

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

beginning December 3, 2014

beginning at page H-1

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION
9th Legislative Day
Tuesday, February 3, 2015

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

Prayer by Chaplain Donald Williams, Augusta Fire Department.

National Anthem by Honorable Gay M. Grant, Gardiner.
Pledge of Allegiance.

At this point, a message came from the Senate borne by Senator MASON, 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 6:30 in the evening for the purpose of extending to His Excellency, Governor Paul R. LePage, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 6:30 in the evening and the Speaker appointed Representative McCABE of Skowhegan to convey this message to the Senate.

Doctor of the day, Richard Swett, M.D., Dover-Foxcroft.

The Journal of Thursday, January 29, 2015 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 39)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

January 19, 2015
Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:
I thank you for the invitation to deliver the State of the State address at a Joint Session of the 127th Maine Legislature on Tuesday, February 3, 2015 at 7:00 p.m.

Please know I accept your invitation and look forward to seeing you at that time.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 40)

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

January 29, 2015
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 (l) (a), I have appointed Representative Catherine M. Nadeau of Winslow as a member of the Joint Standing Committee on State and Local Government.

Should you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 49)

**MAINE SENATE
127TH LEGISLATURE
OFFICE OF THE SECRETARY**

January 29, 2015
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 127th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Energy, Utilities and Technology, the nomination of Carlisle J. T. McLean, Esq. of Cumberland for appointment as a Commissioner to the Public Utilities Commission.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Exempt Small Raw Milk Producers from Licensing Requirements"

(H.P. 161) (L.D. 229)

Sponsored by Representative HANLEY of Pittston.

Cosponsored by Senator WOODSOME of York and Representatives: HARLOW of Portland, HICKMAN of Winthrop, McCLELLAN of Raymond, STEARNS of Guilford, THERIAULT of China.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of the Attorney General and the Judicial Department for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 164) (L.D. 232)

Sponsored by Representative ROTUNDO of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 165) (L.D. 233)

Sponsored by Representative ROTUNDO of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 166) (L.D. 234)

Sponsored by Representative ROTUNDO of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Health and Human Services and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 168) (L.D. 236)

Sponsored by Representative ROTUNDO of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 167) (L.D. 235)

Sponsored by Representative ROTUNDO of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative ROTUNDO of Lewiston, the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, ordered printed and sent for concurrence.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Allow a Person To Request a Pardon from the Governor for the Purpose of Restoring Gun Rights"

(H.P. 162) (L.D. 230)

Sponsored by Representative O'CONNOR of Berwick.

Cosponsored by Senator BURNS of Washington and Representatives: DUNPHY of Embden, FARRIN of Norridgewock, GERRISH of Lebanon, HOBBS of Saco, LONG of Sherman, MARTIN of Eagle Lake, TIMBERLAKE of Turner, Senator: DAVIS of Piscataquis.

Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"

(H.P. 171) (L.D. 239)

Sponsored by Representative DANA of the Passamaquoddy Tribe.

Cosponsored by Senator BURNS of Washington and Representatives: ALLEY of Beals, BEAR of the Houlton Band of Maliseet Indians, DION of Portland, DUNPHY of Old Town, FREY of Bangor, GOODE of Bangor, HILLIARD of Belgrade, MAKER of Calais.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Support Fair Financing in Charter Schools and School Administrative Units" (EMERGENCY)

(H.P. 150) (L.D. 218)

Sponsored by Representative PICCHIOTTI of Fairfield.

Cosponsored by Representatives: EDGECOMB of Fort Fairfield, GUERIN of Glenburn, LOCKMAN of Amherst, NADEAU of Winslow, O'CONNOR of Berwick, STETKIS of Canaan, Senator: WHITTEMORE of Somerset.

Bill "An Act To Ensure That Schoolchildren with Dyslexia Receive the Assistance Needed"

(H.P. 163) (L.D. 231)

Sponsored by Representative MORRISON of South Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: BATTLE of South Portland, FARNSWORTH of Portland, HARLOW of Portland, MAKER of Calais, MONAGHAN of Cape Elizabeth, VEROW of Brewer, Senator: GRATWICK of Penobscot.

Bill "An Act To Amend the School Funding Formula"

(H.P. 172) (L.D. 240)

Sponsored by Representative HOGAN of Old Orchard Beach.

Cosponsored by Senator COLLINS of York and Representatives: BEAVERS of South Berwick, BROOKS of Lewiston, BRYANT of Windham, GILBERT of Jay, HARLOW of Portland, LONGSTAFF of Waterville, McCABE of Skowhegan, SHORT of Pittsfield.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission"

(H.P. 169) (L.D. 237)

Sponsored by Representative DUNPHY of Embden.

Cosponsored by Senator WOODSOME of York and Representatives: BEAVERS of South Berwick, DION of Portland, FREDETTE of Newport, HIGGINS of Dover-Foxcroft, O'CONNOR of Berwick, RYKERSON of Kittery, STETKIS of Canaan, WADSWORTH of Hiram.

Submitted by the Office of the Public Advocate pursuant to Joint Rule 204.

Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection

(H.P. 173) (L.D. 241)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator SAVIELLO of Franklin.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested.

On motion of Representative MARTIN of Eagle Lake, **TABLED** pending **REFERENCE** and later today assigned.

HEALTH AND HUMAN SERVICES

Bill "An Act To Protect a Child from Misuse of Identity"
(H.P. 151) (L.D. 219)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: FARNSWORTH of Portland, GATTINE of
Westbrook, McCREIGHT of Harpswell, MONAGHAN of Cape
Elizabeth, TUELL of East Machias, Senators: GERZOFKY of
Cumberland, MIRAMANT of Knox, PATRICK of Oxford.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Allow Hunters To Wear Hunter Pink Instead
of Hunter Orange in October in Recognition of Breast Cancer
Awareness Month"

(H.P. 174) (L.D. 242)

Sponsored by Representative LONG of Sherman. (BY
REQUEST)

Cosponsored by Representatives: CRAFTS of Lisbon, DUNPHY
of Embden, O'CONNOR of Berwick, STANLEY of Medway,
TIMBERLAKE of Turner, VEROW of Brewer.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Require Proper Notification of Life Insurance
Cancellation"

(H.P. 152) (L.D. 220)

Sponsored by Representative DOORE of Augusta.
Cosponsored by Senator KATZ of Kennebec and
Representatives: BROOKS of Lewiston, FOWLE of Vassalboro,
GILBERT of Jay, HICKMAN of Winthrop, MARTIN of Sinclair,
NADEAU of Winslow, SAUCIER of Presque Isle, Senator:
JOHNSON of Lincoln.

Bill "An Act To Restore Consumer Rate Review for Health
Insurance Plans in the Individual Market"

(H.P. 175) (L.D. 243)

Sponsored by Representative MELARAGNO of Auburn.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: BECK of Waterville, BROOKS of Lewiston,
PECTEAU of Biddeford, Senator: LIBBY of Androscoggin.

JUDICIARY

Bill "An Act To Amend the Laws Regarding Service Animal
Housing Accommodations"

(H.P. 153) (L.D. 221)

Sponsored by Representative PICCHIOTTI of Fairfield.
Cosponsored by Representatives: GUERIN of Glenburn,
O'CONNOR of Berwick, Senator: WHITTEMORE of Somerset.

**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT**

Bill "An Act To Provide Flexibility to the Application of the
State Prevailing Wage and Benefit Rates"

(H.P. 180) (L.D. 248)

Sponsored by Representative DeCHANT of Bath.
Cosponsored by Senator PATRICK of Oxford, Senator
DUTREMBLE of York and Representatives: EVANGELOS of
Friendship, GILBERT of Jay, MASTRACCIO of Sanford, Senator:
LIBBY of Androscoggin.

MARINE RESOURCES

Bill "An Act To Reduce Commercial Shellfish License Fees
for Persons under 18 Years of Age"

(H.P. 154) (L.D. 222)

Sponsored by Representative TUELL of East Machias.
Cosponsored by Senator BURNS of Washington and
Representatives: ALLEY of Beals, DEVIN of Newcastle,
HUBBELL of Bar Harbor, PIERCE of Dresden, TIMMONS of
Cumberland, TUCKER of Brunswick, Senators: BAKER of
Sagadahoc, GERZOFKY of Cumberland.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Require the Use of Preapproved
Subcontractors for Publicly Funded Construction Projects"

(H.P. 176) (L.D. 244)

Sponsored by Representative DeCHANT of Bath.
Cosponsored by Senator PATRICK of Oxford and
Representatives: EVANGELOS of Friendship, GILBERT of Jay,
MASTRACCIO of Sanford, Senators: DUTREMBLE of York,
LIBBY of Androscoggin.

Bill "An Act To Rename B Stream in Houlton as Captain
Ambrose Bear Stream"

(H.P. 177) (L.D. 245)

Sponsored by Representative BEAR of the Houlton Band of
Maliseet Indians.

Cosponsored by Senator COLLINS of York and Representative:
DANA of the Passamaquoddy Tribe.

TAXATION

Bill "An Act To Promote Efficiency in Food Pantry
Operation"

(H.P. 158) (L.D. 226)

Sponsored by Representative CHAPMAN of Brooksville.
Cosponsored by Representative: HAMANN of South Portland.

Bill "An Act To Extend the Period of Time for Persons Who
Purchase Special Fuel and Gasoline for Off-highway Use To
Apply for the Special Fuel and Gasoline Tax Refunds"

(H.P. 170) (L.D. 238)

Sponsored by Representative FARRIN of Norridgewock.
Cosponsored by Senator CUSHING of Penobscot and
Representatives: CHACE of Durham, DUNPHY of Embden,
SKOLFIELD of Weld, WADSWORTH of Hiram.

TRANSPORTATION

Bill "An Act To Eliminate Outdated Provisions of the Laws
Governing the Maine Turnpike Authority"

(H.P. 155) (L.D. 223)

Sponsored by Representative McLEAN of Gorham.
Cosponsored by Senator COLLINS of York.

Bill "An Act To Remove Barriers to Job Opportunities for
Young Truck Drivers"

(H.P. 159) (L.D. 227)

Sponsored by Representative PARRY of Arundel.
Cosponsored by Senator COLLINS of York and Representatives:
FARRIN of Norridgewock, HOGAN of Old Orchard Beach, LONG
of Sherman, TIMBERLAKE of Turner, Senator: ROSEN of
Hancock.

Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2016"

(H.P. 160) (L.D. 228)

Sponsored by Representative McLEAN of Gorham.
Cosponsored by Senator COLLINS of York.

Bill "An Act To Prohibit the Handling of a Mobile Telephone While Operating a Motor Vehicle"

(H.P. 178) (L.D. 246)

Sponsored by Representative MASTRACCIO of Sanford.

Cosponsored by Senator PATRICK of Oxford and Representatives: BURSTEIN of Lincolnville, CAMPBELL of Newfield, DeCHANT of Bath, GILBERT of Jay, RYKERSON of Kittery, STETKIS of Canaan, Senator: KATZ of Kennebec.

Bill "An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services"

(H.P. 179) (L.D. 247)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator ROSEN of Hancock and Representatives: FARRIN of Norridgewock, GILLWAY of Searsport, GOLDEN of Lewiston, HEAD of Bethel, HOBART of Bowdoinham, McLEAN of Gorham, PARRY of Arundel, Senator: DIAMOND of Cumberland.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Amend the Laws Governing the Collection of Signatures for Referenda"

(H.P. 157) (L.D. 225)

Sponsored by Representative PARRY of Arundel.

Cosponsored by Senator COLLINS of York and Representatives: BABBIDGE of Kennebunk, FARRIN of Norridgewock, GERRISH of Lebanon, GOLDEN of Lewiston, HOGAN of Old Orchard Beach, SANDERSON of Chelsea, TIMMONS of Cumberland, Senator: ROSEN of Hancock.

Bill "An Act To Limit the Information Required To Be Printed on Municipal Referenda Ballots"

(H.P. 156) (L.D. 224)

Sponsored by Representative PICCHIOTTI of Fairfield.

Cosponsored by Representative: O'CONNOR of Berwick, Senator: WHITTEMORE of Somerset.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested.

On motion of Representative LUCHINI of Ellsworth, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

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

The House recessed until 6:30 p.m.

(After Recess)

The House was called to order by the Speaker.

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

SENATE PAPERS

Bill "An Act To Amend the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act"

(S.P. 76) (L.D. 207)

Bill "An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs"

(S.P. 91) (L.D. 253)

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 Authorize a General Fund Bond Issue To Prepare Maine To Respond to a Disease Outbreak"

(S.P. 80) (L.D. 211)

Bill "An Act Concerning Cost-of-living Adjustments for Certain Retirees" (EMERGENCY)

(S.P. 81) (L.D. 212)

Bill "An Act To Authorize a General Fund Bond Issue for Development of a Multimodal Transportation Facility"

(S.P. 86) (L.D. 217)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Improve Student Retention in Maine's Postsecondary Institutions"

(S.P. 84) (L.D. 215)

Resolve, To Initiate the Procedures To Request the United States Congress's Joint Committee on the Library To Replace a Statue in the National Statuary Hall Collection

(S.P. 99) (L.D. 261)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Amend the Charter of the Hampden Water District" (EMERGENCY)

(S.P. 85) (L.D. 216)

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 Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody"

(S.P. 82) (L.D. 213)

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Allow Nonresident College Students To Obtain Resident Hunting, Fishing and Trapping Licenses"

(S.P. 94) (L.D. 256)

Bill "An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines"

(S.P. 95) (L.D. 257)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Limit Allowable Health Care Charges in Certain Specified Situations"

(S.P. 89) (L.D. 251)

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

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

Bill "An Act To Increase Transparency of Entities Receiving Substantial Amounts of Public Funding"

(S.P. 90) (L.D. 252)

Bill "An Act To Increase Compensation for Jurors"

(S.P. 97) (L.D. 259)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals"

(S.P. 88) (L.D. 250)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Preserve the Integrity of Maine's Shellfish Industry by Increasing the Penalty for Interfering with Permitted Harvest"

(S.P. 93) (L.D. 255)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act Regarding Posting of Legal Notices and Legal Advertising"

(S.P. 96) (L.D. 258)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act To Provide Funding for Maintaining Cemeteries within the Maine Veterans' Memorial Cemetery System"

(S.P. 77) (L.D. 208)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act To Amend the Laws Regarding Noncommercial Foreign Vessels"

(S.P. 73) (L.D. 198)

Bill "An Act To Stay Certain Suspensions Imposed by the Secretary of State Pending Appeal"

(S.P. 83) (L.D. 214)

Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve (EMERGENCY)

(S.P. 98) (L.D. 260)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

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

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

In Convention

The President of the Senate, the Honorable Michael D. Thibodeau in the Chair.

The Convention was called to order by the Chair.

On motion of Senator CUSHING of Penobscot, it was ORDERED that a committee be appointed to wait upon the Honorable Ann LePage, First Lady of the State of Maine, and extend to her an invitation to attend this Joint Convention now assembled in the Hall of the House for the purpose of extending to Governor Paul R. LePage, an invitation to attend and make such communication as pleases him.

The ORDER was READ and PASSED.

The Chair appointed the following:

Senator WILLETTE from Aroostook
Senator WOODSOME from York
Senator LIBBY from Androscoggin
Representative MARTIN from Sinclair
Representative BRYANT from Windham
Representative BABBIDGE from Kennebunk
Representative NADEAU from Winslow
Representative DOORE from Augusta
Representative TURNER from Burlington
Representative GREENWOOD from Wales
Representative PICKETT from Dixfield
Representative TUELL from East Machias
Representative EVANGELOS from Friendship

Subsequently, Senator WILLETTE of Aroostook, for the Committee, reported that the Committee had delivered the message with which it was charged and that the First Lady would attend forthwith.

The Chair welcomed in the House Gallery the First Lady of the State of Maine.

On motion of Senator MASON of Androscoggin, it was ORDERED that a committee be appointed to wait upon the Honorable Paul Richard LePage, Governor of the State of Maine, and Chief Justice Leigh Saufley, and extend to them an invitation to attend this Joint Convention and extend an invitation to the Governor to make such communication as pleases him.

The ORDER was READ and PASSED.

The Chair appointed the following:

Senator HAMPER from Oxford
Senator KATZ from Kennebec
Senator VALENTINO from York
Representative ROTUNDO from Lewiston
Representative MARTIN from Eagle Lake
Representative SANBORN from Gorham
Representative FREY from Bangor
Representative JORGENSON from Portland
Representative GRANT from Gardiner
Representative WINSOR from Norway
Representative NUTTING from Oakland
Representative SIROCKI from Scarborough
Representative TIMBERLAKE from Turner

The Chair recognized in the House Gallery the Constitutional Officers of the State of Maine: Secretary of State Matthew Dunlap, Attorney General Janet Mills, and State Treasurer Terry Hayes; and State Auditor Pola Buckley. The Chair also recognized the Leaders of Higher Education for the State of Maine: Dr. Bill Brennan, President of Maine Maritime Academy, Jim Page, Chancellor of the University of Maine System, and Derek Langhauser, Interim President of the Community College System.

Subsequently, Senator HAMPER of Oxford, for the Committee, reported that the Committee had delivered the message with which it was charged and that the Honorable Paul Richard LePage, Governor of the State of Maine, and the Chief Justice Leigh Saufley would attend forthwith.

The Chair welcomed the Honorable Paul Richard LePage, Governor of the State of Maine, accompanied by the Honorable Leigh I. Saufley, Chief Justice of the Maine Supreme Judicial Court.

The Chair recognized the Herald, Staff Sergeant Sarah Cayia.

The Chair welcomed the Honorable Paul Richard LePage, Governor of the State of Maine, to the rostrum.

Governor LePage then addressed the Convention.

Governor **LePAGE**: Good Evening. Chief Justice Saufley, President Thibodeau, Speaker Eves, members of the 127th Legislature, distinguished guests, and fellow Mainers.

Tonight, I am here to update you, on the condition of the State of Maine.

But first, I would like to recognize my lovely wife, Ann. Would you stand up, dear? If it wasn't for Ann, I certainly wouldn't be the Governor of the State of Maine.

She has made our state very proud of her being our First Lady, especially through the support and hard work that she gives our veterans and military families, and we are indebted to you forever, my love.

To my family and close friends, I appreciate all you have done—and continue to do for us in your support, especially Charlie Gaunce who got me in this mess.

Staff Sergeant Sarah Cayia, the military herald this evening, thank you for your courageous service to our state and nation.

I would like to thank all military personnel present, past, and future, for the service and the loyalty you present to our great nation. You certainly make Maine very, very proud.

Now before I start, on my remarks this evening, I need to make a very important announcement. I am the only Republican Governor not running for President – yet.

I became Governor for one simple reason. I want prosperity—and not poverty—for all Maine people.

Doing “business as usual” has hurt our ability to be competitive. It favors poverty and prevents the prosperity that we all desire.

Mainers, it's time to innovate. We need an efficient, effective and affordable government. But change is hard. It's much easier to protect the status quo.

You know, studies sit on shelves, collecting dust. Politicians talk about reforming our tax code every year. But, nothing meaningful gets done.

We must make hard decisions today so we can have a prosperous tomorrow for future generations.

I made tough decisions my whole life—the necessary decisions I've made to help struggling companies get better.

I was a mayor. I understand the needs versus the wants of communities.

As Governor, for well over a year now, we have listened intently to Mainers. They want to succeed and prosper.

My budget takes bold action. And it's a first step—and it's a big leap. But friends, I cannot do it alone. I need your help. This budget needs to be done together.

The Maine people want results, not rhetoric. They want action! And, frankly, they deserve it.

Washington, D.C. is broken. Our future depends more and more on our states. They are the 50 laboratories of democracy.

We as a nation have the highest income tax in the world.

We are no longer competitive on the world stage. We have dropped from number one.

Maine is currently not competitive nationally, not competitive globally, and in some respects, not even competitive in New England. Our tax system is antiquated, and we must modernize.

My fellow Mainers, you work hard for your paycheck. The government should be allowing you to keep your hard earned money, and not taking it and spending it without you having a say in it.

You earned it. You should keep it!

An income tax cut puts money in Mainers' pockets. It is the largest pay raise Mainers will be receiving.

We are moving to a consumption tax, where people can make a choice when they spend their money. You decide how, when and where you'll spend your money. But let me be clear: this tax cut will not be taxing funerals. It's not taxing car repairs. It's not going to tax groceries or other basic necessities.

My plan makes sure more taxes are paid by tourists — not by Mainers. Approximately 650,000 tax returns, Maine tax returns, pay the entire income tax bill.

We have 29 million people who visit our state in a year. I think by broadening the sales tax and increasing it a little bit, we

can get them to contribute far more to the revenue source the state needs than we currently do.

Secondly, Maine is the number one state with second homeowners from around the country. In the summer, we are one of the richest, wealthiest states in America. I think they ought to pay a little bit more for enjoying our state. And so I don't feel bad if we ask them to pay a little bit more property tax because people don't leave the State of Maine for property taxes. They don't leave the State of Maine for sales taxes. But they do leave Maine when we go after their earnings. And so therefore, our refundable sales tax credit will help the lower- and middle-income Mainers to get more of the money that they pay in back.

This plan is different than past plans. It's not a tax shift. This is a tax cut for all Mainers.

My vision for Maine is a Maine without an income tax. But I'm not a magician. It's going to take a little time and it takes help. I can't do it alone and I'm asking for your help to pass the elimination of the income tax.

When I took office, Maine's top income tax rate was 8.5 percent—one of the highest in the nation.

We lowered it to 7.95 percent—small, incremental step. It was a baby step. Now we're going to 5.75 percent with the full intentions of getting it to zero. The 5.75 percent will make it a 40 percent cut in the income tax since I've been your Governor.

A young married couple, both teachers with a child, claiming a standard deduction, would get a \$1,500 pay raise.

That's a mortgage payment for many. Could be a couple of barrels or oil deliveries for a home, several car payments, even clothes for the kids to return to school. It's real money. It makes a real difference.

Our tax plan, our revenue plan is not "revenue neutral." It is a clear intent on lowering the tax for Maine people. Revenue neutral are usually brought in when there's a lot of political gain. It's a lot of hype. I will tell you, I do have, like many politicians, have a special interest group. I do. My special interest is the Maine people.

This plan reduces taxes on Maine families and businesses by \$300 million a year. That's a real pay raise to the Maine people!

If Maine is to prosper, we must have the courage to innovate and move forward.

There are 9 states in America without an income tax. There are 19 states that this year, going into their legislatures, are looking to reduce or eliminate the income tax. We in Maine, we put together a plan that we could be first out of the chute, so that we could be noticed and have the job creators around the country to show that we are really serious about getting good jobs, better paying jobs, and a solid economy for the Maine people.

I want to show the nation that we're not at the end of the pipeline, but at the beginning of a new day. The Tax Foundation says this plan would propel Maine's ranking from 33rd to 23rd. That's not a jump, that's a pretty good leap.

But 23rd is still not good enough. I think we ought to be in the top 10, because the job creators of America don't go much beyond the top 10.

Maine's corporate tax is a job killer. It is the highest in the country, or was recently the highest in the country. My plan cuts it, and it eliminates the Alternative Minimum Tax.

That will catapult Maine from 45th in the nation to 17th in the nation on corporate taxes. Now, that's being a little bit more competitive. Job creators recognize that.

Our past rankings say: "Stay away from Maine." My new plan says: "Let's look at Maine. Maine wants our jobs!" That's the message I want to be sending America.

Now, local officials care about municipal budgets, and they ought to. I was a mayor. They take money from Mainers to grow the city, the town, or their town offices.

I care deeply of the people who live in those towns. I want to give Mainers their hard-earned money back. Someone must lobby for Maine taxpayers.

The Maine Municipal Association is supposed to represent cities and towns. MMA is not a taxpayer-friendly organization. I found that out in 1998 when I became a city councilor in the City of Waterville. Its mission is to protect the elected officials—not the local taxpayer.

Your local officials pay dues to MMA with your tax dollars. MMA uses those dues to fight for bigger and more expensive local government.

I, since 1998, have never, I have never seen the MMA say, "Let's cut taxes," and if you heard it, let me correct myself, but I have never heard it. I have never read it in their documentation, I've never read it in their flyers, I read their agenda today and there was actually nothing in their agenda for this coming session that lowers taxpayers' burden, not a penny. The only burden that I saw today is, "Get rid of this budget, it's bad." I'm sorry, but I will stand here and say to you again, I represent the Maine people. I think we should call them the Middle Man Association because they pit the local taxpayer against the local elected official. Never do they try to get them to work together, and that's very, very concerning.

I'll give you an example: in Waterville, the city manager worries about losing one-million-dollars in revenue sharing. Neighboring Winslow gets roughly \$500,000 in revenue sharing. That's all that you've been hearing the last two or three weeks.

The residents of Waterville and Winslow combined are paying 17-million-dollars per year in income tax. That's what I'm worried about. That's the pockets I want to make sure they fill with their own money.

I ask them: Would you trade a million and a half for a little more property taxes to save 17-million-dollars in your pocket? You know, when I was at Marden's I would have taken that deal all day long.

You know, over the years, and many of you who have been here many years and many terms, know that there have been many property tax relief programs that have passed this House, and passed referendum – and each and every one of them has failed. When LD 1 was passed, the State of Maine had 37 percent of its General Fund go to communities. In 2015, the current budget, 37 percent of General Fund revenues are going to communities. Nothing has changed and property taxes have been spiraling upwards. And I will tell you as a mayor, or as a governor, or as a business man, I have never entered a company and haven't been able to find ten percent right off the top. Because when you're so close to the trees and you miss the forest, there's a lot of inefficiencies that are low-hanging fruit.

So programs to lower property taxes should benefit homeowners—not government offices. My plan expands the Property Tax Fairness Credit. That will help low- and middle-income Mainers.

We double the Homestead Exemption to our senior citizens. They've worked very hard all of their lives to own their home, and I want to make sure they can stay in it for as long as they want.

We are trying to identify all other sources of revenue that communities can have. We are giving them the telecommunications excise tax.

We are allowing them to collect tax revenue from large non-profits. Surely, these large non-profits provide good services.

However, they are also large users of services, and I think that they should pay a little bit. And I understand that it's

distasteful to tax nonprofits, but they have to contribute because everyone that works in nonprofits is going to be a benefactor, and benefit greatly from our plan. There's going to be a lot more revenues in the marketplace that can be donated to charitable organizations. So I think that they need to help us do their share, and their part in moving our state forward.

For our state to prosper, everyone has to chip in. Working-class Mainers cannot do it alone.

My budget is not a Band-Aid to get us through the next budget cycle.

It drives prosperity for decades to come. It looks past the next election and focuses on the next generations.

We need to attract young people to Maine. We need to attract young families to Maine. Most of all, we need to keep our retirees here in Maine.

I'm looking to reduce the tax burden on our families, our veterans and our retirees.

Family businesses are the backbone of our economy. We are a pass-through state and the overwhelming majority of our 40 some odd thousand companies are small companies. We must keep them alive and well.

We will eliminate the estate tax. There's only 19 states in America that impose the "death tax." It punishes hard working families. It's a hit-or-miss tax. Some years you get 30 million dollars, other years you get 14 million dollars. And what does it do? Every single year for the last decade, a minimum of 12 million dollars in hard assets leave our state because as you turn 65, you move to Florida, South Carolina, Texas, Nevada. We really need to stop that. We want to keep our retirees here, and more importantly, let's keep their money here, too.

My plan ends tax on military pensions. And why do I go out immediately to eliminate the hundred percent tax on military pensions? It's because there's a massive downsizing that's going to happen in the next year or two. We just got notified that National Guard is being downsized. So what do we want to do? We want to attract these young people to Maine so they can start their second careers. We want them here to contribute to our growth and our prosperity.

And, too many Mainers move to Florida or elsewhere for 6 months and a day. Listen, I'm not against anybody going to Florida. Just want to shorten it a little bit. Maybe two months—January, February? Come back in March. Six months and a day is too long. We're losing too many good residents.

We're losing their asset base, but more importantly that nobody discusses, is we lose their intellectual properties, their intellectual values to our state. They have the wisdom. They've been through many things, and they've learned a lot and they can leave a lot for Mainers and help Mainers here, and so I believe we should strive to keep them all here.

My budget, for the first time in a very, very long time, ensures that the most vulnerable will be getting care and getting attention from the state.

Through our reforms, we're taking care of our elderly, our disabled, and people with intellectual disabilities.

We're increasing funding to nursing homes. And I will continue to fight for nursing homes. They've been underfunded.

Don't want to go on too long, but I've got to tell you all a quick little story that I realized on the campaign trail. Last year we lost two nursing homes. They were rural nursing homes. I happened to be in a nursing home in southern Maine and I met this lady who's 88 years old, who every single day, she gets up, she dresses up as pretty as can be. She goes to a nursing home where her husband has been there for three years with dementia, he doesn't even recognize her. She feeds him, she cares for him, she reads to him, and at four o'clock she goes home. If we

lose any more rural nursing homes, some little lady won't be able to do that.

Maine needs common-sense welfare reforms. We are drug testing TANF recipients. And I am not embarrassed to say that welfare funds should not be used to support a drug habit.

We are putting pictures, photos on EBT cards. I want to send the message that we support welfare, but we don't support welfare fraud.

We have limited resources and we have to stretch them as far as we can go and one of the elements that has been a burden in the last couple years has been those who have receiving funds, but they're here illegally. Now, am I compassionate about illegal aliens? Yes, I am. I would prefer they do it the right way, but it's very expensive because I've gone through that. We brought a young man here, and we did it the right way and paid the bill. But this is the problem with some of the illegals that are here today.

When a refugee comes here from a foreign country, they get a medical assessment and we know their health. But when they are here illegally, they don't get medical assessments. And one thing that we don't want to see is the uptick in Hepatitis C, HIV, and tuberculosis, but it is here. We are dealing with it. And it's very costly. So, if nothing else, they should be getting a medical assessment when they get here.

And I believe that my responsibility as your governor is number one to Maine residents first and everyone else second.

Over the last couple years I've been criticized immensely about my position on welfare. Well I will tell you I am very, very proud of our record. Our administration has helped over 1,200 people to go from welfare to full time employment. Our welfare-to-work program is moving Mainers from poverty to prosperity.

Throwing money at poverty, and I lived through it, does not help people prosper — it never did, it never will.

Instead, we are investing time and energy working with people who need our help to succeed. We are giving them the skills and the self-esteem they need to lead productive and satisfying lives. That's true compassion.

My budget also addresses the drug epidemic in Maine. We are funding agents in the Maine Drug Enforcement Agency. We are funding more prosecutors and we are funding more judges.

We've attempted to do this now for a couple of years. More Mainers die today of drug overdose than they do on the roads of Maine. Babies continue to be born addicted to drugs. It is a serious problem. We've been saying it for a couple of years now and we're completely ignored by this Body. I plead with you, please help us get the drug dealers off the roads.

We must save our children and our families from the poison that is being sold on our streets.

We cannot allow vicious, out-of-state gangs who traffic in drugs to use Maine as their marketplace. My plan will hunt them down and make them a guest of our state for the next 25 years.

Another area that I really, truly need your help is high energy costs. It drives away businesses. It drives away Mainers. We must lower electricity rates and home heating costs. It's imperative.

Maine's renewable energy policies are broken — they are expensive and they are ineffective.

I need not say look at the mills in Millinocket, look at Bucksport — look at some other mills that have shut down, just for three week, four weeks. That's because of energy. That's because they can't be competitive. I could've kept Bucksport open. All I needed to do is give the owners 20 million dollars between December and April so they could pay the increase in fuel, not their fuel bill, the increase in their fuel.

We are desperately in need of expanding natural gas, and we have to seriously look at our northern neighbors for the low cost energy that is available. We have plenty of hydro here. We can just upgrade what we have. It would give us a significant boost of low cost energy. It doesn't solve the problem, but it helps.

And, for the fifth year in a row, I will seek to lift the 100 megawatt cap on all forms of renewable energy. I favor any kind of energy that lowers prices for Mainers now—not 20 years from now.

We need affordable and efficient hydropower and we need more access to natural gas—not just the high-priced, special-interest energy that we have been dealing with for the last five years. It is not helping our economy.

We should return money from the regional cap-and-trade program to businesses that are struggling with high energy costs. It would return millions of dollars to Maine rate payers.

We must help Mainers invest in more affordable heating options.

And despite being flatly rejected by the Legislature in the last four years, despite having the door slammed in our face, we have homes, over 10,000 homes now have heat pumps. We have reduced our dependency on oil from 80 percent to 62 percent and if you were willing to work with us, we could lower it even more. I believe in the next four years we could lower heating costs, the home heating oil, down to 20 percent if we all work together. And heat pumps do not have the same level of emissions that do oil. Even gas is better and heat pumps are very, very efficient. I ask you to give it some consideration. Once again, I will request to use five million dollars from the increased timber harvests to help Maine families convert to lower cost heating systems.

The last four years, we fought more affordable heating options for Mainers, but the Legislature has rebuffed us.

This hurts Maine. This hurts Maine families. I will say that we must expose what is truly going on in Maine.

No Mainer should be cold in the winter. No Mainer who's 80 years old should wrap herself in a heating blanket weeks at a time because she cannot afford high costs of oil. But we're doing it, because we're unwilling to work and think outside the box. It's a shame. There are many alternatives out there. And it's not about me and it's not about you, it's about Maine people.

Furthermore, if we do nothing, our forest resources will be destroyed by invasive insects, as happened in the '70s and '80s. Back when I was elected in 2011, I said, "We're five or six years away." Guess what folks? It's five years, and guess what? It's right at the border.

We will, in the next few years, get hit with the budworm again. It behooves us to take the high value resource out of the forests, help Maine people convert their heating systems so that we don't allow it to die like we did last time. In the '80s, we lost 15 million cords to the budworm epidemic. It's not sensible to do that again. Let's learn from the past. We truly can shorten this devastation while helping Maine families. It's a win-win.

The First Lady, my lovely wife, has made her personal mission working with veterans and military families. My personal mission has been to fight against domestic violence.

If you have not lived through this heinous crime, you cannot imagine how destructive it is and how unseen the scars and how deep they go throughout one's life.

This past year, homicides in Maine dropped from 25 to 21. That's relatively good news. We're going in the right. However, domestic violence deaths were 14 of the 21. That's increasing.

And even more dismal of the 14 homicides that were related to domestic violence: 8 of those murders were of children under

the age of 13. We need help. We need your help. I urge particularly, the men in this room and the men in the State of Maine to stand up and make this crime socially unacceptable to all Mainers.

As I approach my closing I would like to say: I want prosperity, not poverty, for all Mainers—even for my adversaries. I think they deserve to have a little prosperity as well.

My vision is an economy that allows all Mainers to thrive and succeed.

I have been very, very fortunate in life. I have lived the American Dream. And I think that every child born in Maine should have the same feeling I have had in my life. But, it won't come without a lot of hard work by each and every one of us.

Every Mainer deserves the chance to carve out a piece of the American Dream. My budget is just the start. As I said, I cannot do it alone. I need your help.

Will it change Maine? Yes, it will. I believe strongly, and if you look at societies and economies that have looked at getting away from a forced income tax to the sales tax, they are thriving. I believe we can do it. We must make sure that the income tax continues to go down every year until it's completely gone.

So, I ask you all to please consider putting forth a constitutional amendment that will direct all real growth in Maine to go towards eliminating the income tax—once and for all.

Governor Haley, of South Carolina, when we go to our governors' meetings always likes to say that they're number one state in the country for tourism. Every year, they get somewhere around 40 million people visit the State of South Carolina. The State of Maine, however, over 90 days, gets 26 million people in our state. In the summer months, we have 26 million people who visit Maine. The rest of the year, we have three million. So, we need to make sure that we surpass South Carolina while I'm governor, so I can go back to her and say, "You're number two now."

I have no doubt that everyone sitting in this Chamber this evening wants Mainers to prosper. But I will say this: it will never happen until we work together. We must be bold. We must think outside the box. And we must be willing to work together and have the debate on moving our state forward. Thank you.

At the conclusion of the address, Governor Paul R. LePage withdrew amid the applause of the Convention, the audience rising.

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

The Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

On motion of Representative ROTUNDO of Lewiston, the House adjourned at 7:53 p.m., until 10:00 a.m., Thursday, February 5, 2015, in honor and lasting tribute to Persis Carr Smith, of Pittsfield.