

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 MAINE
LEGISLATURE
FIRST REGULAR SESSION
26th Legislative Day
Tuesday, March 31, 2015

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

Prayer by Rabbi Carolyn Braun, Temple Beth El, Portland.
National Anthem by Rose M. Gaffney Elementary School Chorus, Machias.
Pledge of Allegiance.
Doctor of the day, Charles Radis, D.O., Peaks Island.
The Journal of March 26, 2015 was read and approved.

SENATE PAPERS

Bill "An Act To Replace the Bail Code with a System of Validated Risk Assessment Tools"

(S.P. 385) (L.D. 1113)

Bill "An Act To Protect Maine's Children from Sexual Abuse and Exploitation"

(S.P. 386) (L.D. 1114)

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 Expand Access to Affordable Higher Education and To Strengthen Workforce Development"

(S.P. 340) (L.D. 968)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

Came from the Senate, with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Bill and accompanying papers **INDEFINITELY POSTPONED** in concurrence.

Bill "An Act To Authorize the Development of Thorium Energy"

(S.P. 388) (L.D. 1116)

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 Make the State's Standard for Lead Exposure in Children Consistent with the Federal Standard"

(S.P. 387) (L.D. 1115)

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 Clarify the Policy for Withdrawal of Life Support from Minors"

(S.P. 389) (L.D. 1117)

Bill "An Act To Fund the Cold Case Homicide Unit in the Department of the Attorney General"

(S.P. 393) (L.D. 1121)

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

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

Under suspension of the rules, members were allowed to remove their jackets.

Bill "An Act To Amend the Laws Governing the Filing of Wage Statements by Employers and To Clarify the Statute of Limitations under the Maine Workers' Compensation Act of 1992"

(S.P. 391) (L.D. 1119)

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 Regarding the Use of Vehicles on Monhegan Island"

(S.P. 394) (L.D. 1122)

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

REFERRED to the Committee on **TRANSPORTATION** 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 Campaign Reports and Finances Laws and the Maine Clean Election Act"

(S.P. 395) (L.D. 1123)

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.

COMMUNICATIONS

The Following Communication: (H.C. 103)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 31, 2015
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Eves:

Pursuant to Joint Rule 310, the Committee on Health and Human Services has approved the request by the sponsor, Representative Ward of Dedham, to report the following "Leave to Withdraw":

L.D. 663 Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns

Pursuant to Joint Rule 310, the Committee on Health and Human Services has approved the request by the sponsor, Senator Saviello of Franklin, to report the following "Leave to Withdraw":

L.D. 940 Resolve, To Require Hospitals To Provide Information to Parents of Infants Regarding Testing for Krabbe Disease

Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Representative Shaw of Standish, to report the following "Leave to Withdraw":

L.D. 837 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Application of a Citizen Initiative Concerning Wildlife Matters to Counties in Which It Is Approved

Sincerely,
S/Robert B. Hunt
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The following item was taken up out of order by unanimous consent:

ORDERS

On motion of Representative BEAVERS of South Berwick, the following Joint Resolution: (H.P. 757) (Cosponsored by Senator MILLETT of Cumberland and Representatives: BABBIDGE of Kennebunk, BATES of Westbrook, BEEBE-CENTER of Rockland, BROOKS of Lewiston, BRYANT of Windham, BURSTEIN of Lincolnville, CAMPBELL of Newfield, CHIPMAN of Portland, COOPER of Yarmouth, DEVIN of Newcastle, DILLINGHAM of Oxford, DOORE of Augusta, DUNPHY of Old Town, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FOLEY of Wells, FOWLE of Vassalboro, GIDEON of Freeport, GILBERT of Jay, GINZLER of Bridgton, GOODE of Bangor, GRANT of Gardiner, GUERIN of Glenburn, HARLOW of Portland, HAWKE of Boothbay Harbor, HICKMAN of Winthrop, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JORGENSEN of Portland, KORNFIELD of Bangor, KRUGER of Thomaston, LONGSTAFF of Waterville, MARTIN of Eagle Lake, MASTRACCIO of Sanford, McCABE of Skowhegan, McCREIGHT of Harpswell, MELARAGNO of Auburn, MOONEN of Portland, PICKETT of Dixfield, PIERCE of Falmouth, POWERS of Naples, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SAUCIER of Presque Isle, SCHNECK of Bangor, SHORT of Pittsfield, SKOLFIELD of Weld, STEARNS of Guilford, STUCKEY of Portland, TEPLER of Topsham, TIPPING-SPITZ of Orono, TUELL of East Machias, VACHON of Scarborough, VEROW of Brewer, Senators: DUTREMBLE of York, GRATWICK of Penobscot, MIRAMANT of Knox)

JOINT RESOLUTION IN HONOR OF WOMEN'S HISTORY MONTH AND IN RECOGNITION OF THE CONTRIBUTIONS THAT WOMEN MAKE TO MAINE AND TO THE UNITED STATES

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways, especially in the areas of political and social change; and

WHEREAS, the United States boasts a rich history of women whose vast and courageous achievements speak to the sense of excellence and potential shared by all Americans; and

WHEREAS, our country would not have attained its greatness without the strength, bravery, insight and persistence of the women who have come before us; and

WHEREAS, American women have played, and continue to play, critical economic, cultural, political and social roles in every sphere of the life of the nation by constituting a significant portion of the labor force working inside and outside of the home and in professions from educator to astronaut, yet make up a very small percentage of the executives in charge of Fortune 500 companies each year; and

WHEREAS, women have played a major role in the defense of our nation, both on and off the battlefield; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity but also in the abolitionist movement, the industrial labor movement, the civil rights movement and other movements that create a more fair and just society for all; and

WHEREAS, women not only have played critical economic, cultural and social roles in our society but also have permanently changed the face of American government and politics; and

WHEREAS, Maine has a rich and vibrant history of women in leadership, including Senator Margaret Chase Smith, perhaps best known for her contribution to the well-being of the United States and its people with her consistent stand for the condemnation of bigotry and injustice wherever she found them; and

WHEREAS, Senator Margaret Chase Smith was the first woman from Maine to serve in the United States Congress, the first woman in the nation elected to both houses of the United States Congress and the first woman to be placed in nomination for the presidency at a major party's convention; and

WHEREAS, Maine currently has some of the strongest women leaders in the nation, including Senator Susan Collins, the first woman to run for Maine Governor from a major party, and the recently retired Senator Olympia J. Snowe, the first woman to serve in both chambers of a state legislature and both chambers of the United States Congress; and

WHEREAS, the Maine Legislature has a distinguished record of women elected to leadership positions, including the Honorable Beverly Daggett, the first female President of the Senate, the Honorable Betheda Edmonds, the first woman to serve 2 terms as President of the Senate and the Honorable Elizabeth Mitchell, the first woman in the United States to have been chosen in a state legislature as both Speaker of the House and President of the Senate; and

WHEREAS, among the many women who have served in the Maine Legislature are the Honorable Hannah Pingree, the youngest woman to hold the position of Speaker of the House, and the many women who have served as Senate floor leaders, including the Honorable Jane A. Amero, the Honorable Pamela Cahill, the Honorable Nancy Randall Clark, the Honorable Chellie Pingree, the Honorable Sharon Treat, the Honorable Mary Small and the Honorable Carol Weston, and who have served as House floor leaders, including the Honorable Lucia M. Cormier,

the Honorable Emily Cain, the Honorable Carol A. Kontos and the Honorable Mary Clark Webster; and

WHEREAS, women who have served as assistant leaders in the Maine Legislature include the Honorable Minnette Cummings, the Honorable Barbara A. Gill, the Honorable Beverly Bustin-Hatheway, the Honorable Anne Rand, the Honorable Lisa Marraché, the Honorable Debra Plowman, the Honorable Elizabeth D. Moffatt, the Honorable Mary Najarian and the Honorable Anne Haskell; and

WHEREAS, women currently serving in positions of leadership include the Honorable Dawn Hill as Assistant Senate Minority Leader, the Honorable Sara Gideon as Assistant House Majority Leader and the Honorable Eleanor Espling as Assistant House Minority Leader; and

WHEREAS, within our state judicial system, Chief Justice Leigh I. Saufley is the first woman to serve as Maine's Chief Justice of the Supreme Judicial Court; and

WHEREAS, the Honorable Janet T. Mills is the first woman to have served as Maine's Attorney General, as well as being a former District Attorney and Legislator; the Honorable Dale McCormick is the first woman to serve as Treasurer of State, as well as being a former Legislator; the Honorable Gail Chase is the first woman to serve as State Auditor, as well as being a former Legislator; Pola Buckley is the current State Auditor; and the Honorable Teresea Hayes is the Treasurer of State as well as being a former Legislator and Assistant House Minority Leader; and

WHEREAS, we must take every action possible to promote women in leadership so that we can achieve fair representation in our State Government, including recognizing Maine women's contributions to our state history; and

WHEREAS, in recognition of the contributions of women, the United States Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month"; 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 March 2015 as Women's History Month in Maine; and be it further

RESOLVED: That We encourage the residents of this State to observe Women's History Month by participating in programs, ceremonies and activities to foster an awareness of and appreciation for the contributions made by women that have benefited and improved society.

READ.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative **BEAVERS**: Thank you, Mr. Speaker. I apologize for the delay in getting this, since it is the last day of March. Both the Senate and the House found some corrections, and I apologize if there are any further ones.

I wanted to call your attention to the three page summary and policy recommendations in the *2015 Report on the Status of Women and Girls in Maine* prepared by Maine's Permanent Commission on the Status of Women. Their 5th Dimension recommendation states that, "Maine should make investment in opportunities for women and girls regarding leadership education and incentivize promotion of women into leadership roles, both in the public and private sectors."

When we see the Legislature with fifty percent women, in proportion to the population, maybe we will not need to commemorate Women's History Month. My thanks go to all our current leaders, and all those in the past. Thank you.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand before you today to recognize women from our great state and country for their accomplishments and contributions to the State of Maine and to the United States.

Across the spectrum of American life, women have had great success in the areas of academia, art, labor, science, military, and government. Women such as Margaret Chase Smith, Susan Collins, and Olympia Snowe have had honorable public service careers, and have paved the way for young women to become leaders in their communities.

Women like Colonel Diane Dunn of Newburgh, the first female to take command of a brigade in the State of Maine, whose leadership has proven influential in the Maine Army National Guard.

Maine has a rich history of distinguished women servings as leaders in their homes, communities, and work places. It is an honor to stand here today as Assistant Leader of my own party. I have, and will, continue to be a voice for women and girls across this state. Thank you for your time and participation in recognizing March as Women's History Month.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

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 Prevent the Infestation of Firewood by Invasive Species"

(H.P. 789) (L.D. 1151)

Sponsored by Representative McCABE of Skowhegan. Cosponsored by Senator SAVIELLO of Franklin and Representatives: BLACK of Wilton, HICKMAN of Winthrop, MAREAN of Hollis, MARTIN of Eagle Lake, SAUCIER of Presque Isle, SHORT of Pittsfield, STANLEY of Medway, Senator: DILL of Penobscot.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act Concerning Electronic Monitoring and Increased Bail for Certain Crimes Involving Violence"

(H.P. 793) (L.D. 1155)

Sponsored by Representative PICCHIOTTI of Fairfield. Cosponsored by Senator WHITTEMORE of Somerset and Representatives: BECK of Waterville, COOPER of Yarmouth, GUERIN of Glenburn, LONGSTAFF of Waterville, McCABE of Skowhegan, NADEAU of Winslow, NUTTING of Oakland, Senator: SAVIELLO of Franklin.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Increase the Affordability of College Tuition and Attract Professionals to Maine"

(H.P. 779) (L.D. 1141)

Sponsored by Representative DAUGHTRY of Brunswick.

Cosponsored by Representatives: CHENETTE of Saco, EDGEComb of Fort Fairfield, FECTEAU of Biddeford, MOONEN of Portland, POULIOT of Augusta, TIPPING-SPITZ of Orono, TUCKER of Brunswick, WHITE of Washburn.

Bill "An Act To Restore Local Control of Education to Towns"

(H.P. 791) (L.D. 1153)

Sponsored by Representative McCABE of Skowhegan.

Cosponsored by Representatives: ALLEY of Beals, GIDEON of Freeport, GILBERT of Jay, KINNEY of Knox, POWERS of Naples, SAUCIER of Presque Isle, SHORT of Pittsfield, Senator: PATRICK of Oxford.

Bill "An Act To Amend the Definition of 'Property Fiscal Capacity' in the School Funding Law To Address Inequities Affecting Municipalities Experiencing Significant Reductions in Value"

(H.P. 790) (L.D. 1152)

Sponsored by Representative STANLEY of Medway.

Cosponsored by Senator PATRICK of Oxford and Representatives: CAMPBELL of Orrington, GILBERT of Jay, McCABE of Skowhegan, TURNER of Burlington, Senators: DILL of Penobscot, ROSEN of Hancock.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative KORNFIELD of Bangor, **TABLED** pending **REFERENCE** and later today assigned.

HEALTH AND HUMAN SERVICES

Bill "An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program"

(H.P. 782) (L.D. 1144)

Sponsored by Representative McCABE of Skowhegan.

Cosponsored by Senator VALENTINO of York and Representatives: BECK of Waterville, DAVITT of Hampden, DUCHESNE of Hudson, PETERSON of Rumford, POWERS of Naples, SAUCIER of Presque Isle, SHORT of Pittsfield, Senator: KATZ of Kennebec.

Resolve, Directing the Maine Center for Disease Control and Prevention To Report on Progress toward Meeting Healthy Maine 2020 Goals Pertaining to Reproductive Health

(H.P. 787) (L.D. 1149)

Sponsored by Representative BURSTEIN of Lincolnville.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: GATTINE of Westbrook, HYMANSON of York, MALABY of Hancock, MASTRACCIO of Sanford, SANBORN of Gorham, Senators: BRAKEY of Androscoggin, VALENTINO of York.

Bill "An Act To Ensure Safe Drinking Water for Maine Families"

(H.P. 796) (L.D. 1162)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator JOHNSON of Lincoln, Senator HASKELL of Cumberland and Representatives: BURSTEIN of Lincolnville, HILLIARD of Belgrade, MALABY of Hancock, MAREAN of Hollis, VACHON of Scarborough.

Bill "An Act To Improve Maine's Involuntary Commitment Processes"

(H.P. 783) (L.D. 1145)

Sponsored by Representative MALABY of Hancock.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative GATTINE of Westbrook, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers"

(H.P. 788) (L.D. 1150)

Sponsored by Representative BROOKS of Lewiston.

Cosponsored by Senator WHITTEMORE of Somerset and Representatives: BEAVERS of South Berwick, BECK of Waterville, MORRISON of South Portland, NUTTING of Oakland, PICCHIOTTI of Fairfield, PRESCOTT of Waterboro, ROTUNDO of Lewiston, Senator: KATZ of Kennebec.

JUDICIARY

Bill "An Act To Clarify the Mortgage Foreclosure Sale Process"

(H.P. 785) (L.D. 1147)

Sponsored by Representative COOPER of Yarmouth.

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

Bill "An Act To Amend the Garnishment Laws of the State"

(H.P. 797) (L.D. 1163)

Sponsored by Representative STETKIS of Canaan.

Cosponsored by Representatives: BATTLE of South Portland, HAWKE of Boothbay Harbor, HILLIARD of Belgrade, LYFORD of Eddington, SAWICKI of Auburn, THERIAULT of China, WARD of Dedham.

Bill "An Act To Protect Certain Information under the Maine Human Rights Act"

(H.P. 802) (L.D. 1171)

Sponsored by Representative WARREN of Hallowell.

Cosponsored by Senator KATZ of Kennebec and Representatives: EVANGELOS of Friendship, GINZLER of Bridgton, HOBBS of Saco, McCREIGHT of Harpswell, MOONEN of Portland, SHERMAN of Hodgdon, Senators: BURNS of Washington, JOHNSON of Lincoln.

Bill "An Act To Provide for the Establishment of Benefit Corporations"

(H.P. 792) (L.D. 1154)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator CUSHING of Penobscot and Representatives: AUSTIN of Gray, Speaker EVES of North Berwick, GILBERT of Jay, MASTRACCIO of Sanford, WARD of Dedham, Senators: PATRICK of Oxford, President THIBODEAU of Waldo, VOLK of Cumberland.

Committee on **JUDICIARY** suggested.

On motion of Representative HOBBS of Saco, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed and sent for concurrence.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act Regarding the Board of Dental Examiners" (EMERGENCY)

(H.P. 794) (L.D. 1156)

Sponsored by Representative MASTRACCIO of Sanford.
Cosponsored by Senator PATRICK of Oxford and Representatives: AUSTIN of Gray, BATES of Westbrook, CAMPBELL of Newfield, FECTEAU of Biddeford, GILBERT of Jay, STETKIS of Canaan, WARD of Dedham, Senator: VOLK of Cumberland.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Protect Preemployment Credit Privacy"

(H.P. 795) (L.D. 1157)

Sponsored by Representative HAMANN of South Portland.
Cosponsored by Senator PATRICK of Oxford and Representatives: GILBERT of Jay, HERBIG of Belfast, MARTIN of Eagle Lake, MASTRACCIO of Sanford.

Bill "An Act To Enact the Toxic Chemicals in the Workplace Act"

(H.P. 799) (L.D. 1165)

Sponsored by Representative GOODE of Bangor.
Cosponsored by Senator PATRICK of Oxford and Representatives: ALLEY of Beals, CAMPBELL of Newfield, CHIPMAN of Portland, DEVIN of Newcastle, GILBERT of Jay, HERBIG of Belfast, MASTRACCIO of Sanford, Senator: BREEN of Cumberland.

Bill "An Act To Promote Tourism and Foster Economic Development"

(H.P. 798) (L.D. 1164)

Sponsored by Representative HAMANN of South Portland.
Cosponsored by Senator VALENTINO of York and Representatives: MALABY of Hancock, MARTIN of Eagle Lake, MONAGHAN of Cape Elizabeth, PETERSON of Rumford, STANLEY of Medway, Senators: DUTREMBLE of York, HILL of York, PATRICK of Oxford.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative HERBIG of Belfast, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

MARINE RESOURCES

Bill "An Act To Promote Protection of Intertidal Rockweed Habitat"

(H.P. 781) (L.D. 1143)

Sponsored by Representative TUELL of East Machias.
Cosponsored by Representatives: ALLEY of Beals, BATTLE of South Portland, CHAPMAN of Brooksville, DANA of the Passamaquoddy Tribe, KRUGER of Thomaston, MAKER of Calais, Senator: BAKER of Sagadahoc.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Protect Taxpayers by Regulating Personal Services Contracts"

(H.P. 800) (L.D. 1166)

Sponsored by Representative MARTIN of Sinclair.
Cosponsored by Senator PATRICK of Oxford and Representatives: BRYANT of Windham, DOORE of Augusta,

FOWLE of Vassalboro, GILBERT of Jay, HERBIG of Belfast, POULIOT of Augusta, SAUCIER of Presque Isle, Senator: SAVIELLO of Franklin.

Bill "An Act To Implement a Local Ballot Referendum for Municipalities To Disallow Tax-exempt Status to Large Land Trusts"

(H.P. 786) (L.D. 1148)

Sponsored by Representative KINNEY of Limington.
Cosponsored by Senator BURNS of Washington and Representatives: CRAFTS of Lisbon, NUTTING of Oakland, Senator: MASON of Androscoggin.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative MARTIN of Sinclair, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

TAXATION

Bill "An Act Regarding the Taxation of Out-of-state Pensions"

(H.P. 780) (L.D. 1142)

Sponsored by Representative TURNER of Burlington.
Cosponsored by Senator BURNS of Washington and Representatives: AUSTIN of Gray, CAMPBELL of Orrington, HARLOW of Portland, LOCKMAN of Amherst, NADEAU of Winslow, O'CONNOR of Berwick, POWERS of Naples, STANLEY of Medway.

Bill "An Act To Increase Investment in Maine"

(H.P. 784) (L.D. 1146)

Sponsored by Representative MALABY of Hancock.
Cosponsored by Senator BRAKEY of Androscoggin and Representatives: COREY of Windham, HAWKE of Boothbay Harbor, HEAD of Bethel, O'CONNOR of Berwick, SIROCKI of Scarborough, VACHON of Scarborough.

Pursuant to Statute

Department of Health and Human Services

Representative GATTINE for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 801) (L.D. 1170)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Department of Transportation**

Representative McLEAN for the **Department of Transportation** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation (EMERGENCY)

(H.P. 803) (L.D. 1172)

Be **REFERRED** to the Committee on **TRANSPORTATION** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

**CONSENT CALENDAR
First Day**

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

(S.P. 13) (L.D. 12) Bill "An Act To Limit the Liability of Landowners Who Allow Recreational Climbing on Their Land" Committee on **JUDICIARY** reporting **Ought to Pass**

(S.P. 209) (L.D. 593) Bill "An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass**

(S.P. 85) (L.D. 216) Bill "An Act To Amend the Charter of the Hampden Water District" (EMERGENCY) Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-9)**

(H.P. 239) (L.D. 352) Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 63) (L.D. 69) Bill "An Act To Require Drug Testing of the Driver of a Motor Vehicle Involved in a Fatal Accident" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-25)**

(H.P. 93) (L.D. 135) Bill "An Act To Prohibit Tobacco Use Surcharges in Small Group and Individual Health Insurance Products" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-26)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

(H.P. 168) (L.D. 236) 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) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting

Ought to Pass as Amended by Committee Amendment "A" (H-27)

On motion of Representative ROTUNDO of Lewiston, was **REMOVED** from the First Day Consent Calendar.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-27)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-27)** and sent for concurrence. **ORDERED SENT FORTHWITH**.

(H.P. 355) (L.D. 516) Bill "An Act Regarding Gaming" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-24)**

On motion of Representative ESPLING of New Gloucester, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

**CONSENT CALENDAR
Second Day**

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

(S.P. 73) (L.D. 198) Bill "An Act To Amend the Laws Regarding Noncommercial Foreign Vessels"

(S.P. 26) (L.D. 78) Bill "An Act Regarding Limitations on Certain Storm Water Fees" (C. "A" S-4)

(S.P. 39) (L.D. 102) Bill "An Act To Strengthen the Craft Beer Industry" (C. "A" S-8)

(S.P. 83) (L.D. 214) Bill "An Act To Stay Certain Suspensions Imposed by the Secretary of State Pending Appeal" (C. "A" S-5)

(S.P. 122) (L.D. 307) Bill "An Act To Amend the Shoreland Zoning Laws To Exempt Certain Walkways and Trails from Setback Requirements" (C. "A" S-6)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence.

**BILLS IN THE SECOND READING
Senate in Non-Concurrence**

Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Certain Mechanical Trades

(S.P. 54) (L.D. 121)

Senate as Amended

Bill "An Act To Standardize Pints of Beer Sold in Maine"

(S.P. 55) (L.D. 122)

(C. "A" S-7)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and in non-concurrence and sent for concurrence.

ENACTORS

Emergency Measure

An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

(H.P. 204) (L.D. 286)
(C. "A" H-19)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 141 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission

(H.P. 143) (L.D. 200)
(C. "A" H-17)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division

(S.P. 175) (L.D. 446)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 26, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities"

(H.P. 718) (L.D. 1049)

(Committee on **JUDICIARY** suggested)

TABLED - March 24, 2015 (Till Later Today) by Representative HOBBS of Saco.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

Bill "An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44"

(H.P. 743) (L.D. 1082)

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested)

TABLED - March 25, 2015 (Till Later Today) by Representative KORNFIELD of Bangor.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, ordered printed and sent for concurrence.

SENATE PAPERS

Bill "An Act To Make Possession of a Firearm with an Altered or Obscured Serial Number a Class C Crime"

(S.P. 412) (L.D. 1160)

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 Modernize Maine's Broadband Standards"

(S.P. 414) (L.D. 1167)

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 Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection"

(S.P. 397) (L.D. 1128)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Resolve, To Support Home-based Care

(S.P. 398) (L.D. 1129)

Bill "An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors"

(S.P. 403) (L.D. 1134)

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 Clarify the Use of Lawyer's Trust Account Funds When the Owner Is Not Known or Cannot Be Located"

(S.P. 399) (L.D. 1130)

Bill "An Act To Amend the Maine Business Corporation Act"

(S.P. 405) (L.D. 1136)

Bill "An Act To Prohibit the Use of Eminent Domain in Certain Public-private Partnerships and To Prohibit the Use of Eminent Domain by a Private Business Entity in a Public-private Partnership"

(S.P. 415) (L.D. 1168)

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 Create a Domestic Division within the Maine International Trade Center"

(S.P. 400) (L.D. 1131)

Bill "An Act To Invest in Maine Companies"

(S.P. 401) (L.D. 1132)

Bill "An Act To Promote Reemployment of Unemployed Workers"

(S.P. 406) (L.D. 1137)

Bill "An Act To Provide for the 2015 and 2016 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

(S.P. 408) (L.D. 1139)

Bill "An Act To Promote Economic Development"

(S.P. 409) (L.D. 1140)

Bill "An Act To Improve the Ability of Mental Health Professionals To Assess the Risk of Suicide"

(S.P. 410) (L.D. 1158)

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.

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley (EMERGENCY)

(S.P. 413) (L.D. 1161)

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 Modify the Property Tax Abatement Laws"

(S.P. 411) (L.D. 1159)

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 Require Snow and Ice To Be Removed from Vehicles before Operation"

(S.P. 402) (L.D. 1133)

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

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

Bill "An Act Regarding Municipal Reporting of Statewide Elections"

(S.P. 407) (L.D. 1138)

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.

ENACTORS

Emergency Measure

An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017

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

(C. "A" H-27)

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

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Mr. Speaker, Men and Women of the House, I'm pleased to have before you a unanimous, bipartisan supplemental budget.

I want to thank all my House and Senate colleagues on the Appropriations and Financial Affairs Committee for their hard work to make this possible, and for working together to fund critical priorities for our state. I also want to thank the staff of the Office of Fiscal and Program Review for their invaluable assistance.

There are many pieces to this \$28 million dollar supplemental budget. It was particularly important to our committee to include funding to address the crises being faced by our county jails and the Riverview Psychiatric Facility. It was important to all of us to work together to address patient safety, worker safety, and public safety concerns. I urge your support of the supplemental budget. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Mr. Speaker. Men and Women of the House, I rise to, well, to congratulate the Appropriations Committee on their unanimous budget as well.

The LD 236 that you see before you is an amalgamation of a number of bills that were put together in what we commonly call a supplemental budget. Some of the things we did you've heard from Representative Rotundo, in addition to the reorganizations, re-classes, and the range changes which are typical, we came to an agreement on increasing the staff at Riverview, and addressing some of the shortfall on the money and the consent degree at Riverview.

By including this money in the supplemental budget rather than waiting for the biennial budget allows them to get busy and hire people as they're graduating from school right now, instead of waiting until they all have jobs later in the summer. We addressed the shortfall of 2.5 million, approximately, in the county jails, and I think we came to a reasonable agreement on some of the surplus funds and the Fund for Healthy Maine that we used to maintain the payments to physicians who had received an increase and were about to lose it because the federal program changed, so we've changed that. We've kept the same, I mean.

I too, I would like to thank Chair Rotundo, and our lead Representative Winsor, as well as the members of all the policy committees who gave us insight and got us to where we need to

be today. And I hope you can all support the unanimous report out of the Appropriations Committee. Some of these items we will revisit in a much bigger way, and I hope this is a preview of the accommodation and the goodwill that we will see in the biennial budget that is necessary to do later in the session. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Thank you, Mr. Speaker. Mr. Speaker, Members of the House, some of you have asked how the Appropriations Committee got to the figure that's on page 50, I believe, of the budget bill, which deals specifically with jails.

And, we relied on a report that came to us from the Board of Corrections, Joel Merry, who happens to be the Chair, and I want to quote from it so that people understand where and how we got there. And, basically he said, "The critical need totals 2.488 million. We've calculated the figure for the first six months of county jail expenditures, coupled with the known revenue shortfall. As mentioned in 2014, the Board received 1.2 million in supplemental funding, and it was a sufficient amount due to 9 of the 15 county jails being able to forego a portion of the budgeted revenue to be dispersed of the counties. Those counties are unable to do so in the current fiscal year, including the need this year. The following is a jail-by-jail breakdown of the necessary supplemental funding amount and supporting justification. Aroostook County will require \$782 thousand dollars. Cumberland County Jail will require \$596 thousand dollars. Penobscot County Jail will require \$563 thousand dollars. York County Jail will require \$396 thousand dollars. And Androscoggin County Jail will require 151 thousand. That, being the total that you find in the bill of \$2 million 488 thousand dollars.

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

Representative FREDETTE: Thank you, Mr. Speaker, if I may just ask a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative FREDETTE: In regards to the good Representative from Eagle Lake's comments, is he suggesting that those are specific allocations within the budget, or not. They're not part of the budget language that I'm reading, and obviously we've learned the language in documents matters, and so, I just would like some clarification on that, because my understanding might be a little bit different. And second of all, Mr. Speaker, I'd request a roll call.

The same Representative REQUESTED a roll call on **PASSAGE TO BE ENACTED**.

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

The SPEAKER: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who cares to answer. The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Thank you, Mr. Martin. I'm sorry, thank you Mr. Speaker. My apologies to the Speaker. We were having a discussion here and so I sort of had to have the question repeated to me, and so it got interpreted in a different way perhaps than what I was originally going to respond to.

But, the answer to the question posed by the Representative Newport, basically is that the allocation, basically what you have is what was recommended by the Board of Corrections at that time when it came to us. The allocation will be distributed based by the Commissioner or his designee, pursuant to the law that we enacted.

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

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

ROLL CALL NO. 9

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hawke, Head, Herbig, 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, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Mr. Speaker.

NAY - Harlow.

ABSENT - DeChant, Hanley, Winsor, Wood.

Yes, 146; No, 1; Absent, 4; Excused, 0.

146 having voted in the affirmative and 1 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

On motion of Representative BROOKS of Lewiston, the House adjourned at 12:22 p.m., until 10:00 a.m., Wednesday, April 1, 2015.