**RECEIVED** by the Clerk of the House with accompanying papers and **PLACED ON FILE**.

The Following Communication: (H.C. 581)

**MAINE DAIRY AND NUTRITION COUNCIL  
333 CONY ROAD  
AUGUSTA, MAINE 04330**

July 29, 2016

Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Enclosed for your review is the calendar year 2015 Audit Report of the Maine Dairy and Nutrition Council, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,

S/Cheryl L. Beyeler, CFCS

Executive Director

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The Following Communication: (H.C. 582)

**MAINE DAIRY PROMOTION BOARD  
333 CONY ROAD  
AUGUSTA, MAINE 04330**

July 29, 2016

Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Enclosed for your review is the calendar year 2015 Audit Report of the Maine Dairy Promotion Board, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,

S/Cheryl L. Beyeler, CFCS

Executive Director

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The Following Communication: (H.C. 583)

**MAINE STATE LEGISLATURE  
OFFICE OF PROGRAM EVALUATION AND  
GOVERNMENT ACCOUNTABILITY**

September 15, 2016

TO: Honorable Michael D. Thibodeau, President of the Senate

Honorable Mark W. Eves, Speaker of the House  
and Democratic and Republican Leaders

FROM: S/Beth Ashcroft, Director

RE: Northern New England Passenger Rail Authority  
Enclosed please find the Information Brief from the Office of Program Evaluation and Government Accountability on the Northern New England Passenger Rail Authority (NNEPRA).

The Information Brief is also available on our website at <http://legislature.maine.gov/opega/opega-reports/9149>.

I wanted to let you know that the public comment period on OPEGA's NNEPRA Information Brief has been scheduled for Thursday, October 6, 2016 at 9:30 a.m. in Room 220 Cross Building in case you wanted to attend or listen in.

If you have any questions, please do not hesitate to give me a call.

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The Following Communication: (H.C. 584)

**STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL  
SERVICES  
BUREAU OF THE BUDGET  
58 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

Date: September 30, 2016

To: Honorable Paul R. LePage, Governor  
Honorable Michael D. Thibodeau, President of the Senate  
Honorable Mark W. Eves, Speaker of the House  
Honorable James M. Hamper, Appropriations and  
Financial Affairs, Senate Chair  
Honorable Margaret R. Rotundo, Appropriations and  
Financial Affairs, House Chair  
Members, Joint Standing Committee on Appropriations  
and Financial Affairs

From: S/Melissa L. Gott, State Budget Officer

Subject: Report on the projection of revenues and forecasted expenditure requirements for the General Fund and the Highway Fund for the 2016-2017 biennium and the 2018-2019 biennium in accordance with Title 5 §1665.

The State of Maine, Bureau of the Budget presents the state budget forecast for the General Fund and the Highway Fund for the 2016-2017 biennium and the 2018-2019 biennium in accordance with Title 5 §1665. This effort was initiated and passed into law by the 117th Legislature as fulfillment of one of the recommendations of the Special Commission on Governmental Restructuring to provide a platform for long term financial planning.

This state budget forecast is based on the current structure of state revenues and expenditures for both the General Fund and the Highway Fund as required by Title 5 §1665, subsection 7. This budget forecast should provide the most consistent view of revenue and expenditure trends over the long term as a basis for financial planning and decision making. The forecasts of revenues, appropriations and allocations contained in this report, as constructed under current law and current trends, result in a projected structural gap for the 2018-2019 biennium in the General Fund of \$165,294,114 and in the Highway Fund of \$358,013,227.

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The Following Communication: (H.C. 585)

**STATE OF MAINE  
OFFICE OF TAX POLICY  
MAINE REVENUE SERVICES  
24 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0024**

October 3, 2016

Honorable Michael D. Thibodeau, President of the Senate

Honorable Mark W. Eves, Speaker of the House  
Members of the 127th Maine Legislature:

Pursuant to 5 MRSA §13070-J, Maine Revenue Services is required to submit a report to the Legislature identifying the revenue foregone as the result of the Jobs and Investment Tax Credit ("JITC"), the Research Expense Tax Credit ("R&D"), the Seed Capital Investment Tax Credit, the Shipbuilding Facility Credit, the Credit for Maine Fishery Infrastructure Investment, and public funds spent on the Business Equipment Tax Reimbursement ("BETR") program. Attached are four reports that provide you with this information.

The first attachment shows the number of individual and corporate JITC, R&D, and Seed Capital credits for tax year 2014, as well as the value of those credits. Tax year 2014 is the last year for which we have full information on both corporate and individual filers. Statutes governing the release of confidential taxpayer information prevent us from reporting the names of the corporations or individuals that benefited from these tax credits. No taxpayer took advantage of the Credit for Maine Fishery Infrastructure Investment in tax year 2014.

The second attachment explains the Shipbuilding Facility credit. As required by statute, the report provides information on the level of employment, yearly investment and the cumulative amount of investment. Since the inception of the credit, the level of employment has been such that the annual cost to the state treasury has been at least \$3 million per year.

The third attachment is a list of BETR recipients. For purposes of this report, businesses that filed for reimbursement during the fiscal year ending June 30, 2016 are listed. Recipients filed between August 1, 2015 and December 31, 2015 for eligible property taxes paid during calendar year 2014. For that period the state reimbursed \$35,971,807 to 1,420 companies.

Public Law 2009, chapter 337 (LD 1468) amended the definition of "economic development incentive" in §13070-J to include not only the incentives listed above, but "federal and state statutorily defined programs that receive state funds, dedicated revenue funds and tax expenditures as defined by §1666 whose purposes are to create, attract or retain business entities related to business development in the State." The additional incentives identified in this new law can be found in the Maine State Tax Expenditure Report 2016 – 2017 prepared for the Joint Standing Committee on Taxation.

If you have any questions on this report, please do not hesitate to contact me.

Sincerely,  
S/Michael J. Allen

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The Following Communication: (H.C. 586)

**STATE OF MAINE  
CITIZEN TRADE POLICY COMMISSION**

October 11, 2016

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Mark W. Eves  
Speaker of the House  
State House  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

Pursuant to 10 MRSA §11, the 2016 Maine Citizen Trade Policy Commission is pleased to submit its 2016 Assessment. Copies of the complete document have been distributed to committees or individuals as directed by law and copies have been placed on

file with the Law and Legislative Reference Library. Others may access the full report online through the website of the Office of Policy and Legal Analysis at [www.maine.gov/legis/opla](http://www.maine.gov/legis/opla).

Sincerely,

S/Senator Amy Volk, Co-Chair

S/Representative Robert Saucier, Co-Chair

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The Following Communication: (H.C. 587)

**MAINE HEALTH AND HIGHER EDUCATIONAL  
FACILITIES AUTHORITY  
127 COMMUNITY DRIVE  
AUGUSTA, MAINE 04338-2268**

November 3, 2016

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to MRSA Title 22, Chapter 413, §2069, on behalf of the Board and staff of the Maine Health and Higher Educational Facilities Authority, I am pleased to provide you with our Fiscal Year 2016 Annual Report.

The Maine Health and Higher Educational Facilities Authority was established by the legislature in 1972. Since its inception, the Authority has issued in excess of \$4 billion to meet the capital needs of Maine's healthcare and higher educational institutions. During fiscal year 2016, the Authority issued \$35,290,000 under its general tax exempt conduit resolution and \$92,235,000 under its moral obligation reserve fund resolution. These sales were accomplished in 4 series for 4 colleges, 8 hospitals, 2 nursing homes, 1 social service institution, and 1 continuing care retirement community.

In addition, Pursuant to MRSA Title 22, Chapter 413, §2075, paragraph 1C, the Authority certifies that our reserve fund investments exceed the reserve fund requirement at June 30, 2016.

We are proud of our accomplishments and look forward to continuing our commitment of providing the lowest cost financing to the community we serve.

Sincerely,

S/Michael R. Goodwin

Executive Director

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The Following Communication: (H.C. 588)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
SECOND REGULAR SESSION  
WORKING GROUP TO STUDY BACKGROUND CHECKS  
FOR CHILD CARE FACILITIES AND PROVIDERS**

November 15, 2016

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

State House

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

Pursuant to House Paper 1167, the Working Group to Study Background Checks for Child Care Facilities and Providers is

pleased to submit its final report. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Policy and Legal Analysis at [www.legislature.maine.gov/opla](http://www.legislature.maine.gov/opla).

Sincerely,

S/Senator Roger J. Katz

Senate Chair

S/Representative Aaron M. Frey

House Chair

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The Following Communication: (H.C. 589)

**FINANCE AUTHORITY OF MAINE  
5 COMMUNITY DRIVE  
AUGUSTA, MAINE 04332-0949**

November 23, 2016

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Enclosed please find a copy of the Finance Authority of Maine's Fiscal Year 2016 Annual Report as required by 10 M.R.S.A. §974.

Please let me know if you have questions or require further information.

Sincerely,

S/Bruce Wagner

Chief Executive Officer

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The Following Communication: (H.C. 590)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE  
COMMITTEE ON TAXATION**

December 1, 2016

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

State House

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

Pursuant to 3 MRSA, §1000, the Joint Standing Committee on Taxation is pleased to submit its final report on tax expenditure review. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Fiscal and Program Review web link.

Sincerely,

S/Senator Earle L. McCormick

Senate Chair

S/Representative Adam A. Goode

House Chair

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The Following Communication: (H.C. 591)  
**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**SPEAKER'S OFFICE**  
**AUGUSTA, MAINE 04333-0002**

December 6, 2016  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Hunt:  
Pursuant to my authority, I have appointed the following members to serve on boards, committees, commissions, groups and task forces:  
Working Group to Study Child Care Background Checks, Joint Order HP 1167  
Representative Aaron M. Frey of Bangor, House Chair  
Representative Joyce McCreight of Harpswell  
Representative Joyce A. Maker of Calais  
York County Court House Site Selection Commission, Public Law 2015, Chapter 468  
Representative Anne-Marie Mastraccio of Sanford  
Representative Robert A. Foley of Wells  
The feasibility working group authorized under Public Law 2015, Chapter 484  
Representative Drew M. Gattine of Westbrook  
Representative Paul A. Stearns of Gilford  
Commission to Study the Economic, Environmental and Energy Benefits of the Maine Biomass Industry, Resolves 2015, Chapter 85  
Representative Jeff M. McCabe of Skowhegan, House Chair  
Representative Deane Rykerson of Kittery  
Representative Norman E. Higgins of Dover-Foxcroft  
Mr. Thomas Abello of Brunswick  
Mr. Ryan McAvoy of Skowhegan  
Mr. John Bryant of Holden  
Mr. Robert Linkletter of Athens  
Task Force on Public-private Partnerships to Support Public Education, Resolves 2015, Chapter 89  
Representative Theresa S. Pierce of Falmouth, House Chair  
Representative Matthew G. Pouliot of Augusta  
Dr. Erika Stump of Gorham  
Edmund Cervone of Portland  
James Clair of China Village  
Jim Geary of Ellsworth  
Right to Know Advisory Committee, Title 1, MRSA §411(2)(J) & (K) for reappointment  
Judy Meyer of Lewiston  
Suzanne Goucher of Augusta  
Permanent Commission on the Status of Women, Title 5, Chapter 371-A MRSA §7030  
Cara Courchesne of Hallowell  
Rebekah Smith of Union  
Sarah Ruef-Lindquist of Camden  
Amy Gallant of Portland  
Permanent Commission on the Status of Women, Title 5, Chapter 371-A MRSA §7030 for reappointment  
Holly Stover of Boothbay  
Clean-up and Response Fund Review Board, Title 38, Chapter 3 MRSA Subchapter 2-B, §568-B, 1, F  
Peter Sarnacki of Castine  
Sincerely,  
S/Mark W. Eves  
Speaker of the House

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The Following Communication: (S.C. 1017)  
**MAINE SENATE**  
**127TH LEGISLATURE**  
**OFFICE OF THE SECRETARY**

August 4, 2016  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Eves:  
In accordance with 3 MRSA §158 and Joint Rule 506 of the 127th Maine Legislature, please be advised that the Senate today confirmed the following nominations:  
Upon the recommendation of the Committee on Environment and Natural Resources, the nomination of Amos S. Eno of South Freeport for appointment to the Maine Outdoor Heritage Fund Board.  
Upon the recommendation of the Committee on Judiciary, the nomination of Frederick C. Oettinger of Penobscot for appointment to the Maine Human Rights Commission.  
Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nominations of Carl A. Guignard of Lewiston and Dennis E. Welch of Windham for appointment to the Maine Labor Relations Board.  
Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nominations of Joseph J. Klaus of Oakland and Jean A. Roy of Lewiston for appointment to the Maine Unemployment Insurance Commission.  
Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Emery A. Deabay of Bucksport for reappointment to the Workers' Compensation Board.  
Upon the recommendation of the Committee on Veterans and Legal Affairs, the nomination of Bradford A. Pattershall, Esq. of Freeport for appointment to the Commission on Governmental Ethics and Election Practices.  
Upon the recommendation of the Committee on Veterans and Legal Affairs, the nomination of the Honorable Orland G. McPherson of Eliot for reappointment to the State Liquor and Lottery Commission.  
Best Regards,  
S/Heather J.R. Priest  
Secretary of the Senate  
**RECEIVED** by the Clerk of the House and **PLACED ON FILE**.

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**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 48)  
ORDERED, that Representative Lawrence E. Lockman of Amherst be excused April 29 for personal reasons.  
**RECEIVED** by the Clerk of the House and **PLACED ON FILE**.

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