

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 6, 2016

beginning at page H-1188

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
SECOND REGULAR SESSION
19th Legislative Day
Tuesday, March 8, 2016

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

Prayer by Pastor Steve Smith, Orono United Methodist Church and Alton United Methodist Church.

National Anthem by Steve Smith, Orono.

Pledge of Allegiance.

Doctor of the day, Honorable Patricia Hymanson, M.D., York.

The Journal of Thursday, March 3, 2016 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 462)

**STATE OF MAINE
127TH MAINE LEGISLATURE**

February 29, 2016

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

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Convention of the 127th Maine Legislature on Wednesday, March 9, 2016 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 463)

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

March 8, 2016

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

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

On March 4, 2016

Suzanne K. Grover of Norway

Paula D. Silsby of Portland

Michael A. Thibodeau of Presque Isle

for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

On March 7, 2016

David R. Ciullo of Springvale

for appointment to the State Civil Service Appeals Board.

Pursuant to Title 5, MRSA §7081, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on State and Local Government.

Philip A. Brookhouse of Auburn

for appointment to the Board of Trustees, Maine Public Employees Retirement System.

Pursuant to Title 5, MRSA §17102, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Appropriations and Financial Affairs.

Donald F. Dudley of Patten

Richard A. Fortier of Caribou

Gunnar J. Gundersen of Walpole

for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA §10151, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

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

Representative **BROOKS**: Thank you, Mr. Speaker, Women and Men of the House, it is my great honor to welcome the Lewiston Blue Devils Class A State Champion soccer team to the House today. They're coached by Coach Mike McGraw, who has coached the team for 33 years. They had an undefeated season this year. They were nationally ranked in the top 25 in the country by a *USA Today* poll. They demonstrated the epitome of teamwork. They worked together and they help bring our community together. They were one team and they demonstrated persistence, resilience, and they were certainly dedicated to the community and to their sport.

I'd like to mention the names of the people who worked so hard to bring the championship to Lewiston and to the great State of Maine. The seniors were: Abdirizak Ali, Dek Hassan, Hassan Qeyle, Zakariya Abdulle, Mohamed Khalid, Maslah Hassan, Abdi Shariff, Mohamed Abdisalan, Ben Doyle, Abdulkarim Abdulle, Austin Wing. The juniors were: Abdiaziz Shaleh, Maulid Abdow, Joseph Kalilwa, Hassan Hassan, Mwesa Mulonda, Ian Hussey, Benjamin Musese. The sophomores were: Noralddin Othman, Muktar Ali, Yusaf Mohamed, Timo Teckenberg, Ryan Bossie, Evan Cox, and Alex Rivet. Their coaches were coach Mike McGraw, Abdijabar Hersi, Per Henrickson, and Dan Gish. And we're really grateful to have them all with us today and they really are a bright spot for our community and I want to thank the House for welcoming them here today. Thank you, Mr. Speaker.

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

Representative **ROTUNDO**: Thank you, Mr. Speaker, Men and Women of the House, after the Lewiston High School soccer team won the State A Championship in November, Justin Pelletier, sports writer for the *Sun Journal*, wrote a wonderful article about the team and their coach, Mike McGraw, that was entitled, "Together, Everyone Achieves More."

In the article, he talked about how the players, many of whom had escaped war-torn regions of the world, had come from Turkey, the Congo, Kenya, Somalia, Germany, and the United States. He talked about how this championship had pulled

together our community to cheer them on, a community made up of young, old, white, black, Somali, Muslim, Roman Catholic, and Protestant. And finally, he talked about how Coach McGraw credited that crucial winning goal in the championship to the ability of this team to work together. Coach McGraw was quoted as saying, "Our kids know if they don't do it all together, if all the pieces don't work together efficiently, it doesn't get done." We offer our warmest congratulations to the team and their coaches on their hard work and impressive win. We thank them for helping to bring our community together, and we thank them for the lessons they have taught all of us in this process: working together, everyone achieves more. Thank you.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax"

(H.P. 1115) (L.D. 1638)

Sponsored by Representative MALABY of Hancock.
Cosponsored by Senator BRAKEY of Androscoggin and Representatives: GATTINE of Westbrook, HEAD of Bethel, SANDERSON of Chelsea, VACHON of Scarborough.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Assist Maine Citizens Residing along Public Easements"

(H.P. 1114) (L.D. 1637)

Sponsored by Representative HILLIARD of Belgrade. (GOVERNOR'S BILL)

Cosponsored by Senator SAVIELLO of Franklin.
Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

John Willinski, of Milo, who celebrated his 90th birthday on November 10, 2015. Mr. Willinski was born in Lake View Plantation and is a proud 2nd generation Polish-American. He served his country in the United States Navy during World War II, joining in June 1943 and serving for 2 years aboard the USS *Swanning*, a destroyer escort engaged in antisubmarine warfare. After the war, he went on to have a 40-year career with the

Bangor and Aroostook Railroad, working in the Derby Car Shop. We extend to Mr. Willinski our congratulations and best wishes;

(HLS 1066)

Presented by Representative HIGGINS of Dover-Foxcroft.
Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative HIGGINS of Dover-Foxcroft, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

Recognizing:

Bernard W. Kinney, of Milo, who celebrated his 90th birthday on January 6, 2016. Mr. Kinney was born in Atkinson. He served his country in the United States Army Air Corps during World War II, joining in 1943 and serving until 1946. After the war, he went on to have a distinguished career in the aerospace industry in the United States and Canada. He is a member of the Joseph P. Chaisson American Legion Post No. 41 in Milo and a member of the Veterans of Foreign Wars. We extend to Mr. Kinney our congratulations and best wishes;

(HLS 1067)

Presented by Representative HIGGINS of Dover-Foxcroft.
Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative HIGGINS of Dover-Foxcroft, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

Recognizing:

Rex Rhoades, of Auburn, Executive Editor of the *Sun Journal* in Lewiston since 1997, on the occasion of his retirement after 40 years of working in journalism. Mr. Rhoades began working as a reporter in 1976 at *The Lewiston Sentinel* in Pennsylvania. He served as editor of *The Torrington Telegram* in Wyoming from 1977 to 1979 and at *The Sandusky Register* in Ohio from 1979 to 1997. Mr. Rhoades became the executive editor of the *Sun Journal* in Lewiston in 1997. Mr. Rhoades has been the recipient of numerous commendations, including the Maine Press Association's Journalist of the Year in 1999. He has been active in the community, serving on the steering committee for L/A Excels, a strategic alliance representing a coalition of community leaders, and serving on the board of the Abused Women's Advocacy Project, the St. Mary's Regional Hospital board and the Education and Regional Image Committee for the Androscoggin County Chamber of Commerce. We acknowledge his longtime commitment to journalism and to his community and we extend our congratulations and best wishes to Mr. Rhoades on his well-deserved retirement;

(HLS 1068)

Presented by Representative ROTUNDO of Lewiston.

Cosponsored by Representative MELARAGNO of Auburn, Senator BRAKEY of Androscoggin, Representative BICKFORD of Auburn, Representative SAWICKI of Auburn, Representative LAJOIE of Lewiston, Senator LIBBY of Androscoggin, Representative GOLDEN of Lewiston, Representative BROOKS of Lewiston.

On **OBJECTION** of Representative ROTUNDO of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **ROTUNDO**: Thank you, Mr. Speaker, Men and Women of the House, I'm very pleased that we're recognizing Rex Rhoades today and honoring his distinguished career in journalism. Rex is a person of great professional and personal integrity and the people of Maine have benefitted enormously from the high standards of journalism excellence that he holds. He and his family have enriched our community and our state enormously and I just wish him and his wonderful wife Luanne the very best as they start the next chapter of their lives. Thank you.

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

Recognizing:

the Honorable Walter A. Wheeler, Sr., of Kittery, who celebrated his 90th Birthday on November 13, 2015. A veteran of World War II, Mr. Wheeler served in the United States Navy and participated in the D-Day Allied invasion of Normandy, France. He served on ships in the Pacific, Atlantic and European theaters, was honorably discharged in April 1946 and served 4 years in the Naval Reserves. He went on to work as a machinist and as an instructor at the Portsmouth Naval Shipyard. From 2003 to 2010, Mr. Wheeler served in the House of Representatives, where he worked to help Maine veterans and to improve transportation safety, and he was a tireless advocate for senior citizens. We extend to Mr. Wheeler our congratulations on his birthday and offer him our best wishes;

(HLS 1069)

Presented by Representative RYKERSON of Kittery. Cosponsored by Senator HILL of York, Representative BEAVERS of South Berwick, Speaker EVES of North Berwick, Representative BLUME of York.

On **OBJECTION** of Representative RYKERSON of Kittery, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **RYKERSON**: Thank you, Mr. Speaker, Men and Women of the House, Walter A. Wheeler is the greatest guy of the greatest generation. A vocational education allowed Walt to become a machinist with a job at the Portsmouth Naval Shipyard and he's a lifelong member of the Machinist Union. He participated in the D-Day invasion as a Navy gunner, firing as fast as humanly possible, and he's now the last World War II veteran to have served in the Maine Legislature.

From 2003 to 2010, "Everybody loves Walt." Walt is a mainstay. He's the grandfather of Kittery. He's in the Mason's, the Fish and Game Club, and the Veterans of Foreign Wars. He respects those who fight for his country and he's a Pease Greeter, welcoming troops leaving and coming from overseas. He's been instrumental in maintaining cemeteries around the State of Maine and Gerry Wheeler is also here today. She's the wife of 56 years, seen everywhere in the community volunteering for all the good causes. Around this time of year, she becomes a very effective detective, tracking down all the people on the Treasurer's unclaimed property list. Last year, she returned almost \$70,000 to recipients. Walt and Gerry have eight children, 23 grandchildren, 28 great-grandchildren and six great-great-grandchildren, and one more grandchild's on the way.

And Walt was an expert door-to-door knocker, with lessons from Gerry. He would hit the neighborhoods three times to make sure he met everybody. His last term was unopposed and he still

did the doors. In 2012, Walt showed me the ropes about knocking on doors and one Saturday afternoon he walked my legs off for three and a half hours. I later found out that he was also a little tired from that day. I've rarely met as fine a person as Walt Wheeler and now that he's 90, it's time to welcome him back into this chamber. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, it's my pleasure here to rise today to recognize Representative Walt Wheeler. When I came in the 122nd, Walt was already the senior member of the Maine House. After the 123rd, when I stepped down, he was still the senior member of the Maine House. The other day in committee I mentioned a quote. Herbert Hoover lived on into the 1950's and 1960's after suffering the difficulties of the late 1920's and early '30's and John Kennedy asked him, "What's the secret of your popularity?" And Hoover's response was, "Longevity."

Well, I want to say that Representative Wheeler's popularity goes well beyond longevity. He was a wonderful ambassador and Representative for his constituents. But his smile and the respect and affection that he commanded from the 122nd and 123rd, I don't know if I've ever seen it given to another such Representative. So, it is my great pleasure today to see him visit us on this day. Thank you.

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 totally concur with everything that's been said so far and just wanted to let you know what an inspiration Walt was to me through my various campaigns. And we call him, in southern York, we call him the "Ever Ready" bunny because he had more energy than five of the rest of us. And he also, while here, was diagnosed with cancer, I think, a couple of times and he would make sure his treatments didn't interfere with coming here. He always was here and he really is somebody to be honored in many ways. Thank you.

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 had the honor my first eight years up here serving with Walt and Walt and I and Herbie Clark used to pal around a little bit together. And Walt used to look at Herbie and say, "That's old." Then he'd look at me and he'd say, "That's older." And then he'd look at himself and he'd say, "And this is the oldest." Welcome back and happy birthday, Walt.

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

Representative **FOLEY**: Thank you, Mr. Speaker, I would be remiss if I didn't stand up as a Kittery boy. Growing up in Kittery, the Wheeler's were a well-known family. They were always there at the sporting events and supporting the kids of Kittery. I'm no longer a resident of Kittery, but I have a fond memory of the Wheeler's and I want to welcome them here today and wish him a happy birthday.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-371)** on Bill "An Act To Reduce the Trafficking of Illegal Drugs in the State" (S.P. 596) (L.D. 1534)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-372)** on same Bill.

Signed:

Representative:

LONG of Sherman

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-371)**.
READ.

Representative FOWLE of Vassalboro moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 485

YEA - Alley, Babbidge, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Edgecomb, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Gattine, Gerrish, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Harrington, Hawke, Head, Herbig, Hickman, Higgins, Hobart, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Moonen, Morrison, Nadeau, Ordway, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Sherman, Short, Stanley, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Verow, Ward, Warren, Welsh, White, Mr. Speaker.

NAY - Austin, Black, Chace, Crafts, Dillingham, Espling, Farrin, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley,

Herrick, Hilliard, Kinney J, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sirocki, Skolfeld, Stearns, Stetkis, Turner, Vachon, Wadsworth, Wallace, Winsor, Wood.

ABSENT - Bates, Bickford, Dion, Dunphy L, Frey, Hobbins, Kinney M, Marean, Monaghan, Sawicki, Stuckey, Sukeforth. Yes, 98; No, 41; Absent, 12; Excused, 0.

98 having voted in the affirmative and 41 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-371)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 9, 2016.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass** on Bill "An Act To Update the Laws Governing the Maine Veterans' Homes" (S.P. 586) (L.D. 1524)

Signed:

Senators:

CYRWAY of Kennebec
COLLINS of York
PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth
GOLDEN of Lewiston
KINNEY of Limington
LONGSTAFF of Waterville
SAUCIER of Presque Isle
SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-368)** on same Bill.

Signed:

Representatives:

DILLINGHAM of Oxford
HANINGTON of Lincoln
TURNER of Burlington

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.
READ.

On motion of Representative LUCHINI of Ellsworth, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 9, 2016.

Six Members of the Committee on **TAXATION** report in Report "A" **Ought to Pass pursuant to the Maine Revised Statutes, Title 36, section 199-E** on Bill "An Act To Provide Tax Revenue To Offset Transfers to the Maine Clean Election Fund" (H.P. 1110) (L.D. 1634)

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

GOODE of Bangor
MOONEN of Portland
RUSSELL of Portland

STANLEY of Medway
TEPLER of Topsham

Six Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-540) pursuant to the Maine Revised Statutes, Title 36, section 199-E** on same Bill.

Signed:

Senators:

McCORMICK of Kennebec
DAVIS of Piscataquis

Representatives:

BICKFORD of Auburn
CHACE of Durham
SEAVEY of Kennebunkport
SKOLFIELD of Weld

READ.

Representative GOODE of Bangor moved that the House **ACCEPT** Report "A" **Ought to Pass pursuant to the Maine Revised Statutes, Title 36, section 199-E.**

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

Representative FREDETTE: Thank you, Mr. Speaker. Mr. Speaker, thank you. I, first of all, would like to object that this bill is improperly before the body. This body did vote and act upon LD 341, which was An Act To Prevent Tax Haven Abuse. This bill is very similar in form and substance. We would be making objection that this bill is improperly before the body at this point in time.

The same Representative asked the Chair to **RULE** if the Bill was properly before the body.

The SPEAKER: Having anticipated the question, the Member has question as to whether LD 1634 is in violation of Joint Rule 217, and therefore properly before the body. The Chair is prepared to rule on this now.

The Taxation Committee was tasked with reporting out legislation to eliminate corporate tax expenditures pursuant to the Initiated Bill 2015, Chapter 1. The Majority Report of the committee proposes to offset the annual transfer of \$3 million in General Fund revenue to the Maine Clean Election Fund by requiring corporations that file unitary income tax returns in Maine to include income from certain jurisdictions outside the United States in net income when apportioning income among jurisdictions.

The member has questioned whether LD 1634 is a measure that has been previously rejected in a previous session, named LD 341, An Act To Prevent Tax Haven Abuse. Although similar in nature, there are significant substantive differences between the measures. LD 1634 uses a mechanism with similarities to LD 341. However, it incorporates an annual review of jurisdictions affected by the State Tax Assessor. Additionally, LD 1634 cites a specific use for the funds as outlined in the Initiated Bill 2015, Chapter 1, whereas LD 341 does not.

The list of jurisdictions cited in LD 1634 is pared down from the original list as proposed in LD 341, an important substantive difference between the measures. LD 1634 also requests a General Fund allocation for two staff attorney positions, one tax analyst position, and computer programming charges. LD 341 has no such funding allocations.

Citing these substantive differences between the measures, the Chair would rule that LD 1634 is properly before the body. And the pending question is "Shall the House accept Report A."

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

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

Representative FREDETTE: Thank you, Mr. Speaker. Mr. Speaker, I would suggest that this would be something that we should not support and I'm going to ask for a roll call. Thank you.

The SPEAKER: The Chair would inquire as to is the ruling appealing the ruling of the Chair?

Representative FREDETTE: No, your honor. We had judges in the caucus this morning and so I'm being good, your honor. Mr. Speaker, we request a roll call on the underlying bill.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass pursuant to the Maine Revised Statutes, Title 36, section 199-E.**

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 Kennebunkport, Representative Seavey.

Representative SEAVEY: Thank you, Mr. Speaker, Men and Women of the House, this bill is a result of the referendum that was passed last November. In that referendum, it increased funding for the Maine Clean Elections Act, as you know, and it asked the Taxation Committee to repeal certain business tax credits to pay for it. Neither the Democrats nor the Republicans on the committee chose to take this kind of approach because all business tax credits right now are under a 2-year review by the OPEGA, under the direction of the Government Oversight Committee and the Taxation Committee.

The Taxation Committee agreed to let the study be completed before taking any action on business tax credits. So, when the committee had to decide how to pay for it, we broke along party lines. The two reports, the Republican report, which simply increased the funding but it let the Appropriations Committee take it out of the General Fund. This report, we are dealing now with tax increases on a specific part of the corporate income tax. It penalizes Maine businesses that have operations in other countries.

These particular corporations are not tax dodgers, but compliant tax payers. They pay all Maine taxes: income, payroll, sales, property. This report, coupled with tax conformity, sends the message and the reality that Maine is not competitive with other states in its tax policy, but is instead punitive. These corporations filing a unitary tax are not shielded from paying profits in other countries, but it would impose an extra territorial tax on them.

This tax increase should be defeated for the following reasons: it hurts the state's efforts to attract and retain foreign investment, it damages Maine competitiveness, it penalizes legitimate business activities, it violates the spirit of bilateral tax treaties, it invites retaliatory legislation from other countries aimed at Maine businesses, it has possible constitutional issues, it increases taxpayer costs. And a lot of jobs in the companies that this bill targets are manufacturing jobs and we know that manufacturing cannot take another hit in this state. I urge you to vote red on the pending motion. Thank you.

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

Representative GOODE: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, we worked on this a number of times in the Taxation Committee. Just wanted to have your attention for a few moments to remind you that last fall voters supported Question 1 by 10 percentage points, 55 percent to 45 percent. I know that Members of this body have very different opinions on the value of clean elections, but I do believe

that in the history of Maine politics, if you were to ask people, "What is a landslide vote," that a statewide vote of 55 percent to 45 percent, that is a wide margin. That is a vote where people decidedly wanted us to fund clean elections, to support making sure that there wasn't an undue influence of money in politics. And that happened last fall.

As the Chair of the committee, I can say that everybody on the committee, regardless of their opinion on clean elections worked this bill and tried to find a solution. As the Chair, I floated some things in committee that I thought would be a place where we could land the unanimous report. It just wasn't there. I think Maine voters are smart. It was not a secret that they expected us to fund this out of money from corporate tax loopholes. And in my time on the Taxation Committee, I cannot think of a policy that is more in line with that intention of voters than to make sure that we're claiming the \$10 million we lose every year through the use of offshore tax havens.

This is a real thing. There are multiple states that address the use of foreign tax havens. The Supreme Court has ruled twice on the constitutionality of international combined reporting, which is what this bill does. *Container Corporation vs. California* in 1983 and *Barclays Bank vs. California* in 1994 are both rulings around this being a constitutional policy that we can go forward with. A number of us have heard about lost revenue through the use of internet purchases and the same type of policies that are used for states to claim the revenue they lose through online purchases around sales tax are the same type of policies that corporations use to claim offshore tax haven money.

And the Representative from Kennebec, my counterpart, Representative Seavey, mentioned manufacturing jobs and when I think of the type of example of a company that's doing this, the example that comes up in the modern economy most often is Apple and everybody buys products that Apple sells in Maine and I think Apple is used as the company that is using offshore tax loopholes as a way to skirt their responsibility to make public investments. I think people are going to buy products from Apple, whether we pass this bill or not, in our state. And I think that if a company is making a lot of money off of sales in Maine, as Apple does, that they should pay the same income taxes and corporate taxes that a mom-and-pop store or a regular property tax payer have to pay.

And just, lastly, I would just reiterate that this was passed by a wide margin. Voters knew what they were doing and I think that they expected us to pay for this through corporate tax expenditures. And it just seems very ironic, or wrong, or just, you know a symbol of all the things that are wrong with the world that a company could use an offshore tax haven, not pay the income taxes or the corporate taxes that local mom-and-pop store do or property tax payers do, and then bank money from not paying their taxes and use it to influence our elections. I think that's why people voted to pass this, is because they want candidates who run for the Legislature to have backing from regular people.

The idea that Apple could not pay the same taxes that everybody in this room does and a lot of constituents do, and then use the money to fund candidates who run for office is the total opposite of what people voted for. So, I'm sorry that we couldn't get a unanimous report, but I'm proud to support the motion before us today. Thank you, Mr. Speaker.

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

Representative **PARRY**: Thank you, Mr. Speaker, I wasn't planning on getting up and speaking until my good friend from Bangor mentioned about the landslide victory. To me, it's never a landslide victory when a fraction of the voters actually vote. I was very disappointed in the outcome. The whole campaign on

clean elections was to get the big money out of politics. I don't understand how putting triple the money in gets the big money out of politics. But just to answer the good Representative from Bangor, it's not a landslide victory when a fraction of the voting public votes and I think it was about 10 towns in Maine gave the majority to that referendum vote.

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, having served on Veterans and Legal Affairs for many years—not this term—I have had a front row seat to this debate for a very long time. First and foremost, we could've fixed this issue well before the voters decided to bring it back to the people of Maine for a second decision, but folks decided that they did not want to fix the matching funds. However, one of the things that was fascinating about that conversation that we had at the Veterans and Legal Affairs Committee were all the members of my good friends across the aisle who consistently said, "We believe this needs to go back to the voters. We do not believe that the voters support this. We believe there needs to be another referendum." Well, you're welcome. There was another referendum.

And I have never heard anyone suggest that any election should be invalidated by the number of people who show up to the polls. That is what democracy is at its core. We were elected based on the number of people that showed up to the polls. Maybe we should be invalidated because there weren't enough people to show up to the polls. Maybe, unless we have 100 percent voting, we should not listen to the people of Maine. Is that what we're asking today?

I have seen a stunning pattern of behavior lately, where we are taking people's initiatives and compromising them. This was passed at the ballot box. They did not ask us politely. They asked us politely year after year after year to fix the public financing system. To not gut it over and over again. When the *McComish* decision occurred that gutted the clean elections system's matching funds, we had opportunity after opportunity after opportunity to fix it. When we chose not to do that because we could not agree on a path forward—and I would argue that, I believe, if I recall correctly, that many of the votes on the opposing side of the aisle were not alternative proposals so much as they were Ought Not to Pass.

We have an opportunity to do what the people directed us by statute to do. We were directed by a statute to do this. And we have put forth the best proposal that genuinely follows the integrity and the spirit of the law that was passed by the people of this state. If we are going to have a pattern of undermining the votes of the people, those people are going to turn around and take away our right to sit in these chairs and maybe they should. Public financing is not a question anymore as to whether the people of Maine want this or not. They have said, not once, but they have said twice that they would like a robust financed public financing system. The debate over whether clean elections should exist or not is officially over. Using a budget tactic to shut it down is absolutely indefensible. We owe the people of Maine better than that. And if we do not deliver for the people of Maine, then we do not deserve to sit in these seats. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker, I wasn't planning on speaking on this today either, but in reference to the Representative from Bangor, in speaking of the, you know, the landslide victory on Question 1, I'd like to set the record straight. Out of the nearly one million voters in the State of Maine,

Question 1 passed by a mere 20,000 votes. And one thing that people will find surprising, or maybe not, those of us from rural Maine, we're used to this sort of thing happening over the years: 16,000 of the 20,000 votes that put Question 1 over the top, came from one county. The vast majority of towns throughout our state voted against this legislation. And if we're to follow the will of the people as suggested, I would look to the vast majority of the state that voted against this. I know my constituents voted against this nearly 70 to 30. Again, this is one county overwhelmingly imposing their will on the rest of the state. Thank you, Mr. Speaker.

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

Representative **TEPLER**: Thank you, Mr. Speaker, Men and Women of the House, I can't imagine any Member of this chamber turning down their election to the chamber based on the fact that one town in their district, which was more populous than other towns and voted for them overwhelmingly, that they would turn down their election because the other towns didn't vote for them. So, I think that the question that the good Members of the other side of the aisle have brought forward is somewhat moot in this case.

What I will say, is that there was a compromise offered in our committee and a discussion about a compromise that involved waiting a year before we fully implemented the language of the referendum, waiting for some of the work that's being done by OPEGA in evaluating our tax expenditures. However, the members on the other side of the aisle turned down this compromise and so we decided to move forward with this Divided Report.

I will also say that I strongly respect the voice of the voters and the Republican amendment, I'm sorry, the amendment of the Members of the other side of the aisle on our committee, changes the language of the referendum that was passed by the voters and that is of great concern to me.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, I was sitting here, sitting, searching the database for folks who have registered as candidates. And I look around the room and I think that there's many people who have actually registered to run for election, registered to run for re-election, and feel so strongly that they've actually signed up as clean elections candidates.

So they've decided it's okay to accept the funds from clean elections, it's okay to let their constituents know that they've decided to run as clean elections candidates, but today, there's a bill before us and they don't want to actually support the funding for clean elections. So I think before we take that vote today, I hope that folks think long and hard. I think there'll be future debates on this subject. But just think to yourself: Have I registered as a clean elections candidate and what type of message am I sending today? Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm one of those people that are registered to run clean election, but I'm also one of them that voted against the referendum. And the people in my area, which are really feeling the hurt of the economic stress in that area, did not, in any way, shape, or form, vote for increasing Maine clean elections three-fold. And when I've been out talking to those people and explaining to them just what this referendum did, they look at me with horror.

Now, that doesn't excuse the fact that they could've looked into it and saw in more detail what was going on when they cast their votes across the state. But these people voted, the average in my five towns was 54 percent against. And by the measure of the good Representative from Bangor, that was a landslide decision. So, therefore, I, you know, I would strongly say that when it comes to this, I will be voting against it and I think that we should go back to exactly where we need to be. Follow the law and do what the referendum said. Thank you.

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

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House, I'm sure that I'm not telling anyone anything that they don't already know, but when we took the oath, we said we'd abide by the laws of Maine. The people have adopted this law, whether we like it or not. And our responsibility is to make sure that we follow through with the requirements of that vote that people gave us.

Finally, I just want to end up with one side comment. Every now and then, especially myself, we tend to make jokes about Portland. But I do want to point out that Cumberland County is part of Maine.

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

Representative **SIROCKI**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, it's my understanding that there are two ways to enact laws in the State of Maine. One is through the legislative process and one is through the direct initiative. Both ways also give the opportunity to amend laws after the fact and I would like to make sure that everyone here understands that there was about \$1.1 million left in the clean election fund that was unspent last year. \$3 million has been transferred. The 2016 obligation has been met. And an additional half million is being forwarded in advance and that will be taken from the 2017 yearly allotment. So, we are already funding that account at more than the statutory \$3 million level. Thank you.

The SPEAKER: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, for the record my House district had a higher turnout than statewide; voted more than 2 to 1 against this question. But nevertheless, I would welcome any advice or counsel from the Representative from Skowhegan or Portland or Eagle Lake as to whether I'm under any legal or moral obligation to vote for this today. Thank you, Mr. Speaker.

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

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise a second time just to clarify a few things and maybe add a different perspective to this. First off, clean elections funding is going to increase. That is going to happen. The voters voted for that. Clean elections is changing. Question before us is how do we fund that and I have not heard an argument about why we should protect companies like Apple who do not follow the same rules around paying their corporate income tax as other Maine businesses.

I've heard people say to me in talking about this policy in the past that, you know, no Maine businesses do this and that is exactly the point. Real Maine businesses don't hide their income. The *New York Times* did some investigations around this and got Apple executives and accountants to, in 2013, disclose the tricks that they use and that their competitors use to avoid paying taxes. Former Treasury Department economist Martin A.

Sullivan found that without complex tax avoiding tactics, Apple would've paid \$2.4 billion more in taxes in the United States.

That is just one company. This is real money. Clean elections is going to increase. That is something that voters voted for. I have not heard an argument for why this shouldn't be the way that it is done. Voters were clear that they didn't want it to come at the expense of other people who do not influence elections in the way that a company like Apple does.

Lastly, you know, I respect very much that we all come from different districts. I live in a district that is a city that is different than places like Dixfield and Canaan. I know that and I respect that there are differences. And I would just think through, when I was new to this Legislature, school consolidation was a big deal and it passed before I got here and there was a referendum on it and I just can't imagine a situation where if a referendum on school consolidation led by rural Maine passed 54 to 45, I would say, "Well, I represent Bangor. Bangor's different." I just don't think that when I was in my second term or third term that that's how I would've thought.

And I respect that there are differences from that and also I would just remind folks that whether you like clean elections or not, clean elections are going to be funded. Voters wanted it to come from corporate tax expenditures. I can't think of a better scenario, if you do or don't like clean elections, than to have the money come from people like Apple, Amgen, Nike, Walmart. They should be funding the elections that they spend big money trying to manipulate. It shouldn't come from regular people and if you don't vote for this motion, I think that who influences our elections is, you know, it's going to change and I just feel like this is the best deal that we could vote for. And if you don't like clean elections changing, that's not going to happen. This is the question that's before us. So I thank you all for indulging me for a moment here. Thank you, 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, I've been sitting here listening and the good Representative Bangor said, "We're going to put more money into the clean elections. That's what the people wanted." I beg to differ with you on that one. I watched the commercials in the referendum last year. Not once, not once did these commercials in favor of the clean elections referendum mention that they were tripling how much money that we, as politicians, would be able to get to fund our campaigns for radio spots, for more mailers, for more signs. Not once.

Every time they came on the television, what they were saying—and who wouldn't buy this, it sounds great—"We're going to provide more transparency in our clean elections. No more big out-of-state money in clean elections. You deserve to know who's funding your politicians in Augusta. Support the Clean Elections Act." What they didn't tell you was that they were spending \$2 million of out-of-state money to fund that campaign. And it passed by 2,000 votes over a counter attack, a counter campaign, to not expand it that operated from the grassroots level with only \$50,000 of money that was donated from the hard working people of this state who did not want this to pass. \$2 million versus \$50,000. All of this money came from out-of-state to get this passed. Not once, not once, and if anybody in here can show me a commercial where they said they were increasing a House race from \$5,000 to \$15,000 and a Senate race from \$20,000 to \$60,000, well, I will certainly apologize for standing up here right now. But I don't think you can find one.

The people did not fully understand the ramification of this law. They weren't taught what it was. They weren't told what it

was. And not anybody is going to go through and read an entire 13-page bill and most of the folks don't either (1) have time, or (2) know where to find it. I think with that \$50,000 grassroots effort that caught up in just the last couple months before the election process against the \$2 million of out-of-state money, that's where I'm putting my vote today. I'm supporting the people of Maine who are trying desperately to get the word out that no, we shouldn't be doing this. We shouldn't be funding campaigns for people who want to run for a job that, again, they are paying us to do. Thank you.

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 take a little offense to what the gentleman from Bangor, Representative from Bangor, said about people who raise apples aren't the common people. Because I happen to think that we are. And that I happen to think that this bill that's being put before us has a funding formula in it that, if it's not funded to its capacity, there is a provision that allows Jonathan Wayne to allow the candidate to raise money in a traditional manner to equal to the value that he would've been entitled to.

So, we're not underfunding it. There is a provision built into the bill by the people of the State of Maine that allows this bill to go forward if we don't fund it to the capacity that everybody in the potential here stands to use. So I would suggest that we vote against this. Thank you.

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

Representative **SIROCKI**: Mr. Speaker, thank you for allowing me to rise again. And I just would like to pose a question to the good Representative from Chelsea.

The SPEAKER: The Representative may pose her question.

Representative **SIROCKI**: She acknowledged that she had looked at some of those television ads and I wondered if she might remember if any of those television ads disclosed their top three donors.

The SPEAKER: The Representative from Scarborough, Representative Sirocki, has posed a question through the Chair to the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: No, they certainly did not.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought to Pass pursuant to the Maine Revised Statutes, Title 36, section 199-E. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 486

YEA - Alley, Babbidge, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Moonen, Morrison, Nadeau, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Short, Stanley, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker,

Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Bickford, Dion, Dunphy L, Frey, Monaghan, Stuckey.

Yes, 77; No, 67; Absent, 7; Excused, 0.

77 having voted in the affirmative and 67 voted in the negative, with 7 being absent, and accordingly Report "A" **Ought to Pass pursuant to the Maine Revised Statutes, Title 36, section 199-E** was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 9, 2016.

CONSENT CALENDAR

First Day

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

(S.P. 386) (L.D. 1114) Bill "An Act To Protect Maine's Children from Sexual Abuse and Exploitation" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-369)**

(S.P. 566) (L.D. 1468) Bill "An Act To Improve the Safety of Ferries in the State" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-374)**

(S.P. 569) (L.D. 1471) Resolve, To Facilitate the Distribution of Food Harvested or Processed in Maine to Residents with Food Insecurity Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-373)**

(S.P. 574) (L.D. 1476) Bill "An Act To Improve the Law Concerning Carbon Monoxide Detectors" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-370)**

(H.P. 1076) (L.D. 1585) Bill "An Act To Improve Services for Persons Who Are Deaf or Hard of Hearing by Updating the Laws Governing Qualifications for Certain Members of the Telecommunications Relay Services Advisory Council" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass**

(H.P. 1010) (L.D. 1487) Bill "An Act To Amend the Laws on Protection from Abuse and Unauthorized Dissemination of Certain Private Images" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-545)**

(H.P. 1072) (L.D. 1580) Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Late-filed Major Substantive Rule of the Maine Milk Commission (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-544)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 601) (L.D. 1540) Bill "An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials" (C. "A" S-365)

(H.P. 1073) (L.D. 1581) Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Late-filed Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

(H.P. 900) (L.D. 1322) Bill "An Act To Implement the Recommendations of the Probate and Trust Law Advisory Commission Concerning the Probate Code" (C. "A" H-539)

(H.P. 1027) (L.D. 1504) Bill "An Act To Establish November 1st as Veterans in the Arts and Humanities Day" (C. "A" H-535)

(H.P. 1056) (L.D. 1549) Bill "An Act To Amend the Laws Governing Oversight of and Responsibility for the Kim Wallace Adaptive Equipment Loan Program Fund" (C. "A" H-536)

(H.P. 1063) (L.D. 1567) Bill "An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway" (EMERGENCY) (C. "A" H-541)

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

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

BILLS IN THE SECOND READING

Senate as Amended

Bill "An Act To Protect Maine Voters from Intimidating Videotaping at the Polls"

(S.P. 625) (L.D. 1574)

(C. "A" S-366)

Senate as Amended in Non-Concurrence

Bill "An Act To Amend Maine's Motor Vehicle Laws"

(S.P. 581) (L.D. 1483)

(H. "A" H-537 to C. "A" S-367)

House

Bill "An Act To Amend the Quorum Requirements That Apply to the Citizen Trade Policy Commission"

(H.P. 1049) (L.D. 1538)

House as Amended

Resolve, To Study the Feasibility of a State Firefighter Training Facility

(H.P. 436) (L.D. 655)

(C. "A" H-528)

Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services

(H.P. 554) (L.D. 805)

(C. "A" H-524)

Bill "An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet"

(H.P. 560) (L.D. 826)

(H. "B" H-542 to C. "A" H-523)

Bill "An Act To Allow School Resource Officers To Have Jurisdiction at Off-site Events" (EMERGENCY)

(H.P. 1041) (L.D. 1516)

(C. "A" H-529)

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

CONCURRENCE and sent for concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education
(H.P. 1059) (L.D. 1556)

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. 136 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody
(S.P. 82) (L.D. 213)
(C. "A" S-362)

An Act To Create and Sustain High-quality Maine Jobs
(S.P. 578) (L.D. 1480)
(C. "A" S-363)

An Act To Allow the Director of the Bureau of Parks and Lands To Transfer Ownership of Snowmobile Trail Maintenance Equipment to Incorporated Nonprofit Snowmobile Clubs
(H.P. 1008) (L.D. 1485)
(C. "A" H-520)

An Act To Create Equity among Essential Nonprofit Health Care Providers in Relation to the Sales Tax and the Service Provider Tax
(H.P. 1046) (L.D. 1521)
(C. "A" H-521)

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, March 3, 2016, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Kaci Alley, of Jonesport
(HLS 999)

TABLED - February 4, 2016 (Till Later Today) by Representative ALLEY of Beals.

PENDING - **PASSAGE**.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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

REPORTS OF COMMITTEE

Refer to the Committee on Judiciary Pursuant to Joint Order

Report of the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Intergovernmental Pretrial Justice Reform Task Force"

(S.P. 666) (L.D. 1639)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Joint Order 2016, S.P. 650.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY**.

Report was **READ** and **ACCEPTED** and the Bill and accompanying papers were **REFERRED** to the Committee on **JUDICIARY** in concurrence.

Divided Report

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Revise Oil Spill Reporting Standards"

(H.P. 1017) (L.D. 1494)

Senators:

SAVIELLO of Franklin
BREEN of Cumberland

Representatives:

WELSH of Rockport
BUCKLAND of Farmington
CAMPBELL of Orrington
CHIPMAN of Portland
DUCHESNE of Hudson
HARLOW of Portland
MARTIN of Eagle Lake
TUCKER of Brunswick

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-543)** on same Bill.

Signed:

Representatives:

HANLEY of Pittston
WHITE of Washburn

READ.

On motion of Representative WELSH of Rockport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

On motion of Representative MARTIN of Sinclair, the House adjourned at 11:56 a.m., until 10:00 a.m., Wednesday, March 9, 2016, in honor and lasting tribute to Mary Ann (Lizotte) Chamberlain, of St. Agatha.