

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

beginning December 3, 2014

beginning at page H-1

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION
69th Legislative Day
Thursday, July 16, 2015

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

Prayer by Honorable Craig V. Hickman, Winthrop.

National Anthem by Tina Charest, Augusta.

Pledge of Allegiance.

Doctor of the day, Andrew Fletcher, M.D., Dover Foxcroft.

The Journal of Tuesday, June 30, 2015 was read and approved.

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

SENATE PAPERS

The following Joint Order: (S.P. 555)

ORDERED, the House concurring, that the following specified matters be held over on the Special Appropriations Table to the next special or regular session of the 127th Legislature:

H.P. 9, L.D. 6 - Resolve, To Implement Recommendations of the Government Oversight Committee To Strengthen the Ethics Practices and Procedures for Executive Branch Employees

H.P. 73, L.D. 90 - Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities

S.P. 84, L.D. 215 - An Act To Improve Student Retention in Maine's Postsecondary Institutions

S.P. 87, L.D. 249 - An Act To Enable Seniors To Remain in Their Homes

H.P. 199, L.D. 281 - Resolve, To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper Company and To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company

H.P. 252, L.D. 365 - An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability

H.P. 286, L.D. 419 - An Act To Promote Academic Opportunities for Maine Youth during Summer Months

H.P. 337, L.D. 498 - An Act To Restore the Super Credit for Substantially Increased Research and Development

H.P. 376, L.D. 552 - An Act To Provide Funding for Home Visiting Services

H.P. 442, L.D. 661 - An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis Screening, Prevention, Diagnostic and Treatment Services

H.P. 579, L.D. 845 - An Act To Address Unmet Public Transportation Needs

S.P. 304, L.D. 860 - Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Dental Services under the MaineCare Program

S.P. 312, L.D. 867 - An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act

H.P. 617, L.D. 898 - An Act To Reduce Student Loan Debt through an Expansion of the Educational Opportunity Tax Credit

H.P. 695, L.D. 1000 - An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law

H.P. 697, L.D. 1002 - An Act To Appropriate \$500,000 for the Electronic Monitoring Fund

H.P. 699, L.D. 1004 - An Act To Provide Incentives To Foster Economic Growth and Build Infrastructure in the State by Encouraging Visual Media Production

H.P. 705, L.D. 1022 - An Act To Protect the Future of Harness Racing

H.P. 731, L.D. 1062 - An Act To Support Housing for Homeless Veterans

H.P. 780, L.D. 1142 - An Act Regarding the Taxation of Out-of-state Pensions

H.P. 853, L.D. 1253 - An Act To Improve the Evaluation of Public Schools

H.P. 886, L.D. 1300 - An Act To Create and Sustain Jobs through Development of Cooperatives

H.P. 906, L.D. 1331 - An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages

H.P. 912, L.D. 1343 - An Act To Increase Access to Postsecondary Education for Maine National Guard Members

H.P. 959, L.D. 1412 - An Act To Fund a Training Partnership between Riverview Psychiatric Center and the University of Maine at Augusta

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

READ and **PASSED** in concurrence.

COMMUNICATIONS

The Following Communication: (S.C. 512)

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

June 30, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 384, Legislative Document 560, "An Act Regarding Patient Information Under the Maine Medical Use of Marijuana Act," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

20 voted in favor and 15 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Senate Paper 728, Legislative Document 1059, "An Act Relating to Marijuana Testing Facilities," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

21 voted in favor and 14 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 513)

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

June 30, 2015

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

Dear Clerk Hunt:

Senate Paper 505, Legislative Document 752, "An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?" 16 voted in favor and 18 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,
S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative McCABE of Skowhegan, the following Joint Order: (H.P. 994)

ORDERED, the Senate concurring, that the following specified matters be held over to any special and/or regular session of the 127th Legislature.

Appropriations and Financial Affairs

H.P. 5, L.D. 2 - An Act To Authorize a General Fund Bond Issue for the Purchase and Development of the Bar Harbor Ferry Terminal as a Multimodal Transportation Facility
H.P. 62, L.D. 68 - An Act To Authorize a General Fund Bond Issue To Attract Business by Investing in High-speed Broadband Infrastructure
S.P. 37, L.D. 100 - An Act To Authorize a General Fund Bond Issue To Help Small Businesses
H.P. 80, L.D. 108 - An Act To Authorize a General Fund Bond Issue for Riverfront Community Development
S.P. 68, L.D. 193 - An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects
S.P. 86, L.D. 217 - An Act To Authorize a General Fund Bond Issue for Development of a Multimodal Transportation Facility
S.P. 92, L.D. 254 - An Act To Authorize a General Fund Bond Issue To Support Waterfront Development
H.P. 241, L.D. 354 - An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area
S.P. 153, L.D. 385 - An Act To Authorize a General Fund Bond Issue for Improvements to Facilities at the University of Maine System Campuses
S.P. 154, L.D. 386 - An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration
S.P. 155, L.D. 387 - An Act To Authorize a General Fund Bond Issue To Support Agricultural Enterprises and Encourage the Use of Local Farm Products in Public Schools
H.P. 293, L.D. 426 - An Act To Authorize a General

Fund Bond Issue To Address Sea Level Rise

S.P. 167, L.D. 438 - An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service
S.P. 182, L.D. 453 - An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation
S.P. 221, L.D. 628 - An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure
H.P. 435, L.D. 654 - An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General
S.P. 263, L.D. 733 - An Act To Authorize a General Fund Bond Issue To Build the Infrastructure Needed To End Hunger in Central and Northern Maine
H.P. 500, L.D. 747 - An Act To Authorize a General Fund Bond Issue To Assist in the Creation and Retention of Jobs and Improve Access to Higher Education in Maine
H.P. 533, L.D. 784 - An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan
H.P. 592, L.D. 873 - An Act To Authorize a General Fund Bond Issue for Housing for Homeless Veterans
H.P. 594, L.D. 875 - An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges, Ports, Railroads and Other Multimodal Facilities
H.P. 643, L.D. 924 - An Act To Authorize a General Fund Bond Issue To Enhance State Parks
S.P. 322, L.D. 931 - An Act To Authorize a General Fund Bond Issue for Research and Development for the University of Maine System
H.P. 691, L.D. 996 - An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Rural Areas of the State
H.P. 693, L.D. 998 - An Act To Authorize a General Fund Bond Issue To Collect Data on and To Monitor Ocean Acidification
H.P. 701, L.D. 1018 - An Act To Make Certain Necessary Appropriations and Allocations
H.P. 722, L.D. 1053 - An Act To Authorize a General Fund Bond Issue To Stimulate Investment in Innovation by Maine Businesses To Produce Nationally and Globally Competitive Products and Services
H.P. 738, L.D. 1069 - An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings
S.P. 439, L.D. 1234 - An Act To Authorize a General Fund Bond Issue To Acquire the Frances Perkins Homestead
H.P. 848, L.D. 1248 - An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Fund
S.P. 483, L.D. 1334 - An Act To Authorize a General Fund Bond Issue To Repair and Renovate the Former Cutler Naval Base in Washington County To Facilitate Development and Stimulate the Economy
H.P. 908, L.D. 1336 - An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges
S.P. 487, L.D. 1341 - An Act To Authorize a General Fund Bond Issue To Improve Maine's Housing Stock and Reduce Heating Costs and Oil Consumption

Veterans and Legal Affairs

H.P. 876, L.D. 1280 - An Act To Provide Income Tax Relief by Expanding Gaming Opportunities

READ.

Representative SANDERSON of Chelsea **PRESENTED House Amendment "A" (H-504)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this amendment moves to include LD 742, "A Resolution Proposing an Amendment to the Constitution of Maine To Require That 5 Percent of Signatures on a Direct Initiative of Legislation Come from Each County," in with the bills to be carried over into the next session.

The last time we were in this chamber together, we all voted to send this back to the committee and carry it over into the second half of the regular session. I feel it's appropriate that that wish of this body be honored and that we move forward and accept this amendment. Thank you.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-504)**.

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 Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, my understanding is, the last time we were in this chamber, is that we had decided as a body to send this matter back to committee, so it was actually a matter of surprise that when I saw Item 4-1 today on the calendar, that it was not, in fact, included on the calendar. And so, if I may pose a question through the Chair?

The **SPEAKER**: The Representative may proceed.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, if someone could provide me at least with the information. I want to thank the good Representative from Skowhegan for requesting a roll call on this because I think it's appropriate that we do, in fact, roll call this. But to the extent that, my understanding was, we had previously acted to include this to be carried over and the fact that it's not on the list today. If somebody could, particularly my caucus, raise this issue in our caucus today, I think we'd like an explanation of why it was not included on the list. Thank you, Mr. Speaker.

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, just to rise and answer maybe a few quick questions. We voted on this bill multiple times, LD 742. It's never been unanimous. I think there's a number of people in this body that have voted against it. The bill that would be sent back to committee is the bill that we're all familiar with. It would make it so approximately half of the signatures people collect for referendum would have to be collected from each congressional district. If it were based on the last election, that would be 32,000 signatures from the First CD, 29,000 from the Second CD. I don't feel the need to reread my floor speech.

I would add, just to answer the Minority Leader's question, it's my understanding that there were multiple bills that attempted to address geographic disparities around signature gathering. Some of them attempted to make it so a small portion of the signatures had to come from one of the congressional districts. And I think there are constitutional issues with that approach and that the approach that was before us that we voted on three times, in my view, is really the only approach that the committee

could take that would be a policy that would wind up before this body.

So I don't really see a different policy coming back to us next session other than approximately half of the signatures coming from both congressional districts. I'm not going to reread the floor speech that I think I've given three times. My position on the bill has not changed and I don't expect that there are many Members of this body that have changed their position on the bill. I don't expect it happening next session, so I anticipate I will vote against the pending motion. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, it is absolutely correct the last time we met here we sent this back to Legal and Veterans Affairs Committee. We met that evening and of those present, it was unanimous that this bill be carried over in our committee. So I am just a little bit confused where we voted in this chamber, then it did go upstairs to the committee, the committee took a vote, and I just don't understand why it's not on our calendar and the wishes are not being carried out. Thank you, Mr. Speaker.

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

Representative **FREDETTE**: Thank you, Mr. Speaker, and I appreciate the good comments from the good Representative from Bangor in regards to his comments in regards to the underlying policy of the bill. What I'm trying to get at is, is the process. Again, as the good Representative from Burlington stated, there was a vote taken on this and sent back to committee and my understanding is the committee said, "You know, let's look at this again at next session." And my specific question is, if someone could answer this question, Mr. Speaker, is, is it would seem to me, from a process perspective, that should therefore then show up on this list. The reason why it isn't on the list is my question. Is there some process or a decision made by someone that made it so it isn't on this list, when my understanding is this body voted to have it carried over, the committee voted to have it carried over, and to the extent that it isn't on this list, my specific question is, was there a process here that did not include it on here? That's my question.

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker, there might be dynamics I don't understand. My understanding of LD 742 is that it came from the committee, came to this body, it went back and forth between this body and the other body, and then there was a motion in the other body on LD 742 before it went back to committee that the other body moved to send this bill back to the Veterans and Legal Affairs Committee. This body voted in a separate way and that in order for it to go back to committee, that the presiding officers would have to sign off on this bill going back to committee. So, I don't think that the bill, since we voted on it in the last Legislature, has gone back to VLA. I'm not on the committee, so I don't totally know. Maybe somebody on the committee could answer. My understanding is that this bill was bounced back and forth between this body and the other body and I haven't been convinced that there's a reason to send it back to committee at this time.

The **SPEAKER**: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, I would note from the good Representative from Bangor, when he did say

this was voted on several times in this body, he is correct. The votes were 99/47 in favor; 93/54 in favor; and 92/50 in favor of the bill moving forward.

The SPEAKER: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, this did, indeed—let me be clear—this did, indeed, go back to committee after it was voted to carry over from this body. So, I guess my question would be to the Chair, did the Chair not sign off for this to be carried over? Thank you, Mr. Speaker.

The SPEAKER: The Chair would answer in the affirmative.

The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, I would defer. The Representative from Burlington just asked the same question on that particular one. However, I would ask if it appropriate to ask a question of the Chair to, perhaps, explain why he didn't sign off?

The SPEAKER: The pending motion before the House is Adoption of House Amendment "A" which would include this bill to be carried over.

A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A". All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 458

YEA - Austin, Battle, Beck, Bickford, Black, Buckland, Campbell R, Chace, Corey, Dillingham, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farrin, Foley, Fowle, Fredette, Gerrish, Gillway, Ginzler, Golden, Greenwood, Grohman, Guerin, Hanington, Hanley, Harlow, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hubbell, Kinney J, Kinney M, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Marean, Martin R, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Saucier, Sawicki, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood.

NAY - Alley, Babbidge, Bates, Beavers, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Farnsworth, Fecteau, Frey, Gattine, Gideon, Gilbert, Goode, Grant, Hamann, Herbig, Hickman, Hobbins, Hogan, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Martin J, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Powers, Rotundo, Russell, Rykerson, Sanborn, Schneck, Stuckey, Tepler, Tipping-Spitz, Tucker, Welsh, Mr. Speaker.

ABSENT - Chapman, Crafts, Malaby, Pierce T, Stearns.

Yes, 87; No, 58; Absent, 5; Vacant, 1; Excused, 0.

87 having voted in the affirmative and 58 voted in the negative, 1 vacancy with 5 being absent, and accordingly **House Amendment "A" (H-504) was ADOPTED.**

Subsequently, the Joint Order was **PASSED as Amended by House Amendment "A" (H-504).**

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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

On motion of Representative BEAR of the Houlton Band of Maliseet Indians, the following Joint Order: (H.P. 997)

ORDERED, the Senate concurring, that Bill, "An Act To Provide for the Licensing of a Casino Owned by the Maliseet Tribal Government on Tribal Lands in Aroostook County," H.P. 735, L.D. 1066, and all its accompanying papers, be recalled from the legislative files to the House.

READ.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, good morning. I am trying to, I think this is really a matter of housekeeping. I know that we just passed an amendment to the bills that will be carried over, which includes the southern casino, which I support. And what this motion does, this Joint Order, is kind of make it so that our bill, the Tribal bill—one of them, the initial one, one that nearly 100 of you have already supported in its initial form—can also be considered by the VLA Committee and also be allowed to be carried over. And what we have in this bill is the genesis of what eventually was a big part of the committee bill, which did fail in the other body by a vote. So, what I'm hoping you'll agree to let me do, let us do, is have LD 1066 on the table for us to work into perhaps a single bill during the second half of this 127th Legislature and I would very much appreciate you letting that happen by supporting this Joint Order. Thank you.

Representative POULIOT of Augusta **REQUESTED** a roll call on **PASSAGE.**

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 Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, I rise in favor of the order before us and would encourage my colleagues to support the good Representative from the Houlton Band of Maliseet Indians, Representative Bear, in today's vote and I hope that folks will consider following my light. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Beals, Representative Alley.

Representative **ALLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise to share my feelings on the way that in which we continue to treat our Tribes. There were two bills in the session regarding gaming on Tribal lands, LD 1066 and LD 762. Both bills are now dead, yet LD 1260 which intends to expand gaming opportunities in southern Maine still has life and as it awaits further action in the Veterans and Legal Affairs. What's wrong with this picture? At what point will we show the same courtesy and privilege to our Tribal brothers and sisters that we show to ourselves? I think we can do better, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker, Men and Women of the House, I agree with all of the previous speakers and support Representative Bear's motion. We have a chance to get our history right in this state, today, and let's level the playing field, please, and correct a wrong. I think it's very, very important that we set the example in this state that we're all created equally, we all deserve the same opportunities. I'm not going to stand before you today and argue that gambling is the panacea or the great economic development engine for our state. You know that part is debatable. But this is a deeper issue for all

of us and it's the issue of whether we're going to treat all people of all races equally. And I'm urging you to please support Representative Bear's motion. Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I was here years back when we voted on the two casinos that we have now. One of them is owned by a Pennsylvania group and the other one's owned by Churchill Downs. And when we voted on them, we turned our back on the Native Americans then and we turned our back on the Native Americans now. They were all here. This is their land and they should be given the first right before anybody else, especially from out of state. We have our water being taken out of the state by a foreign company. We have our electricity owned by a foreign company. And we turn our back on the Native Americans who were here long before our ancestors. And I think it's time, before we vote on any more casinos in the state, that we bend to the Native Americans and give them their chance. We have two empty seats over there now. What are we going to wind up with, three? Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker and all of you for those sentiments. I hope that you don't consider this is so much a plea or any sort of inappropriate revisiting of a dead horse. This bill is a good bill. If you look at it over the next period, you'll see how it is a generous bill. It has got the elements for amending, which I'm hoping that we'll have the opportunity to do in the VLA Committee so that it can be still reworked to in the cascade, make sure that the two counties, the municipalities that are targeted for profit sharing can have a population-based formula, instead of it going to some towns and not to others. That amendment had been worked up until I voluntarily agreed to withdraw my bill in favor of a committee effort, which has since failed. So, this is a good bill. If you haven't read it, please do. Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, Men and Women of the House, as most of you know, I'm not in favor of gambling. But I just want to recall to you, my experience earlier, as I've mentioned, on the vote, my first casino in Maine located in Calais. Just want to repeat my reason for supporting it then. Whereas the State of Maine was already in the lottery business; whereas Harrah was investing \$40 million in the community and \$40 million in the facility; whereas money spent in the fine Washington County community, most of which would stay and come from Canada; and whereas the state has allowed several gambling facilities and benefits from the income of those facilities. Therefore, I'll be supporting LD 1066 to allow those who have interest in participating in this industry to do so.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **MAKER**: This bill got changed many times during our session. I'm not sure if this is including Washington County or it's not including, or is it? I guess I'd like to have clarification before we continue.

The SPEAKER: The Representative from Calais, Representative Maker, has posed a question through the Chair to

anyone who may care to respond. The Chair recognizes the Representative from Ellsworth, Representative Luchini.

Representative **LUCHINI**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, to answer the question, the Veterans and Legal Affairs Committee reported out a committee bill—I think it was 1446—that included all the Tribes. The bill before us, trying to be recalled, only includes one.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Longstaff.

Representative **LONGSTAFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I can be very brief. I have been on the Veterans and Legal Affairs Committee for five years now. I have seen a number of ways in which we have expanded gambling opportunities in Maine. We have not yet been able, successfully, to do anything for the Tribes. Often, not always, but often, the only voices in opposition are voices who come from established gaming operations already going on in the state.

If we are, as we are, going to bring back the southern Maine casino proposal, it seems to me only fair, the right thing to do, to bring back the one for the Tribes as well. With respect to the question of whether Washington County is or is not included, that seems to me a somewhat moot point because once the bill comes back to the committee, it will certainly be debated, it will certainly be amended. And the version that finally makes its way to the floor, if any, will look somewhat different from the one that is referred back to us for consideration. So, with that, I urge you to vote in favor of the prevailing order. Thank you very much.

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

Representative **ESPLING**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **ESPLING**: So, the action before us seems to be to recall the bill. My question would be, would there need to be further action made by this body to refer it back to committee?

The SPEAKER: The Chair would answer in the affirmative. It would need to go to the committee, the committee would need to vote to carry it over, and this body would need to agree.

The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker, Men and Women of the House, I don't mean to belabor the point, but a couple of weeks ago I asked this body to move the other bill back to committee. The body voted in the affirmative. My hope at that time was that we'd be able to have a committee come back with a comprehensive bill that included the Tribal Members. Unfortunately, if we vote down every Tribal bill this session, we will not be in a position to be able to bring it back next session and it will preclude the opportunity from including our Tribal Members from the debate. So my hope is that the folks in this body will vote to bring this back and to send it back to committee. And while I no longer serve on the committee, it is certainly my intent to make sure that the Passamaquoddy Tribe and others are also included in whatever final bill comes to the floor and I would certainly oppose any bill that did not include access to those Tribes, particularly the Passamaquoddy who has been looking for, I believe it's year 23 now, to see that move forward. So, that's all I wanted to add, but I asked you to support the motion a couple weeks ago for the harness racing industry and I hope that folks will support the motion before us today so that we can make sure that there's parity in the conversation next year.

The SPEAKER: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, if I were King, or maybe even Governor, I would not have gambling

in this state. I would ban it. But that train has already left the station. We have gambling in Maine. And it seems to me that for the last two decades we have not permitted the Tribes to have the same opportunities, or lack thereof, of the rest of us. And I think it's a mistake to have gambling, but they should have the same opportunities to make that same mistake as the rest of us have engaged in. So I will be supporting this. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker, I, too, will be supporting the pending motion, but I must say I've been troubled by some of the comments I've heard implying that to not vote a certain way is racist. I'm troubled by that. I think it does folks on both sides a huge disservice and I think there are legitimate reasons for people voting each way, regardless of which way you're going to vote. To imply that there is some racism going on here is incredibly, incredibly poor judgement, I would say. Thank you, Mr. Speaker.

Representative **ESPLING** of New Gloucester **REQUESTED** that the Clerk **READ** the Committee Report.

Subsequently, the Chair advised Representative **ESPLING** of New Gloucester that the Clerk could not **READ** the Committee Report because the House was not in possession of the Bill.

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

Pursuant to Joint Rule 404, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE**.

ROLL CALL NO. 459

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Hanington, Harlow, Hawke, Herbig, Hickman, Higgins, Hobart, Hobbins, Hogan, Hymanson, Jorgensen, Kinney J, Kumiega, Lajoie, Long, Longstaff, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pierce J, Powers, Prescott, Rotundo, Russell, Rykerson, Sanderson, Saucier, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wallace, Warren, Welsh, White, Wood, Mr. Speaker.

NAY - Black, Espling, Frey, Guerin, Hanley, Head, Herrick, Hilliard, Hubbell, Kinney M, Kornfield, Kruger, Lockman, Luchini, Lyford, McClellan, Morrison, Pickett, Pouliot, Reed, Sanborn, Sawicki, Schneck, Seavey, Timberlake, Wadsworth, Ward, Winsor.

ABSENT - Chapman, Crafts, Malaby, Pierce T, Stearns.

Yes, 117; No, 28; Absent, 5; Vacant, 1; Excused, 0.

117 having voted in the affirmative and 28 voted in the negative, 1 vacancy with 5 being absent, and accordingly the Joint Order was **PASSED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative **LONGSTAFF** of Waterville, the following House Order: (H.O. 29)

ORDERED, that Representative James E. Davitt of Hampden be excused June 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Michelle Ann Dunphy of Old Town be excused June 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sheldon Mark Hanington of Lincoln be excused June 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard S. Malaby of Hancock be excused June 19, 22 and 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative William F. Noon of Sanford be excused May 29, June 5, 12 and 19 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Linda F. Sanborn of Gorham be excused June 18, 19, 22 and 23 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

the Honorable William F. Noon, of Sanford, a member of the Maine House of Representatives, representing District 19. Representative Noon was serving his 2nd term in the House and served on the Joint Standing Committee on Agriculture, Conservation and Forestry. He was a small business owner and a longtime member of the Maine Organic Farmers and Gardeners Association and the Small Woodland Owners Association of Maine. He served on the Sanford Planning Board for more than 20 years, including 8 years as chairman. He was known as an advocate for the environment and for Maine's farms and also for his love of his family and work and for his sense of humor, even during the hardest of times. Representative Noon will be long remembered and sadly missed by his family and friends and his colleagues in the 127th Legislature;

(HLS 706)

Presented by Representative **MASTRACCIO** of Sanford. Cosponsored by Representative **ALLEY** of Beals, Representative **AUSTIN** of Gray, Representative **BABBIDGE** of Kennebunk, Representative **BATES** of Westbrook, Representative **BATTLE** of South Portland, Representative **BEAR** of the Houlton Band of Maliseet Indians, Representative **BEAVERS** of South Berwick, Representative **BECK** of Waterville, Representative **BEEBE-CENTER** of Rockland, Representative **BICKFORD** of Auburn, Representative **BLACK** of Wilton, Representative **BLUME** of York, Representative **BROOKS** of Lewiston, Representative **BRYANT** of Windham, Representative **BUCKLAND** of Farmington, Representative **BURSTEIN** of Lincolnville, Representative **CAMPBELL** of Newfield, Representative **CAMPBELL** of Orrington, Representative **CHACE** of Durham, Representative **CHAPMAN** of Brooksville, Representative **CHENETTE** of Saco, Representative **CHIPMAN** of Portland, Representative **COOPER** of Yarmouth, Representative **COREY** of Windham, Representative **CRAFTS** of Lisbon, Representative **DANA** of the Passamaquoddy Tribe, Representative **DAUGHTRY** of Brunswick, Representative **DAVITT** of Hampden, Representative **DeCHANT** of Bath, Representative **DEVIN** of Newcastle, Representative **DILLINGHAM** of Oxford, Representative **DION** of Portland, Representative **DOORE** of Augusta, Representative **DUCHESNE** of Hudson, Representative

DUNPHY of Embden, Representative DUNPHY of Old Town, Representative EDGECOMB of Fort Fairfield, Representative ESPLING of New Gloucester, Representative EVANGELOS of Friendship, Speaker EVES of North Berwick, Representative FARNSWORTH of Portland, Representative FARRIN of Norridgewock, Representative FECTEAU of Biddeford, Representative FOLEY of Wells, Representative FOWLE of Vassalboro, Representative FREDETTE of Newport, Representative FREY of Bangor, Representative GATTINE of Westbrook, Representative GERRISH of Lebanon, Representative GIDEON of Freeport, Representative GILBERT of Jay, Representative GILLWAY of Searsport, Representative GINZLER of Bridgton, Representative GOLDEN of Lewiston, Representative GOODE of Bangor, Representative GRANT of Gardiner, Representative GREENWOOD of Wales, Representative GROHMAN of Biddeford, Representative GUERIN of Glenburn, Representative HAMANN of South Portland, Representative HANINGTON of Lincoln, Representative HANLEY of Pittston, Representative HARLOW of Portland, Representative HAWKE of Boothbay Harbor, Representative HEAD of Bethel, Representative HERBIG of Belfast, Representative HERRICK of Paris, Representative HICKMAN of Winthrop, Representative HIGGINS of Dover-Foxcroft, Representative HILLIARD of Belgrade, Representative HOBART of Bowdoinham, Representative HOBBS of Saco, Representative HOGAN of Old Orchard Beach, Representative HUBBELL of Bar Harbor, Representative HYMANSON of York, Representative JORGENSEN of Portland, Representative KINNEY of Limington, Representative KINNEY of Knox, Representative KORNFIELD of Bangor, Representative KRUGER of Thomaston, Representative KUMIEGA of Deer Isle, Representative LAJOIE of Lewiston, Representative LOCKMAN of Amherst, Representative LONG of Sherman, Representative LONGSTAFF of Waterville, Representative LUCHINI of Ellsworth, Representative LYFORD of Eddington, Representative MAKER of Calais, Representative MALABY of Hancock, Representative MAREAN of Hollis, Representative MARTIN of Eagle Lake, Representative MARTIN of Sinclair, Representative McCABE of Skowhegan, Representative McCLELLAN of Raymond, Representative McCREIGHT of Harpswell, Representative McELWEE of Caribou, Representative McLEAN of Gorham, Representative MELARAGNO of Auburn, Representative MITCHELL of the Penobscot Nation, Representative MONAGHAN of Cape Elizabeth, Representative MOONEN of Portland, Representative MORRISON of South Portland, Representative NADEAU of Winslow, Representative NUTTING of Oakland, Representative O'CONNOR of Berwick, Representative PARRY of Arundel, Representative PETERSON of Rumford, Representative PICCHIOTTI of Fairfield, Representative PICKETT of Dixfield, Representative PIERCE of Dresden, Representative PIERCE of Falmouth, Representative POULIOT of Augusta, Representative POWERS of Naples, Representative PRESCOTT of Waterboro, Representative REED of Carmel, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative RYKERSON of Kittery, Representative SANBORN of Gorham, Representative SANDERSON of Chelsea, Representative SAUCIER of Presque Isle, Representative SAWICKI of Auburn, Representative SCHNECK of Bangor, Representative SEAVEY of Kennebunkport, Representative SHAW of Standish, Representative SHERMAN of Hodgdon, Representative SHORT of Pittsfield, Representative SIROCKI of Scarborough, Representative SKOLFIELD of Weld, Representative STANLEY of Medway, Representative STEARNS of Guilford, Representative STETKIS of Canaan, Representative STUCKEY

of Portland, Representative SUKEFORTH of Appleton, Representative TEPLER of Topsham, Representative THERIAULT of China, Representative TIMBERLAKE of Turner, Representative TIMMONS of Cumberland, Representative TIPPING-SPITZ of Orono, Representative TUCKER of Brunswick, Representative TUELL of East Machias, Representative TURNER of Burlington, Representative VACHON of Scarborough, Representative VEROW of Brewer, Representative WADSWORTH of Hiram, Representative WALLACE of Dexter, Representative WARD of Dedham, Representative WARREN of Hallowell, Representative WELSH of Rockport, Representative WHITE of Washburn, Representative WINSOR of Norway, Representative WOOD of Greene, Senator ALFOND of Cumberland, Senator BAKER of Sagadahoc, Senator BRAKEY of Androscoggin, Senator BREEN of Cumberland, Senator BURNS of Washington, Senator COLLINS of York, Senator CUSHING of Penobscot, Senator CYRWAY of Kennebec, Senator DAVIS of Piscataquis, Senator DIAMOND of Cumberland, Senator DILL of Penobscot, Senator DUTREMBLE of York, Senator EDGECOMB of Aroostook, Senator GERZOFISKY of Cumberland, Senator GRATWICK of Penobscot, Senator HAMPER of Oxford, Senator HASKELL of Cumberland, Senator HILL of York, Senator JOHNSON of Lincoln, Senator KATZ of Kennebec, Senator LANGLEY of Hancock, Senator LIBBY of Androscoggin, Senator MASON of Androscoggin, Senator McCORMICK of Kennebec, Senator MILLETT of Cumberland, Senator MIRAMANT of Knox, Senator PATRICK of Oxford, Senator ROSEN of Hancock, Senator SAVIELLO of Franklin, President THIBODEAU of Waldo, Senator VALENTINO of York, Senator VOLK of Cumberland, Senator WHITTEMORE of Somerset, Senator WILLETTE of Aroostook, Senator WOODSOME of York.

On **OBJECTION** of Representative MASTRACCIO of Sanford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Mastraccio.

Representative **MASTRACCIO**: Mr. Speaker, Ladies and Gentlemen of the House, Bill Noon was a good man. And I was proud to call him my friend and proud to serve with him in this special place. He loved his family, his community, his constituents and the people of Maine. My heart is very heavy today and I, personally, will miss having Bill in my life. Rest in peace, Bill.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, I had the pleasure of serving with Representative Noon on the ACF Committee this session. Sitting next to him around the horseshoe gave me a unique opportunity to get to know him over the last six months. He would make witty comments about the line between our section of the desk and that he wouldn't cross into my area if I stayed out of his. He shared some of the struggles he faced with his health. We talked about each other's farms and the fact that we both made maple syrup. He was always kind with his words to me and to anyone who came before our committee. He was an asset to the Agriculture, Conservation and Forestry Committee and this Body and will be greatly missed.

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Mr. Speaker, Men and Women of the House, I met Bill campaigning, having picked up a piece of Sanford, sharing it with Representative Noon and Representative Mastraccio. The three of us share Sanford. I learned about

Bill's wry sense of humor. He had a spaced line of campaigning signs you could read traveling down the main street that said, "Vote for Noon. You'll like his tune." And "Noontime," on his big old farm truck, which we used for the Sanford Fourth of July parade, even up to two weeks ago. And the best: "Noon me" on his lawn signs. Here at my new desk, my new desk is his old desk and he gave me the original keys when I moved in; a generous, kind, and welcoming gesture. He sat in front of me and served as my Ag advisor. I appreciated his knowledge greatly. He was a kind and gentle man. On behalf of all of us in this body, I took the liberty of placing a growing basil tree on his desk, which I'll take back to give his wife, Jean. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I had the pleasure of serving with Representative Noon—or Bill, as I would call him—in the 126th on the Ag Committee and it was a great time and he was a great man. Representative Noon sat on the other side of Representative Black and between me and Representative Noon, we could keep Black on the right track because he brought common sense and rationality to every single thing that he ever did. And I just am going to miss his smile, his look, that little smirk he would give you when you knew he had something up his sleeve. And he just loved his family and his kids and he always talked so fondly of them. And he will be missed by us all. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Black.

Representative **BLACK**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I, too, had the honor and privilege to serve with Bill in the 126th and the year here on Ag. Bill was a very thoughtful, compassionate man, who cared a lot for the environment and the farming community. He was very, very passionate about it. He would give me a lot of wisdom. He would tell me that I needed to change my light a few times, but I played a lot of tricks on him. My only regret is that I didn't have more time to spend with him.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Marean.

Representative **MAREAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I got to know Bill a few years ago when he had the courage and the foresight to place a conservation easement upon his farm to protect it from development in southern Maine, and all of us know what's happened to farming in southern Maine. Then I was pleasantly surprised when Bill showed up here at the State House as a Representative. I sat on the Agriculture Committee with him for three and a half years. I sat beside him this term. Bill Noon is a good man and Bill Noon is a good friend. Thank you, sir.

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, it's always been my view that what an honor and a privilege it is to be one of 151 Members in this body and to have 35 Members in the other body, and that collectively we all represent, essentially, one of the branches of government in the great State of Maine. Bill Noon was one of those people that was part of our family here in this body and while I think we all vigorously debate the issues and policies before us, we all form relationships and friendships that go far beyond labels of Democrats or Republicans or Greens or Independents. And Bill certainly falls within that category and we lost a member of our family today. It's a sad day. I pray for his

family and I pray for him and certainly recognize the great contributions that he made, both with the Ag Committee and to this body. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I think we remember people primarily through the moments we've had with them, the most telling moments. Even though they may be very brief, they're very revealing. So I want to share with you a moment that I had with Bill that touched me deeply.

A year ago, many of us gathered at the funeral of another one of our fellow Representatives, Paul McGowan; another tragic death, someone dying too soon and in tragic situation. And at that service, I rose to say before those assembled that one of the special things about Paul was his deep empathy. And we were close, in a way, because we both shared a great loss: the loss of the person we loved most in the world. And I said at that time, Paul was the only one who seemed to notice and said so that he saw in my eyes a deep sadness. I smile a lot, so a lot of people missed that. And afterwards, Bill came up to me and said, "I saw." And I think that's just the kind of man he was. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker, I rise today to honor a member of our caucus, a Member of this body, who had an impact on all of us. I think back to when we were choosing the committee assignments. I don't think I've ever been lobbied so hard by Republicans to make sure that we at least put a specific Democrat on the Ag Committee yet again. So, I hold that memory and I think of the commonsense voice that Bill was on the Ag Committee, as well as a grounding voice for the work that we do as leadership.

Often, people talk about Bill's dry sense of humor and I'll tell you, it was hard to tell when it was feedback, at times, and when it was that humor. And one thing that I respected the most about Bill was his ability to not sugarcoat his feedback. For those of us in leadership, Mr. Speaker, we heard that frequently. So I will keep that with me. I will remember that. I'll remember that he was a strong voice for all agriculture. He really was. When issues came up around animal welfare and we went to talk to Bill, he reminded us of the farming community frequently and all livestock farmers here in the state. And, Mr. Speaker, I think back to when we talked to Bill about running again. It was almost like Bill was asking our permission. He wanted to be here and he ran, he won, and Mr. Speaker, he wanted to be here today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker, it has been an honor to serve with Bill for two sessions, almost, on our very special committee. I knew how much he wanted to make sure that we always cared about organic farming in Maine in all of the work that we did. And so, he had a special place in my heart. We were quiet friends the same way that he was a quiet leader and he was a good, good man. And so, for Bill, I will share these words from Harry Adams, Sr. called *The Final Flight*: "I have left my footprint on this old earth, my home. But now I start my final journey on my own. As I broke the ties that bound me down, I heard the trumpet's glorious sounds. I gave up this temple, my body here, and return whence I came, spirit born without fear. As we part from each other here today, pray for peace to be the human way. To the Heavens, I raise my voice in song, til next we gather, it won't be long. Love to all, I sing, I sing. My spirit is born on two white wings." Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, I first met Bill at the Democratic turkey dinner in Acton and then the second time I met Bill was here in the House. I used to call Representative Mastraccio and him the "Sanford Delegation." I was so honored to speak for one of his bills a couple of weeks ago and God bless him.

At this point, the Members of the House stood and joined in a moment of silence in honor of the Honorable William F. Noon, of Sanford.

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

Recognizing:

Staff Sergeant Alyson Pelletier, of Sidney, a member of the Maine Army National Guard and the House of Representatives chamber staff, who placed 2nd in the Maine Best Warrior Competition and 5th in the Region I Best Warrior Competition in Massachusetts. We extend to Staff Sergeant Pelletier our congratulations and best wishes;

(HLS 634)

Presented by Representative TEPLER of Topsham.

Cosponsored by Representative NUTTING of Oakland, Senator KATZ of Kennebec.

On **OBJECTION** of Representative TEPLER of Topsham, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, it's very difficult after this last saying goodbye to Bill Noon to change the mood in the room here a little bit and I hope Bill knows that I do this with all respect to him. I am rising to honor Staff Sergeant Alyson Pelletier, Aly Pelletier, who we see here many days. She, unfortunately, is not with us today because she continues to fulfill her guard duty. And today, she is serving as a member of our National Guard.

I rise to honor Aly because she represents our entire House chamber staff. And Aly, in particular, has not only been an incredible warrior for the Maine National Guard, but she's also been a spirit lifter and a kind and generous member of the staff here to me and to many of us. And I'd like to share with you the beautiful little pieces of origami that she made for us during some of the long night sessions. For Joan, she made a small frog which sits on Joan's desk and for me, she made a swan swimming in a pond, which actually has little fishies in it. And that is kind of silly, but during some of those long evening sessions you'll remember, Aly really lifted my spirits and I am using this moment to not only thank Aly for her service to the National Guard and to the Maine House of Representatives, but all of the members of the chamber staff and the Clerk's staff for the work that they do with us here every day in handing out papers, but also in lifting our spirits and keeping us working as we go through the process of voting on bills and creating laws and thinking about policy for the State of Maine. So I ask you to rise and join me in giving them a round of applause for their service this session. Thank you.

Subsequently, the Sentiment was **PASSED** and 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:

COMMUNICATIONS

The Following Communication: (S.C. 511)

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

June 30, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1378, "An Act To Amend the Laws Governing the Issuance of Bonds and To Effectuate the Issuance of Bonds To Support Maine's Natural Resource-based Economy."

I have constitutional concerns regarding this bill and fear that it will create overall uncertainty in our finely crafted bonding process. As we all know, when uncertainty is introduced to bonding, Maine's taxpayers pay the price through higher borrowing costs.

What LD 1378 proposes is more than simply forcing the Executive to issue a handful of currently authorized but unissued conservation bonds. Rather, this bill is a complete overhaul of Maine's entire bonding process that would apply to "all general obligations bonds" – past and future. This is a major departure from our current bonding process that must be carefully considered, not simply passed in a fit of pique at the Executive.

The most concerning aspects of LD 1378 are its constitutional infirmities: 1) the bill's impermissible exercise of Executive power by the Legislature; 2) the impermissible retroactive alteration of the Executive's role with respect to authorized, voter-approved bonds without seeking the voters' approval for that alteration. In both respects, this bill runs afoul of the Maine Constitution and as such, must fail.

This bill constitutes an impermissible exercise of Executive power by the Legislature in that it attempts to redefine the Executive's authority relative to the issuance of general obligation bonds. Under this proposal, the Executive would be stripped of all discretion related to the issuance of these bonds and, rather, the Governor would be commanded to issue them, regardless of his own assessment of the timing and overall prudence of issuing the bonds in question. Five enumerated exceptions follow this blanket command, with the Treasurer, an agent of the Legislature, determining if three of them apply. The two other exceptions would be fact-specific occurrences outside of the discretion of the Executive to address.

Article III, Sections 1 and 2 of the Constitution of the State of Maine set forth the principle of separation of powers by explaining that the powers of the State are divided into three distinct branches. Moreover, the Constitution provides that "[n]o person or persons, belonging to one of these [branches], shall exercise any of the powers properly belonging to either of the others, except in the cases herein expressly directed or permitted." Article V, Part First, Section 1 states that "[t]he supreme executive power of this State shall be vested in a Governor." While the contours of "the executive power" are sometimes difficult to define, determining the timing and

circumstances of the issuance of bonds is clearly an executive function.

Practically, the issuance of bonds – the act of putting the full faith and credit of the State behind a decision to borrow – must be an executive power. How can a bicameral body comprised of 186 separate members be charged with the issuance of bonds, as dictated by this bill that strips all discretion from the Executive via a legislative enactment? Those buying our debt expect the full faith and credit of State to stand behind these general obligation bonds and only the Executive stands in a position to speak for the entire State.

Moreover, there are a number of practical reasons why the issuance of bonds is an Executive function. Issuance involves the timing and terms upon which bonds will be sold. These questions of timing and terms are intended to be resolved in favor of Maine's taxpayers by borrowing money with as little cost as possible. Obviously, the Executive is in the best position to make that assessment, as the Governor has direct access to the financial health of the State through his Commissioner at the Department of Administrative and Financial Services. Further, the Governor is a full-time position with constant access to information and the ability to execute on a decision, unlike Maine's part-time Legislature that is adjourned for months at a time. The Executive is the only logical place where the authority to issue bonds could reside.

In addition to logic, the law also dictates that the power to issue bonds resides with the Executive. Article IX, Sections 14, 14-A, 14-B, 14-C and 14-D of the Constitution of the State of Maine all touch upon borrowing. In each section, the Legislature's power in terms of borrowing is carefully circumscribed and is limited to "authoriz[ing] the issuance of bonds." This is a distinction with an important difference. Authorizing bonds sets forth the parameters of borrowing – the total amount and for what purposes. This is much like the appropriations process, where the Legislature determines appropriations and allocations and the Executive makes decisions regarding the timing of spending. The final decision regarding the issuance of bonds, when they are sold and under what terms, is reserved for the Executive. In fact, as Article IX, Section 14 illustrates, the Executive can exercise a great degree of discretion and may decide not to issue authorized bonds at all, hence the language regarding bond de-authorization.

Throughout our State's law there is a recognition that the decision to borrow, including the timing and the terms, is an Executive function. All bonds in recent memory begin by recognizing that the Legislature's representative, the Treasurer, may issue bonds "under the direction of the Governor." In fact, 33 bond bills currently pending before the Legislature contain that exact language. This is not a recent phenomenon; as far back as 1868 the Legislature approved a bond to help cover municipal civil war debts, which stated "[t]he treasurer of state, *with the advice of the governor*, is hereby authorized to procure on the faith of the state, by issuing the bonds thereof, a loan . . ." P.L. 1868, ch. 225, §4 (emphasis added). That borrowing in general, not simply issuing general obligation bonds, is an Executive function is also reflected in Maine's statute authorizing bond anticipation notes and tax anticipation notes. See 5 M.R.S.A. §150. In both borrowing scenarios, the Treasury is authorized to act, "with the approval of the Governor."

The issuance of bonds, and borrowing decisions in general, are part and parcel of the Executive power. This is only logical and it is reflected throughout Maine's Constitution and statutes. This bill, however, would constitute the Legislature exercising the Executive's discretion by dictating how and when the decision to issue bonds must take place. The doctrine of separation of

powers, however, specifies that one branch of government cannot exercise the authority of another branch. This bill, therefore, violates the constitutional mandate of separation of powers.

In addition to the unconstitutional exercise of Executive power, this bill presents a further constitutional problem caused by its retroactive application. Bonds that have already been authorized begin the same way, "[t]he Treasurer of the State is authorized, *under the direction of the Governor*, to issue bonds . . ." (emphasis added)." See e.g., P.L. 2011, ch. 696, §1. LD 1378 seeks to eliminate the Executive's discretion. What supporters of this bill fail to recognize is that currently authorized bonds themselves set forth the Executive's role in the issuance of those same bonds, a role that has received the approval of the voters. This bill seeks to alter that role retroactively via a simple legislative enactment and as such, cannot withstand constitutional scrutiny.

It is a long-held principle that bonds cannot be amended without sending the amendment itself out to the voters. Most recently, the Office of the Attorney General has stated "[t]his office has consistently taken the position that the general rule . . . does not permit the Legislature to amend a statute which could only be enacted by referendum, as in the case of bond issues. *Op. Atty. Gen.*, January 22, 1980 (citing *Op. Atty. Gen.*, July 18, 1977; *Op. Atty. Gen.*, April 7, 1976; and *Opinion of the Justices*, 159 Me. 209 (1963)). This same opinion states that "the constitutional requirement that a particular law be enacted by popular referendum necessarily implies that the same process must be followed if the law is to be amended to accomplish different purposes. Otherwise, the constitutional requirement could be circumvented by the Legislature." *Id.*

Simply put, already authorized bonds were approved by the voters and contain a process for issuance that includes the Executive's exercise of discretion. That issuance process cannot be amended by a simple legislative enactment. The only way to alter a bond that has received the approval of the voters is to send the amendment itself to the voters. This bill does not do that and cannot amend already authorized bonds retroactively. Clearly, this bill does not withstand constitutional scrutiny.

In addition to its constitutional infirmity, this bill, if allowed to go into law, will also certainly succeed in creating legal and market uncertainty for past and future bonds. Bonding is a complex and delicate process. When the Legislature wishes to borrow through a general obligation bond, the Maine constitution prescribes how this must be done by asking the voters via a state-wide ballot if they would authorize the proposed borrowing – this is a process that must be followed scrupulously. But that is not all; federal tax law is overlaid on this entire process so that these bonds may be properly registered in order to enjoy tax-exempt status. In addition to legal considerations, there are the practical considerations of the market – those who actually purchase the State's bonds.

Any departure from the time honored bonding process faces legal uncertainties. Do these bonds, in fact, comply with Maine's constitutional requirements and will they satisfy the federal Internal Revenue Service to ensure tax-exempt status? Perhaps, but we cannot be sure because any departure from our current bonding process creates market uncertainties. Those who purchase our State's debt will have their own financial questions regarding the soundness of this new process. Market uncertainties only mean one thing, financial risk. Financial risk will be cured in one manner – increasing the cost of borrowing for the people of Maine. Before the State sets off on this new and untested path, we must ask if the attendant legal and financial uncertainties that are sure to follow are worth it. Is the current

system that has worked for years in such straits that we simply must make this leap? Of course not.

These legal, constitutional, and market considerations create too many uncertainties for me to let this bill advance. What is proposed would disrupt the finely wrought process for issuing bonds and would imperil the future financial health and bond rating of our State. It was irresponsible for the Legislature to pass a bill with abandon for the long term implications in order to satisfy their short term political objectives. It would be irresponsible of me to ratify that with my signature and so I hereby return LD 1378 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item An Act To Amend the Laws Governing the Issuance of Bonds and To Effectuate the Issuance of Bonds To Support Maine's Natural Resource-based Economy (S.P. 508) (L.D. 1378) (C. "A" S-247)

In Senate, July 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

25 voted in favor and 9 against, and 25 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **ESPLING**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, we have discussed this issue before, but we feel that it's necessary to discuss it again. This bill dramatically alters the process for issuing all general obligation bonds. It doesn't just impact one set of bonds; this is going to be impacting the Chief Executive's authority from now into the future. It actually even impacts the Chief Executive's authority retroactively.

There's so many concerns with this bill. I'm happy to see that the Chief Executive has decided to veto it. I will support sustaining the veto. Very concerned about removing executive authority, removing gubernatorial discretion regarding issuing bonds. I'm worried that it will impact our credit rating. It will impact bonding into the future for all sorts of projects, not just specific projects related to this issue we have today. I hope that you will vote with me in sustaining this veto. The issue is bigger than just Land for Maine's Future. It impacts all bonding into the future. It's very important. I hope you'll sustain the veto.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, sustaining or overriding this veto is not the way to express one's approval or disapproval for Land for Maine's Future. We all had that opportunity while LMF was on the ballot. I recall stepping into a voting booth, standing behind a red, white, and blue curtain, voting "yes" or "no." I'm sure many of you had a similar experience. Maybe you filled out an absentee ballot.

If you didn't like LMF bonds I'm good with that, but did you form a ballot question committee and do the work to win over Maine's voters to your position? I'm guessing not because

there's never been funded opposition to LMF bonds. Maybe you put out a homemade sign on your lawn or wrote a letter to the editor. If you did, great; you participated in the democratic process by exercising your right to influence an election.

There's a chance you were here when the Legislature voted to put these questions on the ballot in the past. I went back and pulled the House enactment votes requiring two-thirds majority from 2009 and 2012. In each case, these bonds grabbed more votes than needed for enactment. That was, again, an opportunity to have opposed these bonds.

What I'm getting at is that this is how the process works. There are times I like the outcome of a bond issue and other times I don't. I accept it because I appreciate the concept that the will of the majority of voters should always trump my own. And when I happen to vote on the side of the majority—which doesn't generally happen when I vote on bonds—I should have the expectation that my will in that case be followed.

Now, put out of your mind that this has anything to do with Land for Maine's Future because it doesn't. It has everything to do with honoring our voters' wishes and all voter-approved bonds going forward. Good governance. Overriding this veto will put good fiduciary reasons in place for not issuing a voter-approved bond. It strips away arbitrary reasons for not issuing a bond. That's all it does. It does not hand that power over to the State Treasurer. I owe my constituents that and Maine's voters. I hope you follow my light. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise to sustain this veto. I serve on the State and Local Government Committee and heard this bill. At that time we heard from a number of special interest groups in support of this bill. They all had similar talking points: this bill needs to be enacted to protect the Lands for Maine Future program.

I respect each branch of government and each has a separate role in bonding authority. It has been that way for a very long time and should continue. This session we had a bond that expired and we, the Legislature, voted to extend that bond. The voters' intent of that bond is being carried out because we acted to do so. That authority is already in place and it worked just the way it should have. We, the Legislature, can exercise that authority if need be on any bonds, such as Lands for Maine's Future.

I can appreciate the need to support the Lands for Maine's Future Program. That, however, is not what this bill does. This bill applies to the process for the issuance of all general obligation bills. This makes a major change in the balance of power between two branches of government. Making broad policy changes for a specific situation often results in unintended consequences. I support Lands for Maine's Future, but I cannot support this radical change. I ask you please vote red on this pending motion. Thank you, Mr. Speaker.

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

Representative **FREDETTE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this certainly has been one of the most hotly debated and contested bills of the session. And just want to start off by indicating that I originally voted for this bond back in 2010, back in the 125th Maine Legislature, and so, certainly, I think by that vote, my support for the Lands for Maine's Future program is certainly not to be questioned. And I will indicate that throughout this session, I have attempted and have had a minimum of three meetings in my office with some of the players involved in this to try to bring people to a consensus

on resolving this issue. And I think it is an issue that can be resolved.

However, I think what this particular bill does is it tries to marry two very separate issues into one bill and I think that is where the fatal flaw is in this particular bill, because this isn't just about the Lands for Maine's Future. And again, I support that program, but I do not support this bill because the second part of this bill addresses a very significant shift—and I'll say that again, a very significant shift—in trying to remove the Chief Executive from what, I believe, our constitutional framers believed was a very important role and function for our Chief Executive.

And so, on that basis, I can't support this bill. And I'm going to ask those of you that agree with that analysis vote the same way, and that no, your vote should not be interpreted as a "no" vote for the Lands for Maine's Future because that is a misconception and it is a misrepresentation, I believe, of many of the votes that people will say, "I'm going to vote to sustain this particular veto." And it's not because we don't support the Lands for Maine's Future, because I think many of us do.

I'm going to read you a quote today from an interview that I understand that was on the radio this morning from our former Chief Executive, Governor Baldacci. And it reads as follows. Quote, "What happened with the bond issue in particular, you may see legislation pass that will restrict the Executive much more so because of what's occurred and I think that's something. That area really does concern me. I think it's about the next Governor and the next administration and their abilities. You have situations occurring because you have a part-time citizen Legislature and you need to have a strong Executive because they're going to be there year-round, but the Legislature is only there three, four, or five months. You may have a mill closing. You may have a public safety issue. You may need to have those emergency powers instituted and I think it calls upon a Governor and a single Chief Executive of the state, and I hate to see those powers being eroded."

Now, I think we all recognize—end quote—I think we all recognize that Governor Baldacci, certainly, was a member of the other party, but I think it's instructive when you have a former Chief Executive, in my opinion, my interpretation of that read, agreeing with the veto letter and, essentially, the position of our current Chief Executive. So, let me be clear as I conclude my comments. I will vote to sustain this veto because (1) I do support the Lands for Maine Future program, but (2) I don't support taking powers away from or having this significant shift from the Chief Executive to what might just become a State Treasurer that gets elected by this body. And that's a pretty significant shift to take something from the Executive Branch and to shift it over to the Legislative Branch.

And so, I believe we have the opportunity, Ladies and Gentlemen of the House, I believe we have an opportunity to work over the summer and the fall and when we come back in the spring to continue to work on this issue, I commit myself to continuing to do that—as I did throughout this session—that we will work on this and we'll get it right. I honestly believe at the end of the day, we are going to get this right. And I'm asking you to have faith in that and to follow my light. Thank you, 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, first of all I want to stand and rise and thank the good Representative from Newport, Representative Fredette, for attempting to address this issue. We met several times over the session with stakeholders from the Nature Conservancy, stakeholders from land trust organizations,

Republicans and Democrats, joining together to try to move this issue forward. We were also joined by the Executive Director of the Sportsman's Alliance of Maine.

But one thing was clear, meeting after meeting, was that the issue was not moving forward; that there wasn't any give from the second floor and the Chief Executive. We have a bill before us. This is a bipartisan bill. This is a bill that on June 11th received a vote of 103 members—I stand corrected, 102 members—that were present and voting, voting in favor of this bill. So nothing has changed. If it was someone different on the second floor, that was using these bonds for a political tool, maybe even a former Chief Executive...

The SPEAKER: Will the Representative defer? The Chair would inquire as to why the Representative from Newport, Representative Fredette, rises.

Representative **FREDETTE**: Because I believe the good Representative from Skowhegan is questioning the motives of the Chief Executive. I think it's out of order.

On **POINT OF ORDER**, Representative **FREDETTE** of Newport objected to the comments of Representative **McCABE** of Skowhegan because he was questioning the motives of the Chief Executive.

The SPEAKER: The Chair would remind all Members to please keep your remarks to the content of what is before us and that is reconsideration of the veto.

The Chair reminded all members to confine their debate to the question before the House.

The SPEAKER: The Representative may proceed.

Representative **McCABE**: Thank you, Mr. Speaker, I don't intend to question the motives of the Chief Executive, and happy to sort of back up history a little bit. I would draw everyone's attention to back in June of 2013, a quote that said, "As a measure of good faith, I am hereby directing the State Treasurer to begin to prepare those bonds for my signature on an expedited basis." That was in regards to the LMF bonds. That was in regards to us paying back the hospital debt and these bonds were supposed to be released at that time.

So, here we are, July 16, 2015, and these bonds have not been released. So this is not an issue of bonds expiring. This is not an issue of whether or not we'll be able to have an extension or not. It's about the bonds that have not been issued and that continue to be used as leverage.

Mr. Speaker, let's be honest here. We watch today, we look in the back of this chamber and the room is filled. The room is filled with folks who are working this bill. I haven't seen a bill worked this hard in some time. There's folks on both sides of this aisle, Mr. Speaker, who've been promised many, many things. They've been promised that if they don't sustain this veto, they'll lose out on a project that's in their district. We've also heard that if folks vote to sustain this veto, their project will be expedited.

So let's be honest here. We are voting to move this issue forward, whether it's LMF or some other bond. I've been here before, Mr. Speaker. It's déjà vu for me. This happened before with our downtown bonds. Here we are again. These bonds are being held. This time it's LMF bonds. I really want folks to think about this. I hope folks picked up the paper today and read the newspaper, whether it was the *Bangor Daily*, whether it was the *Sun Journal*, whether it was the *Morning Sentinel*. Each of these papers had an op-ed or an editorial from folks—not just the editorial board, Mr. Speaker, but from real people. One of the best op-eds I've seen all session came today by David Trahan, the Honorable David Trahan, the Executive Director of SAM; laid out a timeline for LMF, laid out a timeline what's happening, also debunked a lot of the myths. We heard a lot about LMF bonds having to do with rich and poor. Let's face it, Mr. Speaker, these

LMF bonds are about access. They provide access for men and women to work. They provide access for families like mine and like yours to access things like fishing grounds, hunting grounds, waterfront access.

So, let's be honest today. Our vote is much more about the actual issue of releasing these bonds, which, obviously, back on June 11th, 102 of us agreed that that was a good thing. Nothing's changed right now. As we talk about things related to bond rating, let me tell you, Mr. Speaker, in the day and age of Google, all any bond rating house has to do is Google "Maine" and "bonds" and they'll see what's going on here in Maine. That is a sure sign that that right there should be a ding on our credit. Time after time, the last two, three years, these bonds have become nothing more than political leverage. So, Mr. Speaker, I would encourage folks to take a stand today, vote to override this. There was also a great op-ed today—David Trahan's listed on this one as well—there's a piece, this was in the *Morning Sentinel*, *Kennebec Journal*.

Also Marilyn Meyerhans. Anybody that knows Marilyn Meyerhans knows that she is a hard working woman. She's headed up an apple farm—actually, two apple farms now—for a number of years. It's right over the border. It's not in my district. One of them, it's over in the Town of Fairfield. It's over the good Representative from Fairfield, Representative Picchiotti's district. And Marilyn Meyerhans is somebody that's not a big fan of regulations. I'll describe her as a good Libertarian. So when Marilyn Meyerhans contacts me, that means something to me. I listen. She's quoted today, there was a blue sheet that went around, Mr. Speaker. You can actually read her comments—unbelievable comments today. There's also comments in the paper from fishermen, men and women who fish, who need access, waterfront access.

So, I've also heard comments on the radio today that there's no project in jeopardy. And I know, Mr. Speaker, there's people on both sides of this aisle who've heard from constituents. I've probably heard from more constituents on this issue than any one issue this year. It's clear. Folks want these bonds released. We have an opportunity today to make a stand, to make a statement. And I would encourage all 102 people who voted "yes" before to continue with that vote because nothing has changed, except right now it's a veto override. And let's face it, folks, promises have been made and promises have been broken, so if you've been promised something in the last day or the last week, I encourage you to think about that. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I know that some of you have heard me say this and share this with you before, but I had the opportunity for eight years to serve on the LMF board under the previous administration. I've had the opportunity to experience the good work that this fine group of men and women did for eight years, and I've had an opportunity to visit the many sites, parcels of land, and great recreational areas that have been purchased by the LMF funds.

I view this next vote as supporting the will of the voters. As a previous speaker just mentioned, this was, in fact, committed to the Committee of State and Local Government and I recall one of the gentlemen who testified in opposition to LD 1378 saying, "You know, you have to vote this down, committee members, because this goes against the grain and the will of the Chief Executive." And my response as House Chair of this fine committee was, "Are we not going against the will of the voters by holding these bonds here?"

One thing that really concerned me was a recent remark here, where the Chief Executive said that LMF bonds benefitted only the rich and wealthy. Again, this is truly false, in my opinion. This benefits farmers, fisherman, sportsman and women from around Maine have testified how important this is to their property, not only in southern Maine, not only in central Maine, but in northern Maine as well. I would urge all Members of this group, of this great, fine House of Representatives to vote in the affirmative on the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair would remind all Members to refer to the Chief Executive as the Chief Executive.

The Chair reminded all members when they are referencing the Chief Executive that they refer to him as the Chief Executive.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, Lands for Maine Future may have been the catalyst for the bill, but this bill has evolved into something much more broad and much more dangerous. For years, we have had a two-signature process on the releasing of bonds. It's important because of the taxpayer protection that that provides. If we pass this bond, if we don't overturn this, override this veto today, if we override the veto today, if we don't sustain it, then the full authority for the issuance of bonds will lie in the Treasurer. This bill removes the Chief Executive from the process. We will have a one-signature process from here on out.

The Treasurer is, more often than not, a partisan vote. Shortly after the members of this body, and in the other body at the other end of the hall get elected, we come in here on the first Wednesday of December and there is a rush to elect our Constitutional Officers. I asked for a show of hands in our own caucus this morning, and I asked who knew our Treasurer, current Treasurer prior to the vote? Not everybody could raise their hand. I asked who knew what our Treasurer's qualifications were in order to handle our state finances before the vote. Not many people raised their hands. That's the problem when we have a political appointee as a Treasurer. That's why it's vital to keep a two-signature process. It is for the protection of the taxpayers.

This bill has gone much further than Lands for Maine's Future bonds. We are now rolling in every bonding issue from here on out. From here on out. Every one of them. And I am not willing to put the financial future of the taxpayers of this state in the hands of just one person. We need to have a balance of power; a check and balance. We face that every day with the bills that we pass in this chamber and at the other end of the hall that has a fiscal note attached to it. It has a review from the Executive Branch. And then it comes back to us if it's unacceptable there and we can decide: do we really want to make this investment or not? That's why we have two separate and distinct branches of government. That's why it has been framed the way it has been framed. And that's the way it should be.

With the LMF bonds, I think that we need to continue working on that to find a different solution. They support very important programs and projects throughout our state. But taking punitive action against the Chief Executive in all matters—all matters, not just these two bonds—is the wrong way to go about it. Two wrongs do not make a right. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Mr. Speaker, Men and Women of the House, erosion of power. What is more eroding of power of the people at the ballot box in Maine than ignoring their will? When the people have spoken, have gone to the ballot box, and have voted, there's no branch of government

that should be able to say "no" to them. If we erode their power, we're eroding the essence of our democracy. Thank you.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I stand before you today about LD 1378. It's not about the LMF bonds; it's about all bonds. It's about all bonds in the future of Maine. It's about the process, the process that has worked in this state for a number of years. This process has been in play and I don't know as that anybody can question, and everybody has an opinion, about how the Chief Executive Officer comments or does things. He has his way. We have ours. But to change this process at this point in time in government, I think is bad policy.

The good Representative from Chelsea pointed out that the State Treasurer would be the only saving grace in when the bonds were issued. Well some years, this state has voted on \$245 million worth of bonds. If we went and released them every year, we would have to raise that money through the taxpayers of the State of Maine. There are times to release them and times not to release them and there's a process in place that does that and that's through the Treasurer and through the Governor and through this Legislature. If we change that process, we stand a real, real great chance of doing devastation to our credit rating in the State of Maine. That would not be good because one or two point rise in our borrowing rate amounts to millions of dollars. We have a process that goes through Appropriations—and I'm only a one-year member there; a rookie who has learned that we put out a \$100 million or so that we suspect to have to pay back in bonds every year.

The Treasurer is elected without giving a resume or anything out. It's a political appointment. We all know that we've had great treasurers and bad treasurers, Republicans and Democrats on both grades have been good and been bad, and to leave that process strictly up to them in any one year would put this state in grave danger and I'm afraid the bond market would reference that in how they rated us. So I ask you from the bottom of my heart and with all sincerity to please sustain the Chief Executive's veto on this. It's not about whether you like the Chief Executive Officer or don't like the Chief Executive Officer. This is about the process in Maine and I ask you to please sustain this with me today. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Grohman.

Representative **GROHMAN**: Thank you, Mr. Speaker, Women and Men of the House, if you'll indulge me, I'd like to read the list of projects currently approved by the Land for Maine's Future board, but as yet unfunded. You might think of these projects as tabled, pending the outcome of our deliberations today. As I read this, think of these places as, perhaps, a luxury subdivision:

Brave Boat Headwaters in Kittery; Central Maine Sportsman's Access in Embden, Burnham, Detroit, Cambridge and Ripley. I would note that this is the number one area for deer tagging in the State of Maine. This project would include two public access boat launches to lakes that are entirely private, deer yards, and waterfowl breeding areas; Caribou Bog Conservation Area in Old Town; Clapboard Island in Falmouth; Cold Stream Forest in West Forks Plantation, Johnson Mountain Township, and Parlin Pond; Crooked River Forest in Otisfield and Harrison; Crow Island Thread of Life in South Bristol, Ellis River to Whitecap Mountain in Rumford; Gardiner Pond in Wiscasset; Goslings Island in Harpswell; Gulf Hagas-Whitecap in Bowdoin College East Township, Township B Range 11, West Easterly Line of the State Township; High Island in Saint George; Howard Hill in Augusta;

Kimball Pond in New Sharon; Knight's Pond in Cumberland, North Yarmouth; Lower Weskeag Fields and Forests in South Thomaston; North Falmouth Conservation Corridor in Falmouth; The River Walk Park in Biddeford; Raymond Community Forest in Raymond; Redington Forest in Redington Township; Roberts Farm Preserve in Norway; Eagle Bluff in Clifton; Seboomook Expansion and then the Pittston Academy Grants in Soldiertown Township; And lastly, Weston Homestead Forest in Madison. Mr. Speaker, this one's for all the marbles, what we stand for as a state. Please join me and vote in the affirmative and override and save Lands for Maine's Future.

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

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I wasn't intending to speak, but I have reached a conclusion after hearing all that's been said and that is that no Executive, regardless of party affiliation, should ever be able to override the will of the people. Thank you.

The SPEAKER: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, do I think the bonds should be released? Yes, I do. Those of you who know me know that I'm an outdoor girl. Land for Maine's Future bonds should be released. In the heat of this session, I voted for this bill. In the interim, I have had time for a closer examination of the question before us. The question of changing our Constitution. The question of a two-person signature on something as vital as state bonds. The question of putting our bond rating at risk. I will continue to support the release of our bonds but I cannot, in good conscience, put our state in jeopardy. Today I will be supporting the process that will allow for needed discretion for future governors.

The SPEAKER: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm really speaking from my heart, here. I spent a career in conservation. The Lands for Maine Future program is extremely important to our state. Without it, we would see vast differences in the way people can recreate and have access. Access is important. Access is important to people who don't have the means to buy it.

We need the Land for Maine Future's program and I have always been and continue to be extremely supportive of that program. My dilemma, my dilemma is that I also hold near and dear to me the constitutional process that we have in this state. I hold near and dear to me the way that we are able to process all that we do and the tradition and the methods that we have used for lo these many years. I really do not have a desire to see that change because we have a situation here. A short-term situation should not be rectified and made different, because I think the long-term results could be devastating. So, unforeseen circumstances could arise here. So I will be—reluctantly, I might add—voting to sustain the veto. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, much has been said about what the Constitution provides; that this is somehow a constitutional change. It is not. I thank the Representative Mearan for handing out a sheet which is on all of your desk, which summarizes what the current law is. As he states in this handout, it is under Maine's Constitution, the authority to issue general purpose bonds belongs solely to the state and to the people. It says

nothing about the Chief Executive. There is no specific authority in the Constitution giving bond authority to the Chief Executive. Rather, the State Legislature has enacted and delegated its authority to the State Treasurer, quote, "under the direction of the Governor," or to be more precise here, the Chief Executive.

So, this is a statutory provision. This Legislature is fully capable of changing the statute, where an abuse of the existing statutory authority has been demonstrated and that is the situation here. His role, the Chief Executive's role, would continue, but it would be limited to fiscal considerations only and not be allowed to be used as a political weapon in a way that harms...

The SPEAKER: The Representative would defer. As I reminded Members before, please do not impugn the motives of other Members as it relates to political motives.

The Chair reminded Representative COOPER of Yarmouth that it was inappropriate to impugn the motives of other members of the House.

The SPEAKER: The Representative may proceed.

Representative **COOPER**: Thank you, Mr. Speaker, the bill before us would ensure that bonds be issued on a fiscally sound basis and I remind Members of this body that the current Treasurer was the candidate of the people on the other side of the aisle, primarily. So, to impugn her abilities and integrity in this situation, I find appalling. Thank you.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Mr. Speaker, Men and Women of the House, the decision to swipe the state's credit card should not be taken lightly. And that is why there is a lengthy legislative process and a final, two-step approval. After the Legislature votes, first the voters make a decision and finally, under the direction of the Chief Executive, who may instruct the Treasurer to proceed. The voters provide the authority to bond, but the borrowing is not a requirement. As a matter of fact, the Maine Constitution anticipates that some bonds may not be fulfilled and that is why the bonds have an expiration date. There is a process to extend a bond's expiration. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, we strayed a little bit on the discussion on the bill that's before us and when this vote is taken, there'll be some time, people will be making up their mind. I know there's a number of folks on the fence today. They're trying to figure out how to vote. For many of them, they voted for this bill before. There's a great deal of pressure on them today to not vote for the bill, so I encourage them to look at the bill.

I've heard a lot of the opposition today in regards to the bill—having to do with debt service, having to do with our credit rating. So, I'd encourage folks to actually look at the bill because it still allows for the ability, under five specific conditions, that the bonds not be released. It's just notifying the public, notifying the Legislature, about those reasons. So, it provides clarity. It's a housekeeping measure in my mind. One of those reasons would be Debt Service Greater: the Treasurer of the State of Maine could determine that the debt service on the bond would be greater than the amount budgeted; the bond wouldn't be issued. Two: adverse impact on credit score rating. The Treasurer has the ability to determine the issuance of the bonds will adversely affect the credit rating of the state. Right there, number two, that addresses much of the concern we've heard today. Three, having to do with the advantageous interest rate. The Treasurer of the State of Maine can determine the delay of the issuance of the bonds will likely result in more financial advantageous interest

rating; right there. Four, this is a really important one. The project is not proceeding. We heard that in a previous speaker. If the project isn't going forward, we wouldn't issue the bond. That's still included. Or number five, which is one that I really like and it's that if alternative funding is available. So, if we determine that the money is not needed, there's another source, the bond doesn't need to be sold.

So I encourage folks to think about that. I encourage folks to go online, ask for a copy of the bill, but make sure you know what you're voting for today. You've been told a lot of things in the hallway. You've received some emails. But really, just take a look at the bill. This is really about good governance and it's about the will of the people. So thank you very much, Mr. Speaker.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 460V

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Picchiotti, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Schneck, Shaw, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Buckland, Campbell R, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, McClellan, McElwee, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Theriault, Timberlake, Timmons, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chapman, Crafts, Herrick, Malaby, Pierce T, Saucier, Stearns.

Yes, 91; No, 52; Absent, 7; Vacant, 1; Excused, 0.

91 having voted in the affirmative and 52 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 507)

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

June 30, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing

LD 125, "An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer."

Far too many legislators make solemn-sounding promises to the voters who elect them, then sweep them aside as soon as they step foot into the exclusive, club-like atmosphere of the State House. Their giddy eagerness to get along with colleagues on both sides of the aisle swiftly supersedes their sworn duty to the people who sent them to Augusta.

This Legislature delayed its responsibilities for five months, negotiated a last-minute budget deal behind closed doors and is now passing bills at breakneck speed, just so they can pack up and go home for the summer. While they are busy high-fiving each other for hastily passing bills they haven't even read, the Maine people are left disenfranchised and without true representation.

Maine voters in last November's election clearly endorsed tax and welfare reforms, but this Legislature has denied them their Constitutional right to debate the issues at the ballot box.

Mainers deserve to know how their elected officials voted on public policies that could affect the future of our state. Therefore, to ensure each piece of legislation gets the widest possible representation in Augusta, legislators will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call.

For this reason, I return LD 125 unsigned and vetoed.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer

(S.P. 59) (L.D. 125)
(C. "A" S-76)

In Senate, July 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 461V

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Golden, Goode, Grant, Grohman, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Maker, Marean,

Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Sawicki, Schneck, Shaw, Sherman, Short, Skolfield, Stanley, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Wood, Mr. Speaker.

NAY - Black, Buckland, Dillingham, Dunphy L, Ginzler, Greenwood, Guerin, Hanley, Long, Lyford, McClellan, O'Connor, Reed, Sanderson, Seavey, Sirocki, Timberlake, Timmons, Tuell, Wallace, Winsor.

ABSENT - Chapman, Crafts, Herrick, Malaby, Pierce T, Saucier, Stearns.

Yes, 122; No, 21; Absent, 7; Vacant, 1; Excused, 0.

122 having voted in the affirmative and 21 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 509)

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

June 30, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine. I am hereby vetoing LD 1230, "An Act To Create a Digital Content Library for Education."

Far too many legislators make solemn-sounding promises to the voters who elect them, then sweep them aside as soon as they step foot into the exclusive, club-like atmosphere of the State House. Their giddy eagerness to get along with colleagues on both sides of the aisle swiftly supersedes their sworn duty to the people who sent them to Augusta.

This Legislature delayed its responsibilities for five months, negotiated a last-minute budget deal behind closed doors and is now passing bills at breakneck speed, just so they can pack up and go home for the summer. While they are busy high-fiving each other for hastily passing bills they haven't even read, the Maine people are left disenfranchised and without true representation.

Maine voters in last November's election clearly endorsed tax and welfare reforms, but this Legislature has denied them their Constitutional right to debate the issues at the ballot box.

Mainers deserve to know how their elected officials voted on public policies that could affect the future of our state. Therefore, to ensure each piece of legislation gets the widest possible representation in Augusta, legislators will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call.

For this reason, I return LD 1230 unsigned and vetoed.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item An Act To Create a Digital Content Library for Education (EMERGENCY)

(S.P. 435) (L.D. 1230)
(C. "A" S-146)

In Senate, July 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 462V

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Sawicki, Schneck, Seavey, Shaw, Short, Skolfield, Stanley, Stuckey, Sukeforth, Tepler, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Lockman, Long, Sherman, Sirocki, Stetkis, Theriault.

ABSENT - Chapman, Crafts, Herrick, Malaby, Nadeau, Pierce T, Saucier, Stearns.

Yes, 136; No, 6; Absent, 8; Vacant, 1; Excused, 0.

136 having voted in the affirmative and 6 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 510)

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

June 30, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1369, "An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity."

Far too many legislators make solemn-sounding promises to the voters who elect them, then sweep them aside as soon as they step foot into the exclusive, club-like atmosphere of the State House. Their giddy eagerness to get along with colleagues on both sides of the aisle swiftly supersedes their sworn duty to the people who sent them to Augusta.

This Legislature delayed its responsibilities for five months, negotiated a last-minute budget deal behind closed doors and is now passing bills at breakneck speed, just so they can pack up and go home for the summer. While they are busy high-fiving each other for hastily passing bills they haven't even read, the Maine people are left disenfranchised and without true representation.

Maine voters in last November's election clearly endorsed tax and welfare reforms, but this Legislature has denied them their Constitutional right to debate the issues at the ballot box.

Mainers deserve to know how their elected officials voted on public policies that could affect the future of our state. Therefore, to ensure each piece of legislation gets the widest possible representation in Augusta, legislators will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call.

For this reason, I return LD 1369 unsigned and vetoed.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE in concurrence.

The accompanying item An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

(S.P. 501) (L.D. 1369)
(C. "A" S-282)

In Senate, July 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 463V

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett,

Pierce J, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stetkis, Stuckey, Sukeforth, Tepler, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Long, Theriault.

ABSENT - Chapman, Crafts, Herrick, Malaby, Pierce T, Saucier, Stearns.

Yes, 141; No, 2; Absent, 7; Vacant, 1; Excused, 0.

141 having voted in the affirmative and 2 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

ENACTORS
Acts

An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory

(H.P. 759) (L.D. 1099)
(C. "A" H-458)

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

On motion of Representative BLACK of Wilton, was **SET ASIDE**.

On further motion of the same Representative, the Bill and all accompanying papers were **COMMITTED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and sent for concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 345)

STATE OF MAINE
127TH MAINE LEGISLATURE

July 16, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

The Committee of Conference on LD 1430 "An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red," could not find agreement on the issues at hand. We write to inform you that we have abandoned the conference.

S/Senator Paul T. Davis, Sr.

S/Representative Roland Danny Martin

READ and ORDERED PLACED ON FILE.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette, who wishes to address the House on the record.

Representative **FREDETTE**: Thank you, Mr. Speaker, as I'm sure many people in this body are aware, a letter was sent dated July 16, 2015 to House and Senate leadership today and, essentially, it's not a very long letter, but it is from the Chief Executive and it is pertinent to issues that I think is relevant to all of us here that have been elected to these positions. And very quickly, I'd just like to read that to the body in regards to those that might not be aware of it.

It says, "Dear Members of the Legislative Council for the 127th Legislature, welcome back. This morning I am delivering

65 veto messages to the House and Senate for consideration by you and your colleagues. This veto message contains my objections to legislation that you have passed, which I was prevented by your June 30 adjournment from returning earlier this year. As you are aware, under these circumstances, the Maine Constitution entitles the Chief Executive to three days from the time you reconvene to return these bills to the Legislature. To provide you with ample time to give these veto messages the attention they deserve, I am returning them to you today, my first opportunity since your return from adjournment. My goal is to ensure that only bills that represent good public policy become law and I am exercising the power granted to me by the Constitution to do so. I hope that you will vote to sustain all of these vetoes at your earliest opportunity. Some members of your council have made public statements indicating that they will not consider these vetoes. I request that you consider them before you adjourn from today's session. If you are not willing to consider them, then I request a written response today explaining why you are not willing to act. Thank you." And this letter is signed by the Chief Executive, Paul R. LePage.

Mr. Speaker, this is a very important matter. It's been a matter that's been talked about in the media to some length. And my understanding is that these 65 veto messages and their jackets have been returned properly to the House and the other body today. And I'm inquiring as to what the Speaker's intent is, or if we could get some direction on the path forward in regards to these matters. I think it's a matter that's important to the people of the State of Maine, the sponsors of these bill and that we voted on them and that we provide some clarity on this going forward. Thank you, Mr. Speaker.

The SPEAKER: So the House was in possession and did receive the 65 veto attempts from the Chief Executive. However, these are no longer bills. They are now law. The Maine Constitution, Article IV, Part 3, Section 2 provides the Chief Executive 10 days to act upon the bills. The Chief Executive chose not to return these bills within that time frame. The Chief Executive cannot veto a law. The bills have been taken and been chaptered by the Office of the Revisor of Statutes. Under my direction, bill jackets have been forwarded to the Revisor's Office for official archiving.

The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker, thank you in regards to that response. I do think, Mr. Speaker, that it is appropriate, as provided in the Maine Constitution, there seems to be some disagreement between two coequal branches of government here, in regards to the interpretation of certain provisions of the Maine Constitution. And I think it's appropriate for this body to look at posing a question to the Supreme Judicial Court, following a solemn occasion as is permitted under the Maine Constitution, and I would so request that, Mr. Speaker. Thank you.

The SPEAKER: The Chair would inform the Representative from Newport, Representative Fredette, in order to do that, a House Order would need to be produced and presented.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects

(H.P. 996) (L.D. 1454)

Sponsored by Representative **FREDETTE** of Newport.
(GOVERNOR'S BILL)

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

Under suspension of the rules, the Resolve was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Representative McCABE of Skowhegan **PRESENTED House Amendment "A" (H-505)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Fredette, and inquires as to why the Representative rises.

Representative **FREDETTE**: Thank you, Mr. Speaker, I just want to inquire and make sure that the amendment is properly before the body. My understanding is, is that Supplement No. 4 is a Resolve and to the extent that we have an amendment being presented, my understanding is that we have to first adopt the initial bill, and was that done already? I just want to make sure that we're in the proper steps in this to make sure that what it is that what we're doing. Thank you, Mr. Speaker.

Representative **FREDETTE** of Newport asked the Chair to **RULE** if the **RESOLVE** was properly before the body.

The **SPEAKER**: The Chair would answer in the affirmative. We have gone through First and Second Reading.

Subsequently, the Chair **RULED** that the **RESOLVE** was properly before the body.

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

Representative **McCABE**: Thank you, Mr. Speaker, we've debated the issue around LMF today. It was involved in debate on another bill that was much broader than LMF. So I bring this amendment today really as a way to address a lot of the concerns that were raised before in earlier debate, as far as the bill being too broad, as well as future impacts that the bill may have, and that we really focus our efforts on LMF. So I'm here today to offer this amendment to really focus on the issue around LMF, to allow an opportunity for folks to show their support for LMF, to stand strong behind the LMF program.

The amendment before you actually focuses exclusively on LMF and does not change future bond issues and it really does not, it's not in conflict, as we heard earlier, with other issues around conflict in the Constitution. So the amendment was distributed before. Everyone should have a copy on their desk. And it's, you know, it's rather simple. It really requires the Chief Executive and the Lands for Maine Future board to take the appropriate, necessary steps to issue the bonds for the Lands for Maine Future program and it really moves the issue forward. And this is really, hopefully, some of the stability that a lot of the folks out there in the land trust community and beyond the land trust community need to sort of feel comfortable moving forward with their land acquisition. And I hope that folks will join me in supporting this issue today so that we can send a clear message to folks around the state that we do, in fact, in a bipartisan manner support the LMF programs. So thank you very much, Mr. Speaker.

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 assume most of you have in front of you, what I see as House Amendment "A" in regards to this. If I may speak, first and foremost, to the underlying bill. The underlying bill on Supplement 4, which is a "Resolve, Reauthorizing the Balance of the 2009 Bond Issue for the Land Conservation Projects." That bond was put forward by the Chief Executive.

The **SPEAKER**: Will the Representative defer? The Chair would inquire as to why the Representative from Windham, Representative Bryant, rises.

Representative **BRYANT**: My good friend from Newport is speaking to the bill, not to the amendment. I would like to hear the amendment.

On **POINT OF ORDER**, Representative **BRYANT** of Windham asked the Chair if the remarks of Representative **FREDETTE** of Newport were germane to the pending question.

The **SPEAKER**: If the Representative from Newport, Representative Fredette, would keep his remarks to the amendment, and not to the bill. We've accepted the bill at this point so the remarks should be directed to the amendment only.

The Chair reminded Representative **FREDETTE** of Newport to confine his debate to the question before the House.

The **SPEAKER**: The Representative may proceed.

Representative **FREDETTE**: Well, just so everyone's aware, what House Amendment does is replace the original bill. And so, let's be first clear on that because what we have here is the Chief Executive putting forward an initial bill, which now no longer exists and we won't be able to vote on because now we, essentially, have House Amendment "A," which seeks to, simply, erase what was the original bill.

So, let's look at this amendment because, you know, what this amendment seeks to do, if you look at it, particularly on Section 4, on the flipside of page two of this, specifically states: "Approval by the Chief Executive. Resolved, that the Chief Executive or the Chief Executive's assignees shall sign all necessary financial orders, project agreements, and other paperwork requested by the Land for Maine's Future board necessary to implement the borrowing authority by the board pursuant to Section 3."

I think this is precisely the kind of legislation that has really disenfranchised lots of well-meaning pieces of legislation. I don't believe that we have the authority, the legal authority under the Constitution, to direct the Chief Executive, to tell the Chief Executive, that the Chief Executive shall sign all necessary financial orders. Think about that. We're now going to sit here and we're going to try to vote on an amendment that we've seen now for about 15 seconds and we're going to tell the Chief Executive that he needs to sit down and he has to start signing his names to pieces of paper. It's blatantly unconstitutional. Blatantly unconstitutional.

I am, quite frankly, disappointed. I am disappointed in this piece of legislation. Where we do have an important issue that we are trying to deal with, with the Lands for Maine's Future. We are trying to do that. We've worked through that this session. We've dealt with part of it today and the Chief Executive, I think, in the measure of good will presented a bill, which has now been replaced with language that's, in my eyes, blatantly unconstitutional. And I think that hurts what it is that we're trying to achieve. We're trying to achieve getting done what is important for the Lands for Maine's Future. It's a bill I supported when it was on the floor of the House five years ago. So, I'm not opposed to doing the right thing and trying to get us to where we need to be.

But this doesn't get us there. This doesn't get us there at all. This is merely a continuation of what we've experienced for the last six months. We can and we are going to get this right and we will get the Lands for Maine's Future done in a way that needs to be done for the people of Maine. We owe that to the people of State of Maine, but it needs to be done in a proper way. This is not the proper way, Ladies and Gentlemen of the House. Mr. Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-505)**.

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 Greene, Representative Wood.

Representative **WOOD**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **WOOD**: Before I vote on this, I'd like to know if it is constitutional or not. Is there any way we could get a constitutional lawyer or something to say that this is constitutional? Because, I mean, I support land trusts big time and I want to make sure I'm doing the right thing. I want to know if it's constitutional or not.

The **SPEAKER**: The Chair would remind Members under Mason's Manual, under Section 242, Section 2, it is not within the province of the Chair to decide as to the constitutionality of an amendment.

The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, I just wanted to clarify something that was raised. This is simply about the Lands for Maine Future program. It is limited to the LMF program. It is not having to do with all financial orders, by any means, and I would agree with the good Representative from Newport, Representative Fredette, that in that essence, that would be a much broader scope for this body to take up.

This really is about, specific to the LMF program, specific to the concerns that were raised today, previous days, as well as the good Representative from Newport referred to, over the last six months. And it's really about moving the issue forward for Lands for Maine Future. This is work was generated in collaboration with folks that are active in the LMF movement around the state to really bring forward something that can continue to move the projects forward and really address concerns that the folks back home have. People in this body have heard from a number of constituents, a number of projects that are really on hold pending, sort of, action of LMF and this seemed like the appropriate step to take at this time. So, thank you very much, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, this amendment to LD 1454, I think, has grave, grave consequences should we pass this. This would set a dangerous precedent. If we are trying to order the Executive to do something, what will ever stop us, and this sets a precedent. What will ever stop us, number one, from trying to order the Executive to do whatever we want? That's not how government is framed. That's why we are two separate, yet distinct, branches of government. We all have rules to follow. The Executive Branch does not dictate to the Legislative Branch and the Legislative Branch does not dictate to the Executive Branch. We make our decisions and we vote on them.

One of the biggest things that I find really troubling about this amendment is that it directs these bonds to be released before the expiration of 2015. It totally strips out any ability to extend these bonds into the future when we actually go the bond market, which is next June. We're not going to the bond market between now and then and I very highly doubt that this document will make the Executive—although I'm not speculating on his actions, I'm just saying what I think probably won't happen. And then we really have, we run the risk of losing these bonds all together.

Now, these projects are important to many people. They're important to many areas. They're important to our state. And I believe this amendment jeopardizes them because we don't have the fortitude or this amendment would say, "we don't have the fortitude to be patient" and try working in good faith with the second floor. I urge you to vote "no" on this. This endangers those bonds.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I am listening to this discussion and it's a bit puzzling to me that we, in the Legislature, are not clear about our power as the Legislature. Yes, there are two separate branches of government. There are three, in fact, but we are talking about the Executive Branch and the Legislative Branch.

We are empowered, as the Legislature, to enact laws. The Constitution gives us that power. We are the only body in government, state government, that can enact law. The Executive Branch has to execute that law, therefore, enforce that law. To put it in simpler terms, we tell the Executive Branch what to do all the time. The Executive can decide to do what we tell it to do or not. I think that I heard the good Representative from Newport suggest that this particular amendment would be unconstitutional because we are requiring that the Executive Branch sign something.

According to MRSA Title V, Administrative Procedures and Services, Part 1, State Departments, Chapter 7, Treasurer of State, Subsection 145, if I may, it reads as follows, and this is about the issue before us: "The Treasurer of State may issue registered bonds, transferrable by assignment, in pieces of not less than \$1,000, and of any multiple of 1,000 in exchange for and in place of any coupon bonds issued under the laws of this state, bearing the same rate of interest and maturing at the same time as the bonds that the Treasurer of State may receive, therefore, in exchange. The place of payment, prescribed therein, must be the State Treasury." Here's the important part: "Said bonds must bear the facsimile of the signature of the Governor." The Legislature enacted that law. It has nothing to do with the Constitution.

The Legislature, when this was passed in 1991, told the Executive Branch that it must have its facsimile on all bonds before they are issued by the Treasurer of State. Now, that is ironic because we told the Chief Executive, with this law, to sign off on all of the bonds. Today, we are debating about why we put that in law because there is a Chief Executive that won't do it. And so, we were trying to amend the law that we put forth in 1991 to take that power, that need, that necessity away from the Executive Branch and we didn't succeed. But now, we are trying one more time to ask the Executive Branch to do something that the people of the state have told us to do.

I don't think that this particular amendment—that part of it asking the Chief Executive to sign off on a financial order as a must— is unconstitutional. If it were, this law probably would have been challenged a long time ago and ruled as such and it has not been. So while none of us here can say for sure whether this is constitutional or not, it is in statute today. We weren't able to amend it, so it remains in statute and so I find it a little ironic that an argument of constitutionality is being used against the language in this particular amendment before us and that, quite frankly, frustrates me to no end. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.
 Representative **PARRY**: Mr. Speaker, over the last few weeks we've heard a lot about adjournment and sine die and vetoes and everything else. If this bill was to pass, would this be subject to a veto, which the Chief Executive would have 10 days, and does that also mean that we do not adjourn sine die today?

The SPEAKER: Any bill enacted by the Legislature is subject to the veto power of the Chief Executive. In all likelihood, we would sine die today and bring it up in January.

The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, when I have the occasion when I'm not at the Capitol, which isn't often these days, I actually try to practice law. I've been doing that for some 20 years and, you know, part of our training is to look at bills and to look at the application of facts and laws and look at their constitutionality. Now, if you ask 100 attorneys to look at something, you're probably going to get 100 opinions on whether or not something and how it's applied might be constitutional or not.

But I'm submitting that language that suggests that the Chief Executive or the Chief Executive's assignees shall sign all necessary financial orders, project agreements, and other paperwork as requested by the Lands for Maine's Future board. So, we're now authorizing the Land for Maine Future's board to tell the Chief Executive what to do. We're not even asking the Legislature to tell the Chief Executive what to do. The language here says, "as requested by the Land for Maine's Future board." So, a completely unelected body. I don't know as if five of us in here could even name five of those people that are on that board. We're now going to give, evidently, the Land for Maine's Future board the authority to tell the Chief Executive what to do and we think that's constitutional. I don't think that it is, Mr. Speaker.

And beyond the fact of its constitutionality, again, is just making this issue continue to be at the center of a firestorm when we should be trying to figure out how to fix this problem, rather than arguing about its constitutionality of an amendment that just gets thrown on this.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I did not participate in the debate earlier because I thought enough people had said something. But I do have to say that I am really, really disappointed that the Land for Maine's Future program, one of the most populist, popular programs in the state, has become a political football.

This debate is about constitutionality, so to speak, and rights of the Executive versus the Legislative Branch, but that's not actually what this is about. The debate today is about the Land for Maine's Future program. Do we want to move forward? Let me remind you: it took a two-thirds vote in the House, it took a two-thirds vote in the other body, and it took ratification by the people—the people of this state, the very people that elected us. How, in God's name, did the most populist program in the state that has been voted on repeatedly become a political football? Who have we become?

Our greatest asset in this state is its natural resources. I didn't understand that. I grew up in this state. I grew up in the brooks. I grew up swimming in the lakes and I didn't understand it until one day I was sitting on my back porch in Philadelphia looking out, watching these kids, and the fire hydrant was open and they were playing in the water and I was laughing at how great of an experience that was. And then I stopped in my tracks because that's the only opportunity those children were ever

going to have. And I remembered, in that moment, how important it was to have grown up in Maine; to have grown up fishing in the brooks, swimming in them, running through the hills and the mountains. That is the debate before us today and we have failed the people already once today. This is an abomination. Everything that is amazing and unique and special about our state does not stand within these walls. It stands out there in the trees and the landscape. That's what this is about and if we do not protect our quality of place, we will lose everything that is of unique and special value.

Now I know that not everybody here had the luxury of growing up here. As Libby Mitchell used to say, "You got here as fast as you could." I did. And one day I'd like to make sure that I have children who grow up here and yes, they're going to want them to go and see the rest of the world because only then do you appreciate what it meant to be here, to feel safe, to see wildlife. All of that is what this is about. But it's also about the trust that the people in Maine gave us as elected officials. We already voted on this. The people of Maine have already voted on this.

There is one person holding up the Land for Maine's Future program and it is not our fault that that is happening, but we have an opportunity to fix that. Do I like the opportunity before us? Hell no.

The SPEAKER: The Representative would defer and refrain from using that language. The Representative would defer.

The Chair reminded Representative **RUSSELL** of Portland to watch appropriate decorum in debate.

The SPEAKER: The Representative may proceed.

Representative **RUSSELL**: This is about who we are as a people. Are we going to let our landscape, our quality of place become a political football or are we going to embrace it and preserve it for future generations? That is the question before us.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Fowle.

Representative **FOWLE**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **FOWLE**: It's my understanding, I heard the Representative from Newport have concerns about the board requiring that the Chief Executive do these signings. It's my understanding that the board is made up out of commissioners and nominees that the Chief Executive puts forward. Am I wrong or correct on that?

The SPEAKER: The Representative from Vassalboro, Representative Fowle, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, I rise to answer the question. The board is made up by representatives and nominees of the Chief Executive that are, drawing a blank on the term at this point in the afternoon, but they are actually confirmed by the other body after a hearing before the Ag, Conservation, and Forestry Committee and those are appointees by the Chief Executive, and then there's also appointees that serve on the board. Those are the appointees that are the commissioners of the natural resource agencies—IF&W, Ag, Conservation and Forestry, Marine Resources—so, they are folks that we know.

The SPEAKER: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, just to respond to a comment made by my good friend, the Representative from Newport, who suggested that no one in this body knew who the members of the LMF board were. Well, to

help him out, Patrick Keliher, Walt Whitcomb, James Gorman, James Norris, Chandler Woodcock, and Neil Piper. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-505). All those in favor will vote yes, those opposed will vote no.

The Chair inquires as to how Representative Wood would like to be recorded?

Representative **WOOD**: Mr. Speaker, I don't see how we can be asked to vote on something if we don't even know if it's constitutional or not.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-505). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 464

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chace, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Picchiotti, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Schneck, Seavey, Shaw, Short, Stanley, Tepler, Tipping-Spitz, Tucker, Tuell, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Buckland, Campbell R, Dillingham, Dunphy L, Edgcomb, Espling, Farrin, Foley, Fredette, Gerrish, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Hilliard, Hobart, Kinney M, Lockman, Long, Lyford, Maker, McClellan, McElwee, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Sherman, Sirocki, Skolfield, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chapman, Crafts, Herrick, Malaby, Pierce T, Saucier, Stearns, Stuckey.

Yes, 90; No, 52; Absent, 8; Vacant, 1; Excused, 0.

90 having voted in the affirmative and 52 voted in the negative, 1 vacancy with 8 being absent, and accordingly **House Amendment "A" (H-505) was ADOPTED.**

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-505)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Bill "An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees" (EMERGENCY)

(H.P. 995) (L.D. 1453)

Sponsored by Representative WINSOR of Norway. (GOVERNOR'S BILL)

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

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

The SPEAKER: Is there objection to suspension of the rules for the purpose of giving this bill its Second Reading without reference to the Committee on Bills in the Second Reading? The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Mr. Speaker, I just feel that it's important for our Members to understand the matter before us and understand what this bill does, just for some clarity. Thank you.

The SPEAKER: Sure. It's proposed by the Chief Executive and it is sponsored by Representative Winsor of Norway. The Chair would inquire is the Representative from New Gloucester, Representative Espling if the Representative objects to Second Reading at this time?

Representative **ESPLING**: I do object. I think just having an answer to what the matter is before us would be helpful.

Representative ESPLING of New Gloucester **OBJECTED** to suspending the rules in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Subsequently, the Bill was assigned for **SECOND READING** later in today's session.

SENATE PAPERS

Non-Concurrent Matter

An Act To Upgrade the Concealed Handgun Permit Law (H.P. 557) (L.D. 823) (H. "A" H-385 to C. "A" H-309)

PASSED TO BE ENACTED in the House on June 24, 2015.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE.**

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Bill "An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges" (EMERGENCY)

(S.P. 557) (L.D. 1455)

Committee on **JUDICIARY** suggested and ordered printed.

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED.**

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

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

Representative **ESPLING**: Thank you, Mr. Speaker, just letting our Members know that my understanding on this bill before us is that it's just making a number change within the law, going from 36 to 38 judges. It does not have a fiscal note. That's all taken care of. It's just a number that needed to be changed and I wanted to make sure our Members understood that that's what this does. Thank you.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** in concurrence.

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

BILLS IN THE SECOND READING
House

Bill "An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees" (EMERGENCY)

(H.P. 995) (L.D. 1453)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative WINSOR of Norway, was **SET ASIDE**.

The **SPEAKER**: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you, Mr. Speaker, Men and Women of the House, I apologize for any confusion we had earlier. My caucus, we had not caucused this particular bill. And just specifically, this is a fairly routine happening whenever there's a labor contract that's been negotiated and is ready to be settled. The administration has settled three of the major unions in our bargaining scheme. Agreement has been reached between the state and American Federation of State, County, and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, and there's a tentative agreement, if ratified, the Maine State Employees Association. This bill will approve those negotiations and provide the funding required for them. I'm happy to answer any further questions people might have. Thank you.

Subsequently, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

ENACTORS
Emergency Measure

An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges (S.P. 557) (L.D. 1455)

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. 121 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.

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

Resolves

Resolve, Directing the Governor and the Land for Maine's Future Board To Fulfill the Will of Maine Voters and Issue Bonds Approved in 2010

(H.P. 996) (L.D. 1454)
(H. "A" H-505)

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

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

Emergency Measure

An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees

(H.P. 995) (L.D. 1453)

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. 128 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.

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

ORDERS

On motion of Representative McCABE of Skowhegan, the following Joint Order: (H.P. 998)

ORDERED, the Senate concurring, that the following specified matters be held over to any special and/or regular session of the 127th Legislature.

Agriculture, Conservation and Forestry

H.P. 759, L.D. 1099 - An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory

Criminal Justice and Public Safety

H.P. 557, L.D. 823 - An Act To Upgrade the Concealed Handgun Permit Law

READ and **PASSED**.

Sent for concurrence.

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

COMMUNICATIONS

The Following Communication: (S.C. 508)

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

June 30, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 623, "An Act To Expand Maine's Carbon Monoxide Detectors Law."

This bill contains a flaw that would stifle innovation and would put up unnecessary, protectionist barriers in the smoke detector market. The bill would amend Maine's carbon monoxide detector law to mandate that the relevant detectors run on either the electrical service of the building and a battery or "a nonreplaceable 10-year battery." It is here that we glimpse a fatal flaw in the bill.

This bill would have unintended consequences for companies that have produced carbon monoxide and smoke detectors that contain safety features that go above and beyond those offered by basic carbon monoxide and smoke detectors. Those advanced detectors currently run on 5-year batteries. If this bill were to become law, these companies would see their sales decrease and would likely stifle innovation in this sector of the market.

One day the Legislature disenfranchises the Maine people by disallowing them a vote on whether they would like to eliminate the income tax and the next day they pass a bill that would stifle the valiant effort of companies to produce better smoke and carbon monoxide detectors. This is yet another sad account of members of the Legislature seeking to achieve a certain laudable goal by passing legislation that is actually very harmful.

For this reason, I return LD 623 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item An Act To Expand Maine's Carbon Monoxide Detectors Law

(S.P. 216) (L.D. 623)
(C. "A" S-290)

In Senate, July 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

25 voted in favor and 6 against, and 25 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **FREDETTE**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **FREDETTE**: Mr. Speaker, my understanding is that this was Senator Diamond's bill, and my understanding was that this bill may or may have not been amended in the other body. Is that accurate or is this strictly the vote from the other body?

The SPEAKER: There were no amendments made in the other body.

The Chair recognizes the Representative from Vassalboro, Representative Fowle.

Representative **FOWLE**: Thank you, Mr. Speaker, I was going to say I know the other body was talking about the Senator, the sponsor of the bill, had came and said that he would...

The SPEAKER: Would the Representative defer? Members are not permitted to talk about the actions of the other body.

The Chair reminded all members that it is inappropriate to refer to the potential action of the other body in order to influence the vote of the House.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 465V

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hobart, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Moonen, Morrison, Nadeau, Nutting, Parry, Peterson, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Schneck, Short, Skolfield, Stanley, Sukeforth, Tepler, Timmons, Tipping-Spitz, Tucker, Tuell, Verow, Ward, Warren, Welsh, White, Mr. Speaker.

NAY - Austin, Battle, Black, Chace, Dillingham, Dunphy L, Edgcomb, Espling, Farrin, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Hilliard, Kinney M, Lockman, Long, Lyford, Maker, McClellan, McElwee, O'Connor, Picchiotti, Pickett, Pierce J, Pouliot, Reed, Sanderson, Sawicki, Seavey, Sirocki, Stetkis, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Winsor, Wood.

ABSENT - Buckland, Chapman, Crafts, Head, Herrick, Hobbins, Malaby, Monaghan, Pierce T, Saucier, Shaw, Sherman, Stearns, Stuckey.

Yes, 93; No, 43; Absent, 14; Vacant, 1; Excused, 0.

93 having voted in the affirmative and 43 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

The Following Communication: (H.C. 347)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

July 8, 2015

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Agriculture, Conservation and Forestry during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

56 Total Number of Bills and Papers
38 Unanimous Reports
19 Ought Not To Pass
6 Ought To Pass
13 Ought To Pass As Amended
11 Divided Reports
6 Carried Over
1 Gubernatorial Nomination
Respectfully Submitted,
S/Peter E. Edgecomb
Senate Chair
S/Craig V. Hickman
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 348)
STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS

July 8, 2015
Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333
Dear President Thibodeau and Speaker Eves:
We are pleased to report that all business which was placed before the Joint Standing Committee on Appropriations and Financial Affairs during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:
62 Total Number of Bills and Papers
12 Unanimous Reports
6 Ought Not To Pass
6 Ought To Pass As Amended
8 Divided Reports
41 Carried Over
1 Gubernatorial Nomination
Respectfully Submitted,
S/James M. Hamper
Senate Chair
S/Margaret R. Rotundo
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 349)
STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

July 8, 2015
Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333
Dear President Thibodeau and Speaker Eves:
We are pleased to report that all business which was placed before the Joint Standing Committee on Criminal Justice and Public Safety during the First Regular Session of the 127th

Legislature has been completed. The breakdown of bills and papers before our committee follows:
85 Total Number of Bills and Papers
37 Unanimous Reports
12 Ought Not To Pass
5 Ought To Pass
19 Ought To Pass As Amended
1 Referred to Another Committee
40 Divided Reports
1 Leave to Withdraw
6 Carried Over
1 Gubernatorial Nomination
Respectfully Submitted,
S/Kimberley C. Rosen
Senate Chair
S/Lori A. Fowle
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 350)
STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

July 8, 2015
Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333
Dear President Thibodeau and Speaker Eves:
We are pleased to report that all business which was placed before the Joint Standing Committee on Education and Cultural Affairs during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:
132 Total Number of Bills and Papers
93 Unanimous Reports
47 Ought Not To Pass
5 Ought To Pass
40 Ought To Pass As Amended
1 Referred to Another Committee
29 Divided Reports
1 Leave to Withdraw
6 Carried Over
3 Gubernatorial Nominations
Respectfully Submitted,
S/Brian D. Langley
Senate Chair
S/Victoria P. Kornfield
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 351)
STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

July 8, 2015
Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Energy, Utilities and Technology during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

76 Total Number of Bills and Papers
48 Unanimous Reports
22 Ought Not To Pass
3 Ought To Pass
23 Ought To Pass As Amended
15 Divided Reports
12 Carried Over
1 Gubernatorial Nomination

Respectfully Submitted,

S/David Woodsome

Senate Chair

S/Mark Dion

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 352)

STATE OF MAINE

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

52 Total Number of Bills and Papers
37 Unanimous Reports
19 Ought Not To Pass
3 Ought To Pass
15 Ought To Pass As Amended
9 Divided Reports
2 Leave to Withdraw
4 Carried Over

Respectfully Submitted,

S/Thomas B. Saviello

Senate Chair

S/Joan W. Welsh

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 353)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Health and Human Services during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

170 Total Number of Bills and Papers
93 Unanimous Reports
51 Ought Not To Pass
6 Ought To Pass
34 Ought To Pass As Amended
2 Referred to Another Committee

56 Divided Reports

4 Leave to Withdraw

17 Carried Over

Respectfully Submitted,

S/Eric L. Brakey

Senate Chair

S/Andrew M. Gattine

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 354)

STATE OF MAINE

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Inland Fisheries and Wildlife during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

69 Total Number of Bills and Papers
43 Unanimous Reports
23 Ought Not To Pass
4 Ought To Pass
14 Ought To Pass As Amended
2 Referred to Another Committee

23 Divided Reports

3 Carried Over

Respectfully Submitted,

S/Paul T. Davis

Senate Chair

S/Michael A. Shaw

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 355)

**STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

July 8, 2015

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Insurance and Financial Services during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

53 Total Number of Bills and Papers

28 Unanimous Reports

11 Ought Not To Pass

2 Ought To Pass

15 Ought To Pass As Amended

17 Divided Reports

6 Carried Over

2 Gubernatorial Nominations

Respectfully Submitted,
S/Rodney L. Whittemore
Senate Chair

S/Henry E. M. Beck

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 356)

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

July 8, 2015

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Judiciary during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

143 Total Number of Bills and Papers

86 Unanimous Reports

24 Ought Not To Pass

12 Ought To Pass

50 Ought To Pass As Amended

21 Divided Reports

1 Leave to Withdraw

18 Carried Over

17 Gubernatorial Nominations

Respectfully Submitted,
S/David C. Burns
Senate Chair

S/Barry J. Hobbins

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 357)

**STATE OF MAINE
ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

July 8, 2015

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Labor, Commerce, Research and Economic Development during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

152 Total Number of Bills and Papers

85 Unanimous Reports

51 Ought Not To Pass

8 Ought To Pass

26 Ought To Pass As Amended

55 Divided Reports

4 Leave to Withdraw

7 Carried Over

1 Gubernatorial Nomination

Respectfully Submitted,

S/Amy F. Volk

Senate Chair

S/Erin D. Herbig

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 358)

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

July 8, 2015

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
127th Maine Legislature
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Marine Resources during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

28 Total Number of Bills and Papers

20 Unanimous Reports

9 Ought Not To Pass

1 Ought To Pass

10 Ought To Pass As Amended

4 Divided Reports

1 Leave to Withdraw

3 Carried Over

Respectfully Submitted,

S/Linda L. Baker

Senate Chair

S/Walter A. Kumiega

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 359)

STATE OF MAINE

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on State and Local Government during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

70 Total Number of Bills and Papers

31 Unanimous Reports

15 Ought Not To Pass

6 Ought To Pass

10 Ought To Pass As Amended

31 Divided Reports

1 Leave to Withdraw

7 Carried Over

Respectfully Submitted,

S/Rodney L. Whittemore

Senate Chair

S/Roland Danny Martin

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 360)

STATE OF MAINE

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON TAXATION**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Taxation during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

116 Total Number of Bills and Papers

90 Unanimous Reports

61 Ought Not To Pass

3 Ought To Pass

26 Ought To Pass As Amended

21 Divided Reports

5 Carried Over

Respectfully Submitted,

S/Earle L. McCormick

Senate Chair

S/Adam A. Goode

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 361)

STATE OF MAINE

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

July 8, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Transportation during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

98 Total Number of Bills and Papers

85 Unanimous Reports

43 Ought Not To Pass

8 Ought To Pass

33 Ought To Pass As Amended

1 Referred to Another Committee

8 Divided Reports

4 Carried Over

1 Gubernatorial Nomination

Respectfully Submitted,

S/Ronald F. Collins

Senate Chair

S/Andrew J. McLean

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 362)

**ONE HUNDRED AND TWENTY SEVENTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

July 9, 2015

Honorable Michael D. Thibodeau

President of the Senate

Honorable Mark W. Eves

Speaker of the House

127th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

We are pleased to report that all business which was placed before the Joint Standing Committee on Veterans and Legal Affairs during the First Regular Session of the 127th Legislature has been completed. The breakdown of bills and papers before our committee follows:

103 Total Number of Bills and Papers

79 Unanimous Reports

47 Ought Not To Pass

2 Ought To Pass

29 Ought To Pass As Amended

1 Referred to Another Committee

15 Divided Reports

3 Leave to Withdraw

6 Carried Over

Respectfully Submitted,

S/Scott W. Cyrway

Senate Chair

S/Louis J. Luchini
House Chair

READ and ORDERED PLACED ON FILE.

At this point, a message came from the Senate borne by Senator CUSHING of Penobscot, of that Body, informing the House that the Senate was ready to adjourn without day.

The Speaker appointed Representative McCABE of Skowhegan on the part of the House to inform the Senate that the House was ready to adjourn without day.

The Speaker appointed the following members on the part of the House to wait upon his Excellency, Governor PAUL R. LePAGE, and inform him that the House was ready to adjourn without day:

Representative LUCHINI of Ellsworth
Representative LONGSTAFF of Waterville
Representative SCHNECK of Bangor
Representative GOLDEN of Lewiston
Representative KINNEY of Limington
Representative TURNER of Burlington
Representative DILLINGHAM of Oxford
Representative HANINGTON of Lincoln

Subsequently, the Committee reported that they had delivered the message with which they were charged.

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

Speaker **EVES** : We have taken up our last remaining items. There is no other business before the House. The other body has also concluded their work. They're saying some remarks and will be adjourning *Sine Die* shortly.

Prior to us doing that, I just wanted to thank all of you and all of the nonpartisan staff and offices, all the partisan staff in all the offices. We went through a long, six plus months, and just wanted to acknowledge everybody's commitment and passion to what the people of your district elected you to do and come here and represent them. It was longer than we had all anticipated or maybe wanted, but I just wanted to take a moment to thank all of you, to thank the Clerk's office, to thank the nonpartisan offices that really are the glue that hold this place together. So, please join me in a round of applause of thanking the Clerk's office and the nonpartisan offices.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette, who wishes to address the House on the record.

Representative **FREDETTE**: Yes, thank you, Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, very briefly, I wanted to reiterate exactly the words of the Speaker. When I spoke earlier about the 151 in this body, and the 35 in the other body that represents, collectively, a branch of government, nothing that we do here could get done without the hard work of everybody in the nonpartisan staff—the legislative, the partisan offices, the Clerk's office and whatnot, our folks, we had 43 new

folks on this side of the aisle this year and I think everybody treated them in a very fair and courteous way. And, we've all been baptized now and I look forward to our return in January. But certainly, we want to thank all of them and appreciate all of the hard work that they put forward in this endeavor as well. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe, who wishes to address the House on the record.

Representative **McCABE**: Thank you, Mr. Speaker, I just rise to echo the comments and sentiment of the good Representative from Newport, Representative Fredette, in thanking all the partisan and nonpartisan staff for the work that they do. So many folks put up with the challenges that we bring to them, they solve our problems, and we are a better body and better people for that.

And, I also rise to thank the members on both sides of the aisle for putting on hold their families, as well as their work, their recreational activities, and other items as well, to be here and do the work of the people of Maine. So, thank you, everyone.

On motion of Representative CAMPBELL of Newfield, the House adjourned without day at 5:58 p.m., Thursday, July 16, 2015, in honor and lasting tribute to the memory of the Honorable William F. Noon of Sanford.