

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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  
12th Legislative Day  
Thursday, February 12, 2015

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

Prayer by Reverend Rick Stoops, First United Pentecostal Church of Augusta.

Pledge of Allegiance.

Doctor of the day, Garreth Debiegun, M.D., Yarmouth.

The Journal of Tuesday, February 10, 2015 was read and approved.

---

**SENATE PAPERS**

The following Joint Resolution: (S.P. 134)

**JOINT RESOLUTION RECOGNIZING FEBRUARY AS 2-1-1  
MAINE MONTH**

WHEREAS, 2-1-1 Maine is a comprehensive statewide directory of over 8,000 health and human services available in the State; and

WHEREAS, in order to promote the 2-1-1 Maine health and human services and emergency preparedness hotline, which helps Maine citizens get access to needed resources, we recognize February 2015 as 2-1-1 Maine Month; and

WHEREAS, 2-1-1 Maine helps to identify existing gaps in health and human services; and

WHEREAS, throughout the State, 2-1-1 Maine provides around-the-clock service through efficient and effective responses to questions arising from the growing complexities and needs in health, socioeconomic and human services; and

WHEREAS, 2-1-1 Maine provides emergency operations during times of natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, and valuable information for community planning and for future matching of resources and unmet needs; and

WHEREAS, during this past year, 2-1-1 Maine has directed over 13,000 Mainers to heating and utility assistance services that may have prevented people from contacting the wrong agency for a federal Low-Income Home Energy Assistance Program benefit, prevented utility shutoffs and saved people from spending winter nights without fuel assistance; and

WHEREAS, since 2006, 2-1-1 Maine call specialists have assisted with more than 570,000 requests to locate health and human services information; and

WHEREAS, 2-1-1 Maine handles a number of specialized services, including assisting the Maine Center for Disease Control and Prevention with H1N1 influenza calls and the gambling helpline, and is also a resource to find information about such needs as heating assistance and tax preparation; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize February 2015 as 2-1-1 Maine Month.

Came from the Senate, **READ** and **ADOPTED**.

**READ** and **ADOPTED** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Support Waterfront Development"

(S.P. 92) (L.D. 254)

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 Support Research and Development at a Marine Field Station at the University of Maine at Machias" (EMERGENCY)

(S.P. 78) (L.D. 209)

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.

---

**Non-Concurrent Matter**

Bill "An Act To Restrict Swim Areas"

(H.P. 84) (L.D. 126)

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in the House on January 22, 2015.

Came from the Senate with the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

---

**COMMUNICATIONS**

The Following Communication: (H.C. 59)

**STATE OF MAINE  
127TH MAINE LEGISLATURE**

February 6, 2015

Chief Justice Leigh I. Saufley  
Maine Supreme Judicial Court  
205 Newberry Street, Room 139  
Portland, Maine 04101

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 127th Maine Legislature on Tuesday, February 24th, 2015 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention. We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

S/Mark W. Eves

Speaker of the House

**READ** and **ORDERED PLACED ON FILE**.

---

**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 Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands"

(H.P. 254) (L.D. 388)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Representatives: MARTIN of Sinclair, SAUCIER of Presque Isle.

Bill "An Act Relating to the Sale of Hypodermic Apparatuses"

(H.P. 255) (L.D. 389)

Sponsored by Representative SHAW of Standish.

Cosponsored by Senator EDGEComb of Aroostook and Representatives: BLACK of Wilton, DUNPHY of Old Town, HICKMAN of Winthrop, MAREAN of Hollis, SAUCIER of Presque Isle, TIMBERLAKE of Turner, Senators: DAVIS of Piscataquis, DILL of Penobscot.

Bill "An Act To Remove Certain Exemptions to the Laws Concerning Tree Specialists"

(H.P. 281) (L.D. 414)

Sponsored by Representative THERIAULT of China.

Cosponsored by Representatives: ESPLING of New Gloucester, HOBART of Bowdoinham, Senator: CUSHING of Penobscot.

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area"

(H.P. 241) (L.D. 354)

Sponsored by Representative STANLEY of Medway.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: ALLEY of Beals, HANINGTON of Lincoln, SCHNECK of Bangor, SHORT of Pittsfield, VEROW of Brewer, Senator: DILL of Penobscot.

Bill "An Act To Authorize a General Fund Bond Issue To Address Sea Level Rise"

(H.P. 293) (L.D. 426)

Sponsored by Representative DEVIN of Newcastle.

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act To Extend the Statute of Limitations for the Prosecution of the Crime of Robbery"

(H.P. 242) (L.D. 355)

Sponsored by Representative VEROW of Brewer.

Cosponsored by Representatives: LYFORD of Eddington, SHORT of Pittsfield, STANLEY of Medway, Senator: GRATWICK of Penobscot.

Bill "An Act To Promote the Safe Use and Sale of Firearms"

(H.P. 282) (L.D. 415)

Sponsored by Representative DION of Portland.

Cosponsored by Senator GERZOFKY of Cumberland and Representatives: COOPER of Yarmouth, FOWLE of Vassalboro, HUBBELL of Bar Harbor, LAJOIE of Lewiston, PIERCE of Falmouth, Senator: BREEN of Cumberland.

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Permit the New England School of Dental Technology To Grant the Degree of Bachelor of Science"

(H.P. 243) (L.D. 356)

Sponsored by Representative SHAW of Standish.

Cosponsored by Representatives: SHORT of Pittsfield, VEROW of Brewer.

Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts (EMERGENCY)

(H.P. 257) (L.D. 391)

Sponsored by Representative HUBBELL of Bar Harbor.

Bill "An Act To Eliminate the Maine School Performance Grading System"

(H.P. 258) (L.D. 392)

Sponsored by Representative CHENETTE of Saco.

Cosponsored by Senator VALENTINO of York and Representatives: DAUGHTRY of Brunswick, FARNSWORTH of Portland, HUBBELL of Bar Harbor, KORNFIELD of Bangor, PIERCE of Falmouth.

Bill "An Act To Create a Unified Board of Higher Education"

(H.P. 259) (L.D. 393)

Sponsored by Representative ROTUNDO of Lewiston.

Cosponsored by Senator KATZ of Kennebec.

Bill "An Act Regarding Measures To Ensure Students Can Demonstrate Proficiency in Financial Literacy"

(H.P. 284) (L.D. 417)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator LANGLEY of Hancock and Representatives: EDGEComb of Fort Fairfield, TIMBERLAKE of Turner, WARD of Dedham, WHITE of Washburn.

Resolve, To Study the Use of Social Impact Bonds as a Funding Mechanism for Public Education Programs in Maine

(H.P. 285) (L.D. 418)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator LANGLEY of Hancock and Representatives: BROOKS of Lewiston, DOORE of Augusta, EDGEComb of Fort Fairfield, FOWLE of Vassalboro, WHITE of Washburn.

Bill "An Act To Promote Academic Opportunities for Maine Youth during Summer Months"

(H.P. 286) (L.D. 419)

Sponsored by Representative PIERCE of Falmouth.

Cosponsored by Representatives: DION of Portland, HOBBS of Saco, POULIOT of Augusta, STEARNS of Guilford, Senator: LIBBY of Androscoggin.

**ENERGY, UTILITIES AND TECHNOLOGY**

Resolve, To Study Options for a State Demand Response Program

(H.P. 244) (L.D. 357)

Sponsored by Representative DUNPHY of Embden.

Cosponsored by Representative HOBBS of Saco, Senator WHITEMORE of Somerset and Representatives: BEAVERS of South Berwick, CHIPMAN of Portland, FREDETTE of Newport, GROHMAN of Biddeford, HIGGINS of Dover-Foxcroft, O'CONNOR of Berwick, RYKERSON of Kittery, Senator: WOODSOME of York.

Bill "An Act To Allow Consumers of Cable Television To Purchase Channels Individually"

(H.P. 264) (L.D. 398)

Sponsored by Representative EVANGELOS of Friendship.

Cosponsored by Senator MIRAMANT of Knox and Representatives: BRYANT of Windham, JORGENSEN of Portland, KRUGER of Thomaston, LUCHINI of Ellsworth, MAREAN of Hollis, POWERS of Naples, SHORT of Pittsfield, TUELL of East Machias.

Bill "An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects"

(H.P. 287) (L.D. 420)

Sponsored by Representative DION of Portland.

Cosponsored by Senator WOODSOME of York.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

---

#### ENVIRONMENT AND NATURAL RESOURCES

Resolve, To Lower the Department of Environmental Protection's 5-point Odor Intensity Referencing Scale for Odor Control at Solid Waste Processing Facilities

(H.P. 260) (L.D. 394)

Sponsored by Representative FREDETTE of Newport.

Cosponsored by Senator CUSHING of Penobscot.

Bill "An Act To Amend the Site Location of Development Laws"

(H.P. 261) (L.D. 395)

Sponsored by Representative MARTIN of Eagle Lake.

Bill "An Act To Encourage the Use of Alternatives to Single-use Plastic Disposable Bags"

(H.P. 262) (L.D. 396)

Sponsored by Representative COOPER of Yarmouth.

Cosponsored by Representative: BEAVERS of South Berwick, Senator: GRATWICK of Penobscot.

Bill "An Act Regarding the Packaging and Labeling of Disposable Cleaning and Personal Hygiene Products"

(H.P. 263) (L.D. 397)

Sponsored by Representative COOPER of Yarmouth.

Cosponsored by Senator BREEN of Cumberland and Representatives: CAMPBELL of Orrington, GRANT of Gardiner, SHAW of Standish, WELSH of Rockport, Senator: GRATWICK of Penobscot.

---

#### HEALTH AND HUMAN SERVICES

Bill "An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services"

(H.P. 245) (L.D. 358)

Sponsored by Representative FARNSWORTH of Portland.

Cosponsored by Representatives: HAMANN of South Portland, MORRISON of South Portland, STUCKEY of Portland, TIPPING-SPITZ of Orono, Senator: HASKELL of Cumberland.

Bill "An Act To Improve Program Integrity Activities within the Department of Health and Human Services"

(H.P. 288) (L.D. 421)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator LIBBY of Androscoggin and Representatives: BECK of Waterville, DION of Portland, FARNSWORTH of Portland, FOWLE of Vassalboro, GIDEON of Freeport, GOLDEN of Lewiston, SANBORN of Gorham.

Bill "An Act To Require Child-resistant Packaging for Products Containing Liquid Nicotine"

(H.P. 290) (L.D. 423)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator JOHNSON of Lincoln and Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, JORGENSEN of Portland, O'CONNOR of Berwick, PARRY of Arundel, POULIOT of Augusta, PRESCOTT of Waterboro, Senator: BURNS of Washington.

#### INLAND FISHERIES AND WILDLIFE

Bill "An Act To Designate a Youth Bear Hunting Day"

(H.P. 265) (L.D. 399)

Sponsored by Representative WOOD of Sabattus.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: BLACK of Wilton, BRYANT of Windham, LONG of Sherman, MARTIN of Eagle Lake, MARTIN of Sinclair, STANLEY of Medway, STETKIS of Canaan, Senator: PATRICK of Oxford.

Bill "An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow" (EMERGENCY)

(H.P. 266) (L.D. 400)

Sponsored by Representative CRAFTS of Lisbon.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: BLACK of Wilton, GREENWOOD of Wales, HANLEY of Pittston, PICKETT of Dixfield, REED of Carmel, SHORT of Pittsfield, TIMBERLAKE of Turner, WOOD of Sabattus.

Bill "An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife"

(H.P. 291) (L.D. 424)

Sponsored by Representative WOOD of Sabattus.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: CRAFTS of Lisbon, LONG of Sherman, LYFORD of Eddington, PICCHIOTTI of Fairfield, REED of Carmel, SHORT of Pittsfield, Senators: BURNS of Washington, President THIBODEAU of Waldo.

---

#### INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Assist Persons with Breast Cancer"

(H.P. 246) (L.D. 359)

Sponsored by Representative LONGSTAFF of Waterville.

Cosponsored by Senator BREEN of Cumberland and Representatives: BECK of Waterville, BROOKS of Lewiston, DUNPHY of Old Town, ESPLING of New Gloucester, LUCHINI of Ellsworth, NADEAU of Winslow, SAUCIER of Presque Isle, Senator: ALFOND of Cumberland.

---

#### JUDICIARY

Bill "An Act To Clarify That the Information Gathered during Investigations of Attorneys by the Maine Commission on Indigent Legal Services Is Confidential"

(H.P. 247) (L.D. 360)

Sponsored by Representative SHERMAN of Hodgdon.

Cosponsored by Representatives: NUTTING of Oakland, SKOLFIELD of Weld.

Bill "An Act To Create Transparency in the Mortgage Foreclosure Process"

(H.P. 267) (L.D. 401)

Sponsored by Representative BEAVERS of South Berwick.

Cosponsored by Senator JOHNSON of Lincoln and Representatives: COOPER of Yarmouth, GINZLER of Bridgton, McCREIGHT of Harpswell, TUCKER of Brunswick, VEROW of Brewer, Senator: BURNS of Washington.

Bill "An Act To Provide for Direct Appeals under the Maine Juvenile Code to the Supreme Judicial Court"

(H.P. 283) (L.D. 416)

Sponsored by Representative DION of Portland.

Cosponsored by Representatives: BECK of Waterville, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, HOBBS of Saco, TUCKER of Brunswick.

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

Bill "An Act To Allow Licensed Dental Professionals To Own Dental Practices"

(H.P. 248) (L.D. 361)

Sponsored by Representative SHAW of Standish.  
Cosponsored by Representatives: SHORT of Pittsfield, VEROW of Brewer.

Bill "An Act To Require Dentists To Disclose the Cost and Origin of Off-site Laboratory Services"

(H.P. 249) (L.D. 362)

Sponsored by Representative SHAW of Standish.  
Cosponsored by Representatives: SHORT of Pittsfield, VEROW of Brewer.

Resolve, To Amend Rules Regarding Proof of Ownership of Logging Equipment and Recruitment by Employers Employing Foreign Laborers To Operate Logging Equipment

(H.P. 268) (L.D. 402)

Sponsored by Representative MARTIN of Eagle Lake.  
Cosponsored by Representative: MARTIN of Sinclair.

Bill "An Act To Eliminate the Exception from Minimum Wage Laws for Workers Who Receive Tips"

(H.P. 269) (L.D. 403)

Sponsored by Representative COOPER of Yarmouth.  
Cosponsored by Senator PATRICK of Oxford and Representatives: BEAVERS of South Berwick, DAUGHTRY of Brunswick, DION of Portland, HERBIG of Belfast, MASTRACCIO of Sanford, MORRISON of South Portland, STANLEY of Medway, Senator: MIRAMANT of Knox.

Bill "An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions"

(H.P. 270) (L.D. 404)

Sponsored by Representative LOCKMAN of Amherst.  
Cosponsored by Senator WHITTEMORE of Somerset and Representatives: O'CONNOR of Berwick, REED of Carmel, SAWICKI of Auburn, SIROCKI of Scarborough, STETKIS of Canaan, VACHON of Scarborough, WARD of Dedham, Senator: BURNS of Washington.

Bill "An Act To Improve Access to Treatments for Lyme Disease"

(H.P. 289) (L.D. 422)

Sponsored by Representative SANDERSON of Chelsea.  
Cosponsored by Senator JOHNSON of Lincoln and Representatives: AUSTIN of Gray, MAKER of Calais, O'CONNOR of Berwick, PARRY of Arundel, POULIOT of Augusta, PRESCOTT of Waterboro, SIROCKI of Scarborough, Senator: BURNS of Washington.

**MARINE RESOURCES**

Bill "An Act To Support Expanded Capacity for Breeding Wild Atlantic Salmon in Downeast Rivers"

(H.P. 271) (L.D. 405)

Sponsored by Representative HUBBELL of Bar Harbor.  
Cosponsored by Senator BURNS of Washington and Representatives: ALLEY of Beals, EVANGELOS of Friendship, MAKER of Calais, SHAW of Standish, SHORT of Pittsfield, TUELL of East Machias.

Bill "An Act To Prohibit False Labeling of Marine Organisms"

(H.P. 292) (L.D. 425)

Sponsored by Representative CHAPMAN of Brooksville.

Bill "An Act To Address and Mitigate the Effects of Marine Debris"

(H.P. 294) (L.D. 427)

Sponsored by Representative DEVIN of Newcastle.  
Cosponsored by Senator GERZOFKY of Cumberland and Representatives: ALLEY of Beals, BLUME of York, HUBBELL of Bar Harbor, HYMANSON of York, KUMIEGA of Deer Isle, McCREIGHT of Harpswell, WELSH of Rockport.

**STATE AND LOCAL GOVERNMENT**

Bill "An Act To Increase the Salaries of the Governor and Legislators"

(H.P. 272) (L.D. 406)

Sponsored by Representative MARTIN of Eagle Lake.

Bill "An Act To Buy American-made Products"

(H.P. 273) (L.D. 407)

Sponsored by Representative MARTIN of Eagle Lake.

Bill "An Act To Help Municipalities Prepare for Changes in Sea Level"

(H.P. 274) (L.D. 408)

Sponsored by Representative BLUME of York.  
Cosponsored by Senator JOHNSON of Lincoln and Representatives: ALLEY of Beals, COOPER of Yarmouth, FOLEY of Wells, HOGAN of Old Orchard Beach, HYMANSON of York, KRUGER of Thomaston, RYKERSON of Kittery, Senator: LANGLEY of Hancock.

**TAXATION**

Bill "An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability"

(H.P. 252) (L.D. 365)

Sponsored by Representative VEROW of Brewer.

Cosponsored by Representative: STANLEY of Medway, Senator: GRATWICK of Penobscot.

Bill "An Act To Lower the Individual Income Tax Incrementally to Zero"

(H.P. 275) (L.D. 409)

Sponsored by Representative O'CONNOR of Berwick.  
Cosponsored by Senator BRAKEY of Androscoggin and Representatives: DUNPHY of Embden, GERRISH of Lebanon, GUERIN of Glenburn, LOCKMAN of Amherst, LONG of Sherman, SIROCKI of Scarborough, VACHON of Scarborough, Senator: MASON of Androscoggin.

**TRANSPORTATION**

Bill "An Act Regarding Learner's Permits for Driver's Licenses"

(H.P. 250) (L.D. 363)

Sponsored by Representative HANINGTON of Lincoln.

Cosponsored by Representatives: LONG of Sherman, POULIOT of Augusta, STANLEY of Medway, Senator: CYRWAY of Kennebec.

Bill "An Act To Enforce Restrictions in Parking Spaces and Access Designated for Persons with a Walking Disability"

(H.P. 256) (L.D. 390)

Sponsored by Representative CRAFTS of Lisbon.

Cosponsored by Senator MASON of Androscoggin and Representatives: BATTLE of South Portland, BLACK of Wilton, GREENWOOD of Wales, HANLEY of Pittston, LONG of Sherman, PICKETT of Dixfield, TIMBERLAKE of Turner, TURNER of Burlington.

Resolve, To Direct the Department of Transportation To Require the Word "Danger" on All Road Signs That Warn of Moose

(H.P. 276) (L.D. 410)

Sponsored by Representative NADEAU of Winslow.

Cosponsored by Senator VALENTINO of York and Representatives: BECK of Waterville, DOORE of Augusta, LONG of Sherman, MARTIN of Sinclair, SAUCIER of Presque Isle, STEARNS of Guilford.

Resolve, Regarding Engineering for Route 161

(H.P. 277) (L.D. 411)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Representative: MARTIN of Sinclair.

---

#### VETERANS AND LEGAL AFFAIRS

Bill "An Act To Allow a Sales Representative To Serve Spirits or Wine at a Tasting Event"

(H.P. 251) (L.D. 364)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Senator LANGLEY of Hancock and Representatives: HUBBELL of Bar Harbor, WARD of Dedham.

Bill "An Act Regarding the Sale and Taxation of Hard Cider"

(H.P. 253) (L.D. 366)

Sponsored by Representative TIMBERLAKE of Turner.

Cosponsored by Senator MASON of Androscoggin and Representatives: BLACK of Wilton, GREENWOOD of Wales, LUCHINI of Ellsworth, McCABE of Skowhegan, NOON of Sanford, TURNER of Burlington, Senator: DIAMOND of Cumberland.

Bill "An Act Regarding Telephonic Political Communications and Push Polling"

(H.P. 278) (L.D. 412)

Sponsored by Representative COOPER of Yarmouth.

Cosponsored by Senator BREEN of Cumberland and Representative: BLUME of York.

Bill "An Act To Expand Access to Absentee Ballots"

(H.P. 279) (L.D. 413)

Sponsored by Representative BROOKS of Lewiston.

Cosponsored by Senator LIBBY of Androscoggin and Representatives: ALLEY of Beals, BRYANT of Windham, DION of Portland, DOORE of Augusta, GOLDEN of Lewiston, HYMANSON of York, POULIOT of Augusta, ROTUNDO of Lewiston.

---

#### ORDERS

On motion of Representative VEROW of Brewer, the following Joint Resolution: (H.P. 280) (Cosponsored by Representatives: BABBIDGE of Kennebunk, BEAVERS of South Berwick, BROOKS of Lewiston, CAMPBELL of Orrington, Speaker EVES of North Berwick, HOGAN of Old Orchard Beach, KORNFIELD of Bangor, NUTTING of Oakland)

#### JOINT RESOLUTION RECOGNIZING FEBRUARY 11, 2015 AS MULTIPLE SCLEROSIS AWARENESS DAY IN MAINE

WHEREAS, multiple sclerosis is a chronic, often disabling disease of the central nervous system, for which there is no cure at present, that typically is diagnosed in people between 20 years and 50 years of age and affects women 3 times more often than it does men; and

WHEREAS, multiple sclerosis distorts and interrupts the signal between the brain and the body; and

WHEREAS, multiple sclerosis affects 400,000 people nationwide, including 8,000 to 10,000 children and teens, and over 3,000 individuals in Maine have the disease, nearly one in

400 citizens, which is one of the highest per capita rates in the nation; and

WHEREAS, the National Multiple Sclerosis Society is a driving force of multiple sclerosis research, pursuing prevention, treatment and cure, and the Greater New England Chapter of the National Multiple Sclerosis Society educates, supports and advocates for people with multiple sclerosis and their families to help them maintain the highest possible quality of life; and

WHEREAS, the Greater New England Chapter of the National Multiple Sclerosis Society encourages individuals with multiple sclerosis and their families, health professionals and other concerned citizens to join the movement to advocate for policy change in the priority areas of high-quality health care, health care coverage, long-term care and disability rights; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to declare that February 11, 2015 is designated as Multiple Sclerosis Awareness Day in Maine; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Greater New England Chapter of the National Multiple Sclerosis Society.

#### READ.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Verow.

Representative VEROW: Thank you, Mr. Speaker. Members have that in front of them. I just would like to highlight one section in there that mentions that over three thousand individuals in Maine have Multiple Sclerosis. That's nearly 1 in 400. We had a Multiple Sclerosis Awareness Day yesterday down at the Hall of Flags and many of you were able to come by there and get some information on what the New England Society is doing to support folks with MS.

As many of you may know, there are folks among us, family members, people that we work with, people in our neighborhood who have Multiple Sclerosis. Some of them require use of a cane or walker, or in some cases a wheel chair.

So, this is something that the support group has worked very hard to do. We have a couple of bills in the Legislature to support some assistance for folks that have this affliction. So again, thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative McCABE: Thank you Mr. Speaker. Men and Women of the House, those of us here today who have loved ones with MS realize the importance of research and development, the access to quality health insurance, and availability to medications that make this disease manageable and able to live a productive and active lifestyle. Thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

---

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 11)

ORDERED, that Representative James J. Campbell, Sr. of Newfield be excused January 29, February 3 and 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Matthew Dana II of the Passamaquoddy Tribe be excused February 3 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Jennifer L. DeChant of Bath be excused February 10 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Mark N. Dion of Portland be excused February 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Donna R. Doore of Augusta be excused February 3 and 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Aaron M. Frey of Bangor be excused February 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Erin D. Herbig of Belfast be excused January 29 and February 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Richard S. Malaby of Hancock be excused February 3 and 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Wayne T. Mitchell of the Penobscot Nation be excused December 3, 2014; January 8, 14, 20, 22 and 29 for personal and health reasons.

AND BE IT FURTHER ORDERED, that Representative Charlotte Warren of Hallowell be excused January 29 for personal reasons.

**READ and PASSED.**

---

#### SPECIAL SENTIMENT CALENDAR

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

##### In Memory of:

the Honorable Edmund E. Benedikt, of Brunswick, who served in the 117th Legislature and who was a prominent member of his community. Mr. Benedikt was born in Vienna, Austria in 1930 and was rescued from the Holocaust in 1938 when he and his sister were evacuated to England. They reunited with their parents and made their way to the United States. Mr. Benedikt received his undergraduate degree in engineering from Drexel University in Philadelphia and his master's degree in engineering from the University of Pennsylvania. As an architect for the United States Navy, he worked on ships in both the Brooklyn Navy Yard and the Philadelphia Navy Yard before his retirement from military service. He and his wife Ruth moved to Maine after her retirement from teaching and Mr. Benedikt went to work for a civilian contract firm at Bath Iron Works and later the Maine Department of Environmental Protection. He was very active in the community, serving with the Brunswick Area Citizens for a Clean Environment and the Friends of Merrymeeting Bay, and he founded the New Meadows Lake Association. Mr. Benedikt was president and treasurer of Beth Israel Congregation in Bath and he was active in the leadership of the Brunswick Area Interfaith Council. Mr. Benedikt will be greatly missed and long remembered by his family and his many friends;

(HLS 77)

Presented by Representative TEPLER of Topsham. Cosponsored by Representative McCREIGHT of Harpswell, Representative DAUGHTRY of Brunswick, Representative TUCKER of Brunswick, Senator GERZOFKY of Cumberland, Representative DeCHANT of Bath.

On **OBJECTION** of Representative DeCHANT of Bath, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Bath, Representative DeChant.

Representative **DeCHANT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you Mr. Clerk for reading the full sentiment. I wanted us to take a moment to pause because Ed Benedikt was a member of this Body, as well as a pillar in the community of Bath, Brunswick, and Topsham area.

I first met Ed Benedikt when I worked in the Speaker's Office, and he was very diligent on behalf of the Brunswick citizens and making sure that the Brunswick base closure was properly taken care of—the toxic waste or burials that had happened in that location. He was very patient. He was very thoughtful, and very, very committed to making sure that the environment was safe for future generations.

I also encountered Ed Benedikt, Honorable Ed Benedikt, for the Right to Know Advisory Committee. He would be at home and he would be listening to the transactions and would jot down copious notes. And, so when I was on the Judiciary Committee last session, he provided me with a whole bunch of information that made me appear to be far more informed than maybe my natural inclination was.

Also, in Bath, he moved from Brunswick to Bath, and he was supportive of the Chocolate Church Arts Center which is a big part of our community. He and his wife, Ruth, would often call us almost on a yearly basis to remind us that our steeple was leaning a little bit too far for comfort. And, so we appreciated that constant form of feedback.

So, I think that what we want to do is pause for a moment to be able to recognize that Ed was always a man of public service. That's how God made him. And then also to be able to have the opportunity that he came to this Chamber on Holocaust Remembrance Day and spoke about his time being in the Holocaust, which is a completely profound measure that few of us can get our hearts and heads around.

So, this Sunday we're going to celebrate his life at Temple Beth Israel in Bath. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker and thank you Honorable Members of this Body. I would like to echo the words of the good Representative from Bath about the life of Ed Benedikt.

Ed was a remarkable human being, in fact. He was born in Vienna in 1930 and the majority of the members of his generation of people born in that city at that time did not survive. Ed was fortunate that he, along with his sister, was the beneficiary of the righteous who arranged for the kinder transports out of Vienna at that time to England. So he and his sister, at very tender ages, went alone to England to live with foster families because his parents wanted them to live.

And Ed did live, as did his sister Lucy. And Ed lived well. He followed the Jewish principle of Tikkun Olam, "to repair the world." He chose to repair the world through being active in environmental causes, through serving in this Body, and in a variety of ways, and I honor Ed's life, and he chose to honor his gift of life as well.

I send my best wishes to his entire family, and I hope you will join me in remembering what a gift the life of Ed Benedikt was. Thank you.

Subsequently, the Sentiment was **ADOPTED** and sent for concurrence.

---

#### CONSENT CALENDAR

##### First Day

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



(H.P. 96) (L.D. 138) Bill "An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes, Decouple Federal Bonus Depreciation Deductions and Create a Maine Capital Investment Credit" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1)**

On motion of Representative TIPPING-SPITZ 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-1)** 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-SPITZ of Orono **PRESENTED House Amendment "A" (H-2)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Tipping-Spitz.

Representative **TIPPING-SPITZ**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of Maine seniors and working families trying to keep their homes warm and their dinner tables full. The bill before us, in its current form, uses roughly 10 million dollars to extend a largely ineffective tax expenditure by extending bonus depreciation. Now, not everyone here is on the Tax or AFA Committee, so I just wanted to say a little bit about what bonus depreciation is, and I'm reading from committee testimony.

"Bonus depreciation is a federal tax policy that allows large businesses to immediately deduct some portion of the cost of capital equipment from their taxable income. They then deduct the remainder of the costs over the remaining life of the equipment. With bonus depreciation, businesses would still be able to deduct the entire cost of capital purchases, but they would do so on a normal depreciation schedule, actually going along with the equipment as it depreciates.

Typically, that process takes three to seven years. Bonus depreciation has varied from 30 percent back in 2002, when the policy was first put in place at the federal level, to 50 percent for several years between 2003 and 2010, to 100 percent in 2011 in the wake of the Great Recession.

In December of 2014, Congress retroactively enacted a 50 percent bonus depreciation for capital goods purchased during calendar year 2014." This is a retroactive incentive. I want those words to sink in because I philosophically have a problem with retroactive incentives. Giving someone something that wasn't on the books before, hoping that they will do something that they would have had to have done in the past to get the credit.

Two groups have looked into this credit. Golden Sacks Analysis earlier this year concluded that expiration of bonus depreciation at the end of 2013 should have, "little effect on the economy," and an August 2014 survey of 100 senior finance and tax executives by Bloomberg found that, "83 percent of respondents said that the expiration of this program has not affected their organization's capital expenditures." It doesn't sound like this is a good use of the money.

Instead, this amendment would change the bill so this money is used to bolster the Property Tax Fairness Credit, giving roughly 120,000 Mainers who have filed taxes in the last month, or are going to in the following year, allowing them to get 30 percent more than a Property Tax Fairness Credit. What that ends up being is roughly 100 dollars to 300 dollars back in Maine people's pockets this tax year. I think it's important that we keep who we're here for in our minds when we make policy, and I think this is a good change to this bill.

As I appreciate it when others keep remarks short, I will end here. But I'm more than willing to answer questions, and I would close by thanking both the Joint Standing Committee on Taxation, and the Joint Standing Committee on Appropriations and Financial Affairs for their work on this issue. Thank you, Mr. Speaker.

Representative ROTUNDO of Lewiston moved that **House Amendment "A" (H-2)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-2)**.

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 Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Men and Women of the House I rise in opposition to the pending motion, and in support of the amendment that the good Representative from Orono has put forth. I think it's important to understand that this is part of a package that was instituted by President Bush in 2008 as an economic stimulus to the country on the verge of an economic collapse. That package failed. This is part of a failed package of economic stimulus.

Furthermore, as states across the country adopt this, it is going to cost five billion dollars to the country. That is five billion dollars more to the federal deficit. And as the good Representative from Orono pointed out, all evidence that is quantifiable and based in sound economics, has clearly demonstrated that this bonus depreciation does not work.

On the contrary, as the *Washington Post* put, and you can see this in the editorial that's on your desk, "Politically expedient though it may be, the bill is a pastiche of economic nonsense, and no provision illustrates this better than the so-called "bonus depreciation" rules for businesses. The tax code has long permitted companies to deduct gradually the costs of new equipment, buildings and the like; the sound economic principle is that big-ticket items produce output over time, so the expense of acquiring them should be "matched" with that revenue stream. Bonus depreciation allows companies to claim a much higher than usual percentage of those deductions up front." It goes on, and then it says, "Alas, several economic studies have shown that in practice, bonus depreciation is 'not very effective' as a boost to economic growth, in the words of a recent Congressional Research Service report."

I remind you that the Congressional Research Service is very much like our OFPR. They are very Joe Friday. It is the facts man, just the facts, it is not about politics. It goes on to say, "and probably less effective than other tax cuts or spending increases that have already since expired. Tax break or no, many firms won't invest at times of weak demand for their products." Weak demand. Let me go back to that. "In any case, bonus depreciation affects only one incentive in what, for many companies, may be a highly complex tax-planning scenario.

Whatever stimulative effect bonus depreciation has, though, depends on its being temporary and timely. For example, that companies understand it will be available during recessions and only then." The recession officially ended in June 2009.

Let's talk for a moment about what it means to make sure that companies have demand. If companies do not have customers, they will not create jobs. Investing in capital investments that have already been made do not do anything to encourage job growth. The reason that Maine has not been able to keep up with the economic recovery over the past few years is that we have not been able to grow good jobs. We have not been able to grow wages. If we want to increase our economy, we need to put

money in people's pockets, so that they then go back in to their local economy and invest that money. Small businesses need customers. Small businesses need customers. The only way to do that, the best way to do that, is to make sure that those customers who want to buy coffee, who want to buy groceries, who want to go put oil in their tank, have money in their pockets.

May I remind you, that early on, well before the 2008 recession, there was another recession and President Bush put money in our pockets. He sent out checks with the understanding that if you got that check and cashed it, and put it into your bank account, that you are more than likely to go out and spend that money in the local economy. That is how you stimulate the economy. It is not the best solution to retroactively invest in capital investments, especially when companies were not counting on that revenue in the first place.

I ask you to defeat the current indefinite postponement motion, and I ask you to support the amendment that the good Representative from Orono put on the floor. If we want to create jobs, we have to make sure that the working class in Maine, and the middle class have money to spend in our local economy. That is the better way to do this, than to pass this legislation. Thank you.

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

Representative **MOONEN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise in opposition to the pending motion and in support of the amendment. I've seen this tax conformity bill described as routine, and to a certain extent that's true.

We get a conformity bill every single year in the Tax Committee, and most of the time it is routine, except when it's not. And the reason this year's conformity bill is not routine is that it has this retroactive tax credit that we don't normally see in the conformity bill.

Philosophically, I believe that the goal of tax credits should be to incentivize behavior that we want to see, that will be for the good of the state, that will encourage growth, help create jobs, all of those things that we all care about. And the only way it works is if these tax credits are an incentive for future behavior, not put in place as a retroactive reward for behavior that is already happening.

You've heard what bonus depreciation is, and I just want to remind everyone that it was put in place as part of the 2008 stimulus. Congress let it expire at the end of 2013. So every business that purchased equipment in 2014, did so knowing that this tax credit had expired at the end of 2013. So this bill proposes to retroactively reinstate that credit.

We can argue about whether or not it's a good credit. If it's good for business, if it helps create jobs, if it promotes growth, that's great. And if we decide in our collective wisdom that we want this tax credit to exist going forward, that's fine, but I don't think we should be retroactively reinstating tax credits when the purchasing decisions were made with the knowledge that the tax credit had expired.

The amendment before us is a better option. We're talking about 10 million dollars of taxpayer dollars, and the question is what is the best way to use that money to support our taxpayers and to support our economy? We can do it through a retroactive tax credit for businesses as this bill proposes, or we can take up this amendment. Increase the Property Tax Fairness Credit by 30 percent, and put that money directly back into the pockets of Maine taxpayers right now.

I think about our seniors who are on fixed incomes, who always struggle to pay their property taxes, who are fearful about future increases on property taxes, and I think a better use of this

10 million dollars would be to increase the Property Tax Fairness Credit now, so that they have the money to be able to stay in their homes.

So, I oppose this motion and hope you'll join me. Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, I stand in support of Representative Tipping-Spitz's bill on this bill, because we are the largest population of senior citizens than any other state in the Union per capita in the State of Maine.

And I know that both sides of the aisle have elderly and senior people that do not get a raise because they are not working; they are on fixed incomes. And this amendment will help the senior citizens with their tax bill. It's the same as in the budget that we have in front of us. They say that you'll get more money in your pocket when you go out and work because you won't be paying any taxes, but these senior citizens don't work. They're retired and on a fixed income, and they need all the help they can get to stay in their homes and I think that's a priority of the Speaker, and I think that the Governor kind of is going to go along with us in helping our seniors stay in their homes.

So, I ask you on both sides of the aisle to think about our seniors and what little help it will be for them. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, we all recognize the need that we have for seniors in this state that live on fixed incomes and the burden that property tax creates on them. But, at the same time, we also recognize the need for the ability of businesses in this state to have some sort of sense of being able to plan and run their business.

Buying equipment, whether they're buying equipment at the beginning of the year, or at the end of the year, buying trucks, whatever it is that they're buying, once you take away the predictability of the tax code in terms of a business trying to make business decisions, you really start to cram down on the ability of businesses that already exist in Maine to make those sorts of investments. And, when they make those sorts of investments, number one: those businesses are paying taxes, property taxes, they're employing people, they're making investments in whatever it is—if you're buying a truck, that those trucks are being made somewhere.

That whole chain is dependent upon a business trying to make some sort of good business judgment on how to spend their resources. And, I'm concerned for these senior citizens in this state, but I'm also concerned for the young people in this state. I'm concerned for those people that are 25 or 35 or 45 that are part of the middle class, that are trying to make an effort to stay here in Maine because maybe they grew up here in Maine. Or, maybe because they have a parent or a grandparent who lives here in Maine. And, so our job here in the Legislature is to make decisions about priorities. You know, we've got a certain amount of money to spend, and does the money get spent here, or does the money get spent there? And, those are the decisions that we make on an ongoing basis.

And to pit one group, senior citizens in this particular amendment, against the business community, I think is just unfair. Congress, in part, created this problem because they didn't pass a budget until December 2014. Maine taxpayers, small business taxpayers, Sub Chapter S taxpayers. This is a benefit being used mostly by small businesses that are Sub

Chapter S Corporations that are making investments in their company. And, I find it somewhat offensive, quite frankly, that we're trying to pit senior citizens against the business community, in terms of this amendment.

We have a bill that came out of committee in a unanimous fashion, recognizing the need to have conformity with the federal government, and to have predictability in the business world. And, I believe that's really important for us in the Maine Legislature that we give that to the business community because we need to grow more jobs here in the State.

I know that the Speaker is doing a jobs tour through Maine. So, it's important to the Speaker. This is a jobs bill. At the end of the day, this is a jobs bill. And, so, I think we can all agree that we need to provide more help for senior citizens, in terms of them paying their property taxes. And if we want to make that a priority, then there's a mechanism to do that through the Appropriations Committee. And we can do that.

But I don't believe that this is the appropriate time, or the appropriate bill to be pitting senior citizens against the business community, and I would urge my Republican and my Democratic colleagues to vote against this bill and send the message to the business community that we really care about them being here in Maine. We want them to stay here in Maine. We want them to invest in Maine. We want them to hire Maine workers and provide jobs. That's what the fundamental bill is about. Thank you, Mr. Speaker.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise today to support this amendment by the good Representative from Orono. This amendment is about being fair and balanced. It does not take anything away from anyone. And it's not unpredictable.

Businesses still get to claim their depreciation under the schedule they knew to be in place when they incurred the expense. There's nothing unpredictable there. What this amendment does do is put money back in the budgets of households of lower wage working families and folks living on fixed income. These households will most assuredly pump this 10 million dollars directly into our local economy.

This amendment is about strengthening our local economy and it's about tax fairness. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I wasn't planning on speaking on this amendment. I know that folks in Tax Committee and Appropriations Committee have worked on it, but I just want to address a couple things.

I feel like I want to explain in terms of the sense of planning that bonus depreciation has been extended by Congress every year since 2000. And that it's not guaranteed that it will extend every single year. It's part of a tax extenders package, which passed last December.

I think that businesses who are making purchases in 2014 did not know that this would be extended, or not extended. It's a part of Obama's stimulus era tax policy, much of the stimulus era policies have gone away and this one continues to be reauthorized, and I think that most people who counted on unemployment when they lost their jobs are not able to consistently count on that existing every year, and that's the case for most Obama era tax stimulus policy.

I also just wanted to talk about predictability a little bit. I think that I've been here for six years and things change very often, and, you know, I'm a younger person and my family still lives in

Bangor. I get lots of contacts from different people, and I know we all do, and I got a handwritten note—I've gotten some calls in recent weeks. People have filled out their taxes, and just to touch on the issue of predictability and unpredictability—this comes from a person who lives in Bangor, is definitely on a fixed income, and I quote from his article, he's a neighbor of mine in Downtown Bangor. He says, "We received the rent refund application, and took it over to have it made out. Much to my disappointment, the lady tells me I don't qualify because my rent is less than 40 percent. Looks like you people in Augusta have turned your backs on us low-income people, and have crafted a law to cater to the rich."

And so I don't want to be offensive, I don't think any of this debate has been offensive at all, but I do think that predictability works both ways. My grandmother's 84 years old and moved to Hogan Road in Bangor in 1954, always got her circuit breaker, and it was not predictable that it might be taken away. And, so I think that there is a difference in terms of where loyalties within this Body lie, in terms of predictive public policy, and you know, it's hard for me to choose between extending bonus depreciation and the predictability of something like the Property Tax Fairness Credit. So, thank you everybody.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I apologize for rising a second time. I do think it's important, however, and if I may inquire of the Speaker, my understanding is, is that this particular bill travelled through two committees, first the Taxation Committee, and then ultimately to the Appropriations Committee.

My understanding, Mr. Speaker, is that the Majority Report out of the Taxation Committee, was in fact, a Majority Report, and then Unanimous out of the Appropriations Committee, and so I would ask the Clerk, Mr. Speaker, to read both the Committee Report from both the Taxation Committee and the Appropriations Committee.

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-2). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 2

YEA - Alley, Austin, Bates, Beavers, Beck, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dion, Duchesne, Dunphy L, Edgecomb, Espling, Evangelos, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gerrish, Gideon, Gillway, Ginzler, Grant, Greenwood, Grohman, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hobart, Hobbins, Hogan, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McElwee, McLean, Nutting, O'Connor, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rotundo, Sanborn, Sanderson, Saucier, Sawicki, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Babbidge, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Daughtry, DeChant, Devin, Doore, Dunphy M, Farnsworth, Gattine, Golden, Goode, Hamann, Harlow, Hickman, Hubbell, Hymanson, Kruger, McCreight, Melaragno, Monaghan, Moonen, Morrison, Nadeau,

Noon, Powers, Russell, Rykerson, Schneck, Stuckey, Tipping-Spitz, Warren.

ABSENT - Battle, Cooper, Davitt, Dillingham, Gilbert, Herbig, Hilliard, Parry.

Yes, 104; No, 38; Absent, 8; Vacant, 1; Excused, 0.

104 having voted in the affirmative and 38 voted in the negative, 1 vacancy with 8 being absent, and accordingly **House Amendment "A" (H-2) was INDEFINITELY POSTPONED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1).** Sent for concurrence.

---

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

---

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

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 10, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Colonel Joseph Fessenden, of Beaver Cove

(SLS 101)

- In Senate, **READ** and **PASSED.**

TABLED - February 10, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **PASSAGE.**

The SPEAKER: The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE:** Thank you, Mr. Speaker. I'd like to speak and recognize Joe Fessenden, Colonel he's been for 40 years. He's been an icon in marine patrol. He started out in the docks of Portland, and has worked with the fisherman, and has become an icon down there, and with all fishermen right up until the elver industry.

He would be out at night on patrol, and has brought management, patrol, and fishermen together. That's why Maine has such a robust marine industry. I would really like to thank the Colonel for his 40 years. He started out under Governor Ken Curtis, survived up to our current Governor, and now has gone through numerous commissioners and he deserves a well round of thank you for his exemplary behavior in marine patrol. Thank you.

The SPEAKER: The Chair recognizes the Representative from Deer Isle, Representative Kumiega.

Representative **KUMIEGA:** Thank you, Mr. Speaker. I've had the pleasure of knowing and working with Colonel Fessenden for the past four years, and I'd say more than anyone, he is probably responsible for sheparding the marine patrol into a modern law enforcement agency. He's seen improvements in their equipment, in their training, and their policy of community policing.

Marine patrol officers are part of the community. They get to know the people that they work with, and probably more than any other industry, they are friends, and well respected by the people that they police. And, Colonel Fessenden is largely responsible for that. So I thank him for his service. Thank you, Mr. Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

**SENATE PAPERS**

The following Joint Order: (S.P. 156)

**ORDERED,** the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 24, 2015 at 10:00 in the morning.

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

---

Bill "An Act To Authorize a General Fund Bond Issue for Improvements to Facilities at the University of Maine System Campuses"

(S.P. 153) (L.D. 385)

Bill "An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration"

(S.P. 154) (L.D. 386)

Bill "An Act To Authorize a General Fund Bond Issue To Support Agricultural Enterprises and Encourage the Use of Local Farm Products in Public Schools"

(S.P. 155) (L.D. 387)

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 Create a Blue Alert Program in Maine"

(S.P. 143) (L.D. 375)

Bill "An Act To Provide a Source of Funding for Drug Abuse Resistance Education"

(S.P. 144) (L.D. 376)

Bill "An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission"

(S.P. 147) (L.D. 379)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

---

Bill "An Act To Require School Administrators To Complete 50 Hours of Direct Student Instruction To Be Recertified"

(S.P. 142) (L.D. 374)

Resolve, To Establish a Working Group To Aid with the End of Student Hunger (EMERGENCY)

(S.P. 148) (L.D. 380)

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 Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs"

(S.P. 136) (L.D. 368)

Bill "An Act To Align Municipal General Assistance Programs with the Immigration Status Policies of the Department of Health and Human Services"

(S.P. 137) (L.D. 369)

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 a Moose Permit To Be Transferred to a Family Member"

(S.P. 141) (L.D. 373)

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 Amend the Allowable Security Freeze Fees Charged by a Consumer Reporting Agency"

(S.P. 150) (L.D. 382)

Resolve, To Study the Design and Implementation of Options for a Universal Health Care Plan in the State That Is in Compliance with the Federal Patient Protection and Affordable Care Act

(S.P. 152) (L.D. 384)

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 Enhance the Promotion of Hunting and Fishing Opportunities in Maine by the Office of Tourism"

(S.P. 140) (L.D. 372)

Bill "An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund"

(S.P. 145) (L.D. 377)

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 Protect the Income of Service Workers"

(S.P. 135) (L.D. 367)

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 Enhance Safety for Highway Maintenance Vehicles"

(S.P. 139) (L.D. 371)

Bill "An Act To Change the Motor Vehicle Inspection Requirements To Extend the Time between Inspections"

(S.P. 149) (L.D. 381)

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

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

---

Bill "An Act To Facilitate the Issuance of a Gravestone for a Deceased Veteran with No Next of Kin"

(S.P. 146) (L.D. 378)

Bill "An Act Requiring Corporations To Have Approval from a Majority of Their Shareholders before Making Political Contributions Valued at Greater Than \$5,000"

(S.P. 151) (L.D. 383)

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

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

---

#### Pursuant to Statute

#### Commission on Governmental Ethics and Election Practices

Report of the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 1, section 1009 asks leave to report that the accompanying Bill "An Act To Amend the Lobbyist Disclosure Procedures Law"

(S.P. 138) (L.D. 370)

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

---

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

---

The **SPEAKER**: The Chair recognizes the Representative from Orrington, Representative Campbell, who wishes to address the House on the record.

Representative **CAMPBELL**: Thank you, Mr. Speaker. As we all come to serve early in our careers, and later we all get to be very good friends and members of a very large family. We get a chance to share in our sorrows and our accomplishments, and today I just want to announce an accomplishment of one of the members of this body who sits among us today.

Recently, there was an announcement for the inductees for the 2015 Maine Basketball Hall of Fame. And, the soon-to-be Hall of Famer, Representative Roger Reed as a long time coach, I don't know how many years, but with two long-standing coaching jobs at Bangor Christian and Bangor High School, with a win-loss record that is astounding. Over 1,000 wins, 1,028, and only 303 losses.

Roger's 27 years at Bangor High School were highlighted by eight gold balls. Eight Class A Championship seasons. Roger

would say, if asked, that, "This says a lot about the quality of the players I've coached."

So, to a most humble and endearing member of the House of Representatives, please join me in congratulating Representative Roger Reed.

On motion of Representative DeCHANT of Bath, the House adjourned at 1:51 p.m., until 10:00 a.m., Tuesday, February 24, 2015, pursuant to the Joint Order (S.P. 156) and in honor and lasting tribute to Larry "Joe" Guest, of Brunswick, the Honorable Edmund E. Benedikt, of Brunswick and Midshipman Second Class Rolando Amador, of Harpswell.

---

**ENACTORS**  
**Emergency Measure**

An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes, Decouple Federal Bonus Depreciation Deductions and Create a Maine Capital Investment Credit

(H.P. 96) (L.D. 138)  
(C. "A" H-1)

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

Representative McCABE of Skowhegan **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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 3**

YEA - Alley, Austin, Babbidge, Bates, Beavers, Beck, Black, Blume, Buckland, Burstein, Campbell J, Campbell R, Chace, Chenette, Corey, Crafts, Daughtry, DeChant, Dion, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gillway, Ginzler, Golden, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Hawke, Head, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Monaghan, Nadeau, Noon, Nutting, O'Connor, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Brooks, Bryant, Chapman, Chipman, Devin, Doore, Goode, Harlow, Melaragno, Moonen, Russell, Stuckey, Tipping-Spitz.

ABSENT - Battle, Bickford, Cooper, Davitt, Dillingham, Gilbert, Herbig, Morrison, Parry, Shaw.

Yes, 127; No, 13; Absent, 10; Vacant, 1; Excused, 0.

127 having voted in the affirmative and 13 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

---