

# MAINE STATE LEGISLATURE

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



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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  
21st Legislative Day  
Thursday, March 10, 2016

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

Prayer by Pastor Todd Bell, Calvary Baptist Church, Sanford.  
National Anthem by Elisabeth Bell, Sanford.  
Pledge of Allegiance.  
Doctor of the day, Meredith Norris, D.O., Kennebunk.

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

The Journal of yesterday was read and approved.

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

**REPORTS OF COMMITTEE**

**Refer to the Committee on Energy, Utilities and Technology Pursuant to Resolve**

Representative DION for the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act To Modernize Maine's Solar Power Policy and Encourage Economic Development"

(H.P. 1120) (L.D. 1649)

Reporting that it be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** pursuant to Resolve 2015, chapter 37, section 2.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**. Sent for concurrence.

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

**SENATE PAPERS**

Bill "An Act Regarding Stolen Valor"

(S.P. 669) (L.D. 1642)

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

The Bill was **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE** and sent for concurrence.

**COMMUNICATIONS**

The Following Communication: (H.C. 466)

**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:

Pursuant to my authority under Title 5, §12004-I, sub§36-D, I have appointed Hilary Schneider of Brunswick to the Tobacco Prevention and Control Advisory Council effective immediately. Should you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

The Following Communication: (H.C. 467)

**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:

Pursuant to my authority under Title 5, §12004-I, sub§36-D, I have appointed Heather Smith of Fort Kent to the Tobacco Prevention and Control Advisory Council effective immediately. Should you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

The Following Communication: (H.C. 468)

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

March 10, 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 8, 2016

Harold L. Stewart II, Esq. of Presque Isle for appointment as a Justice to the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Justice E. Allen Hunter of Caribou

for appointment to Active Retired Status of the Maine Superior Court.

Pursuant to Title 4, MRSA §104, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Deborah P. Cashman, Esq. of West Bath

Patrick C. Larson, Esq. of Bangor

for appointment as a Judge to the Maine District Court.

Pursuant to Title 4, MRSA, §157, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge E. Paul Eggert of Westbrook  
Judge Keith A. Powers of Cape Elizabeth  
for appointment to Active Retired Status of the Maine District Court.

Pursuant to Title 4, MRSA §157-B, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,  
S/Mark W. Eves  
Speaker of the House

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

---

The Following Communication: (H.C. 469)

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

March 10, 2016  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Health and Human Services

L.D. 1599      Resolve, To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Authorizing MaineCare Transportation Services To Transport Veterans to Medical Appointments Administered by the United States Department of Veterans Affairs

L.D. 1620      Resolve, Establishing a Stakeholder Group To Examine Methods of Protecting the Elderly and Persons with Disabilities from Financial Exploitation

Judiciary

L.D. 221      An Act To Amend the Laws Regarding Service Animal Housing Accommodations

L.D. 1163      An Act To Amend the Garnishment Laws of the State

L.D. 1177      An Act To Enact the Recommendations of the Probate and Trust Law Advisory Commission Regarding the Maine Uniform Fiduciary Access to Digital Assets Act

Sincerely,  
S/Robert B. Hunt  
Clerk of House

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, Establishing the Commission To Study Ways To Support and Strengthen the Direct Care Workforce across the Long-term Care Continuum (EMERGENCY)

(H.P. 1119) (L.D. 1644)

Sponsored by Speaker EVES of North Berwick.

Cosponsored by Senator BURNS of Washington.

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.

---

**Pursuant to Statute  
Revisor of Statutes**

Representative HOBBS for the **Revisor of Statutes** pursuant to the Maine Revised Statutes, Title 1, section 94 asks leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1118) (L.D. 1643)

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

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

Sent for concurrence.

---

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

---

**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 42)

**ORDERED**, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused February 25th for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Mark N. Dion of Portland be excused March 1 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Lloyd C. Herrick of Paris be excused March 3 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Peter C. Stuckey of Portland be excused March 1 for personal reasons. **READ** and **PASSED.**

---

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Leigh Cummings, Jr., of Houlton, past District 7810 Governor of Rotary International, for his involvement with the Youth/Elder Maliseet Language picture booklet. Mr. Cummings proposed and led the collaborative effort with the Maliseet Tribe to create the booklet, which was conceived in part as an attempt to instill pride in Maliseet children for their language and culture. In the past, among other injuries suffered by the Maliseet people, Maliseet schoolchildren were punished for speaking Maliseet, even on the playground, and this treatment led to a perception among children that being Maliseet was bad. The booklet has been

distributed to all the elders and children of the tribe in order to help unite them in the daily effort to pass on the indigenous language and culture and traditional knowledge of the Maliseet people. Mr. Cummings provided outstanding leadership as District 7810 Governor of Rotary International and in his work with the booklet. We join with the Maliseet Tribe to thank Mr. Cummings for his efforts to preserve and promote the Maliseet language, an endangered and precious part of the State's heritage;

(HLS 1079)

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

Cosponsored by Senator WILLETTE of Aroostook, Representative SHERMAN of Hodgdon.

On **OBJECTION** of Representative BEAR of the Houlton Band of Maliseet Indians, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BEAR**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise today to ask this body to join with me, again, to honor another very good person, Mr. Leigh Cummings, Jr., of Houlton, and the past District Governor of the Rotary International in Houlton, who is with us here today.

Not too long ago, in Houlton, Maliseet families, as you just heard, were discriminated against and punished if they spoke our Maliseet language, whether they were in public or even on the school ground. This was wrong in so many ways. The message given to our people was that the Maliseet language was bad. The logical conclusion from this was that being Maliseet was also bad. Race and language was used to put down Maliseet in those days.

But then there were those that knew this was never right and did something to correct it, and have been, since then, doing all they could to correct this. Mr. Leigh Cummings, of Houlton, is one such person. Recently retired Houlton Postmaster, Leigh achieved many honors and positions of trust and leadership, including that of District Governor of Rotary International, where he took the opportunity to reach out to the Tribe, both as a leader and also to our members, in a gesture that was uncommon.

He exhibited an attitude of inclusion of our people within a more united Houlton population. He exhibited a positive recognition of the value of our people, which in his view, was intended to, in a small way at least, to atone for the sins of others. His conduct, his leadership, goes far above and beyond what most would've ever conceived, and more importantly, would've ever been acted upon. As I've stated before, in such circumstances of unusual kindness and empathy, these behaviors, although they may not sound like much, but in the dark reality of the Maliseet people at that time, when Maliseets in Aroostook County were ridiculed for simply being Indians, any light, any act of kindness, and any amount of generosity meant a certain amount of emotional and spiritual relief. It meant hope, and indirectly, it also meant the possibility of a better future.

Today, in Houlton, in the Aroostook region, we are on the threshold of a shared society where all people and languages, including the Maliseet language and the French language, and the Maliseet people and the French people, are being equally valued and respected as a result in part of the leadership and efforts of Mr. Leigh Cummings. Because of him, because of Tribal Chief Commander, and Cecelia Tibbits, the Chief's daughter, and the director of the Tribe's Boys and Girls Club, because of the Tribal Elders, including Rose Tomah, and the

monies that Mr. Cummings was able to arrange and be provided to the tribe. And the matching \$2,000 also provided by the local Houlton Rotary led by President Lori Weston.

We have taken more than just the first steps. We have taken great strides towards achieving equal respect and mutual appreciation as distinct people in cultures in modern times. So, as the Maliseet Representative to this body, I am very pleased to introduce to you the past District Governor of Rotary International, Mr. Leigh Cummings, as my guest. Over the past several years, I have known Mr. Cummings, who has visited with me at my home and where we have enjoyed talks about our shared histories, and which confirmed, in my view, that he, that one of Houlton's finest, is the embodiment of much of what is good and kind in Houlton, Maine, in both spirit and deed.

Thank you for listening to me, again, and please join with me in honoring Mr. Leigh Cummings for his leadership, kindness, and generosity with respect to the Maliseet Language Picture Book Project and our efforts to preserve what remains of our Maliseet Tribal language. Thank you, Mr. Speaker.

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

---

**Recognizing:**

Cecelia Tibbetts, of Houlton, the Boys and Girls Club Director for the Houlton Band of Maliseet Indians, for her leadership in the Youth/Elder Maliseet Language picture booklet project. The booklet is designed to introduce the Maliseet language to the young children of the Maliseet people and to instill pride in their language and culture. We thank Ms. Tibbetts for her efforts to preserve and promote the Maliseet language, an endangered and precious part of the State's heritage;

(HLS 1080)

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

Cosponsored by Senator WILLETTE of Aroostook, Representative SHERMAN of Hodgdon.

On **OBJECTION** of Representative BEAR of the Houlton Band of Maliseet Indians, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

---

**Recognizing:**

the Town of Georgetown on the occasion of its 300th Anniversary. Georgetown is situated on an island lying between the mouths of the Sheepscot River and the Kennebec River on the Gulf of Maine. Abenaki Indians called the island Roscohegan, meaning "good spear fishing." John Parker, a fisherman from Bedfordshire, England, purchased the island in 1649 from Chief Mowhatawoemit and built the first permanent homestead, and the island became known as Parker's Island. The Kennebec River valley was attacked in 1676 during King Philip's War, and then in 1689 at the outset of King William's War, and was not resettled until after the 1713 Treaty of Portsmouth. On June 13, 1716, Parker's Island and the adjacent Arrowsic were organized as Georgetown. Abandoned again during Dummer's War and having been beleaguered during the French and Indian Wars, the region slowly resettled in the 1750s. By 1841, Arrowsic had split away and only Parker's Island was left to constitute Georgetown. About half of the island provided grazing land, and some residents raised livestock, producing butter and cheese. In 1858, there were two sawmills, two shingle mills, a

pail maker and a shipbuilder, but the merchant marine and fishing were the town's principal occupations. Today, Georgetown is home to several boat builders, fishermen, retirees and many summer residents and artists. It is the home of Reid State Park and is a noted site for bird watching. We extend to the citizens of Georgetown our congratulations on this anniversary;

(HLS 1081)

Presented by Representative PIERCE of Dresden.  
Cosponsored by Senator BAKER of Sagadahoc.

On **OBJECTION** of Representative PIERCE of Dresden, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **PIERCE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, again, I'd like to congratulate Georgetown on its 300th Anniversary. There's not many people that can say they've hit 300 years old. It shows the tenacity of our forefathers that came here from England and around the European continent, and built on these island peninsulas.

They had to bring everything with them. They had to bring their lumber mills and all their skills. They built ships and fished. Today, Georgetown still builds ships. Maybe they're lobster boats, but they're great boats. They have a great fishing fleet and a great community down there. I hope you can all join us in Georgetown on July 23rd of this year to celebrate their birthday. Thank you, Mr. Speaker.

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

**Recognizing:**

Cherith Bell, of Sanford, a senior at the Sanford Christian Academy, who is the 1st place winner of the American Legion Department of Maine High School Oratorical Scholarship Program. Cherith, who won American Legion speaking competitions at the local and district levels before winning at the state level, will represent Maine at the American Legion's national speech competition in Indianapolis, Indiana. This fall, she will begin her study of English and history as she attends Crown College of the Bible in Knoxville, Tennessee. We extend to Cherith our congratulations and best wishes;

(HLS 1082)

Presented by Representative MASTRACCIO of Sanford.  
Cosponsored by Senator WOODSOME of York, Representative HYMANSON of York, Representative HARRINGTON of Sanford.

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

**READ** and **PASSED** and sent for concurrence.

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, 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 Justin Burgess, of Orland

(HLS 1024)

TABLED - February 18, 2016 (Till Later Today) by Representative WARD of Dedham.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Dedham, Representative Ward.

Representative **WARD**: Thank you, Mr. Speaker. Mr. Speaker, the Boy Scouts of America's long been known to be fertile ground for leadership development, and while only one in four boys will become a scout, it's interesting to note that of the leaders in our nation in business and religion and politics, three out of four were scouts, and of those only four out of 100 attain the rank of Eagle. We have one of those with us here today and his name is Justin Burgess. I had the great honor of speaking recently at Justin's court of honor where I presented him with a framed legislative sentiment from this body.

Justin's journey to Eagle began when he joined Cub Scouts in 2004 at age six and he crossed over to Boy Scouts in 2009, achieved the seven ranks of scouting and earned 23 merit badges. He held offices of Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader, Quarter Master, and Scribe, and in 2010, he attended the National Jamboree at Fort AP Hill in Virginia, where he served as Patrol Leader. In 2013, he was Troop Scribe at the National Jamboree at Summit Bechtell Reserve in West Virginia, and in 2014 he served as a Trek Leader at the prestigious Philmont Scout Ranch in New Mexico. He is a brotherhood member of the Order of the Arrow and served in the Brotherhood Ceremony Team.

To obtain Eagle rank, a service project was completed and Justin's project was the "Welcome to Orland" signage. If you drive down through Orland, you'll find them. You can't miss them. And the signs are located at the Orland/Ellsworth and Orland/Bucksport town lines. He was a representative of Dirigo Boy State. He played varsity soccer; he was a two-year co-captain. JV and Varsity baseball and band—you may have remembered the Bucksport band here just the other day—he was playing. He's in the jazz band, the drama club, robotics club. He was even a candidate for Mr. Bucksport. And he was a reading buddy for the little kids down at the Miles Lane School, and he's an honor roll student.

Justin's recently been accepted to attend Maine Maritime Academy this fall. He'll be studying Marine Engineering Technology. And Mr. Speaker, when we're all in our rocking chairs, this state will be run by Justin's generation. And knowing that future leaders like Justin Burgess will likely be in charge should give us all hope for a bright and prosperous days ahead for the great State of Maine. Thank you.

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

Expression of Legislative Sentiment Recognizing John Willinski, of Milo

(HLS 1066)

TABLED - March 8, 2016 (Till Later Today) by Representative HIGGINS of Dover-Foxcroft.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, it's my honor and privilege this morning to stand and speak on behalf of one of the gentlemen that a common man who did uncommon things in our Greatest Generation of all. I met John about 40 years ago standing outside of an ice hockey rink in Dover-Foxcroft on one rather cool January morning. He was there to watch his grandson play ice hockey, one of two. My son happened to be on the same team and so we became friends.

And, John is a very quiet man, very humble. I've had an opportunity to spend some time with him recently and I was asking him: "So, John, why at 17 years of age did you join the military?" Without hesitating, he said, "Because it was the right thing to do." Think about that. The right thing to do. Without hesitating. I asked him about his experience on a destroyer in the North Atlantic in the dark nights and the dangerous work they engaged in for two years. I asked him what allowed him to persevere in that and he said, "Well, it's very simple. I just did my job. Everybody else just did their job. And we knew we'd be fine."

John came home from World War II, worked 40 years at the Derby Car Shop, which takes care of railroad, the locomotives, and rolling stock. And I expect that John went to work every day and just did his job. That's the kind of man he is. So it's with great honor today that I'm able to stand and say: John, well done. Thank you for your service.

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

---

Expression of Legislative Sentiment Recognizing Bernard W. Kinney, of Milo

(HLS 1067)

TABLED - March 8, 2016 (Till Later Today) by Representative HIGGINS of Dover-Foxcroft.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Mr. Speaker, and Ladies and Gentlemen of the House, it's a double pleasure today to be able to stand and present a legislative sentiment on another distinguished gentleman from the Town of Milo, who again I met recently and I spent an hour and a half one day talking. I thought it would be ten minutes, but it was really fascinating and listening to the life experiences.

I asked him the same question. "So, at 17 years of age, why did you join the military?" And again, without hesitating, almost the same words, "Because it was the right thing to do." I think that epitomizes the attitude of people in that generation that said, "Yes, we can." I think there's probably a lesson there for all of us to learn today. Yes, we can, and we ought to do the right thing every day. And I know that Bernard continues to do that every day of his life.

When I visited him, we just finished the snow storm and I expected I'd find somebody sitting in their rocking chair, you know, comfortably, watching the morning news. Not true. Bernard had just come in from plowing his driveway at 90 years of age. He's a remarkable, a remarkable man. He also, as another remarkable experience as well, Bernard is the proud father of State Representative Jonathan Kinney, here in the Legislature. He's very proud of, quote, "his boy," and we're all very proud of you, Bernard, for your service to our country. Thank you.

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

Representative **KINNEY**: Mr. Speaker, Ladies and Gentlemen of the House, thank you and I'd like to thank our good friend from Dover-Foxcroft, Representative Higgins, for this legislative sentiment. I can only imagine that the first time my father left the State of Maine was for boot camp for the Army Air Corps to serve in World War II in 1943. And after that war, he returned home to Maine, decided to go to school, went to college, and decided to pursue a career in the aerospace industry. And even though my father had the opportunity to work all over this

country and then again to leave this country and work in Canada for years, he always found time to bring his family home and his family spent significant time in the State of Maine, either with him and many months without him through a career that expanded 40 years.

As my father did work, he always came home to the State of Maine in the summer and he always returned in the fall because he loved to fish here and in the fall, he always wanted to hunt deer and continues to hunt deer in the Town of Atkinson. As a father, he always found time, as he was a member of the American Legion and the VFW from the time that he had been discharged from the armed services, and is still active in the VFW in the American Legion today. I appreciate, as a young boy, the Christmas parties and the family gatherings and all the events that these two great institutions gave to the families of this great country.

As my father would hunt and fish throughout the state, he took me into many areas of this state that I will never forget. Many of those include fishing on Chamberlain Lake, or fishing up on Moosehead. But I think one of the most enjoyable times, and if you're ever looking for a good place to spend the weekend, might be East Musquash over in Topsfield off of Route 6. The lake trout fishing there is truly magnificent.

To his relatives and his friends in Canada that are tuning in this morning, I thank you for listening. And at the age of 89 years old, my father decided that his boat wasn't fast enough. He didn't think he could get from one end of the lake to the next, so he ventured over there to Lincoln, to Lincoln Motors, and decided to trade in his outboard for one with, I guess another 20 more horsepower. So, he thought that that might get her up onto a plane quicker. And to this day, my father and I are still making plans and he's still making plans to fish this summer and we're still making plans to hunt again in the fall, as we hunted this last fall. Thank you, Mr. Speaker.

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

---

## CONSENT CALENDAR

### First Day

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

(S.P. 588) (L.D. 1526) Bill "An Act To Permit Disclosure of Certain Intelligence and Investigative Record Information by a Criminal Justice Agency to a Nongovernmental Advocacy Program for Persons with Mental Illness" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-379)**

(S.P. 641) (L.D. 1592) Bill "An Act To Amend the Maine Traveler Information Services Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-380)**

(H.P. 435) (L.D. 654) Bill "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-548)**

(H.P. 1042) (L.D. 1517) Bill "An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-549)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**ENACTORS**

**Emergency Measure**

An Act To Improve the Law Concerning Carbon Monoxide Detectors

(S.P. 574) (L.D. 1476)  
(C. "A" S-370)

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. 126 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Amend Maine's Motor Vehicle Laws

(S.P. 581) (L.D. 1483)  
(H. "A" H-537 to C. "A" S-367)

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.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 3: Eligibility Requirements for Specialized Case Types, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services

(H.P. 531) (L.D. 778)

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. 120 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.

**Emergency Measure**

Resolve, To Further Study the Implementation and Funding of an Integrated Beach Management Program

(H.P. 854) (L.D. 1254)  
(C. "A" H-532)

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. 130 in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Require Training of Mandated Reporters under the Child Abuse Laws

(S.P. 215) (L.D. 622)  
(C. "A" S-378)

An Act To Ensure a Continuing Home Court for Cases Involving Children

(H.P. 609) (L.D. 890)  
(C. "A" H-522)

An Act Regarding Sexual Exploitation of Children

(S.P. 386) (L.D. 1114)  
(C. "A" S-369)

An Act To Revise the Educational Personnel Certification Statutes and To Direct the Department of Education To Review Department Rules Regarding Educational Personnel Certification

(H.P. 1005) (L.D. 1464)  
(C. "A" H-525)

An Act To Improve the Disclosure of Financial Activities by Political Action Committees and Ballot Question Committees

(H.P. 1033) (L.D. 1510)  
(C. "A" H-527)

An Act To Update the Laws Governing the Maine Veterans' Homes

(S.P. 586) (L.D. 1524)

An Act To Reduce the Trafficking of Illegal Drugs in the State

(S.P. 596) (L.D. 1534)  
(C. "A" S-371)

An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials

(S.P. 601) (L.D. 1540)  
(C. "A" S-365)

An Act To Protect Maine Voters from Intimidating Video Recording at the Polls

(S.P. 625) (L.D. 1574)  
(C. "A" S-366)

An Act To Make Technical Amendments to the Maine Juvenile Code

(H.P. 1067) (L.D. 1575)

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.

**Resolves**

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society

(S.P. 558) (L.D. 1456)  
(C. "A" S-377)

Resolve, To Improve the Safety of Ferries in the State

(S.P. 566) (L.D. 1468)  
(C. "A" S-374)

Resolve, To Facilitate the Distribution of Food Harvested in Maine to Residents with Food Insecurity

(S.P. 569) (L.D. 1471)  
(C. "A" S-373)

Resolve, To Name the Naples Bay Bridge on U.S. Route 302 in the Town of Naples the Robert Neault Memorial Bridge

(H.P. 1074) (L.D. 1582)

Resolve, To Name the Essex Street Overpass Bridge in Bangor the Brent Cross Bridge

(H.P. 1080) (L.D. 1589)

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



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

**UNFINISHED BUSINESS**

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

Bill "An Act To Allow York County To Better Provide Rescue and Ambulance Services"

(H.P. 124) (L.D. 166)  
(C. "B" H-513)

- In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-513)** on February 16, 2016.

- In Senate, **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

TABLED - March 3, 2016 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **INSIST** and **ASK** for a **COMMITTEE OF CONFERENCE**. Sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-531)** - Minority (6) **Ought Not to Pass** - Committee on **MARINE RESOURCES** on Bill "An Act To Address and Mitigate the Effects of Marine Debris" (H.P. 294) (L.D. 427)

TABLED - March 3, 2016 (Till Later Today) by Representative KUMIEGA of Deer Isle.

PENDING - Motion of same Representative to **ACCEPT** the **Majority OUGHT TO PASS AS AMENDED** Report.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I stand in support of LD 427, a Resolve, directing the four state agencies associated with marine debris to give due consideration to the effects of marine debris.

Five to 13 million metric tons of plastic waste reaches the oceans annually. Macro debris floating on the surface has created giant garbage gyres in the North Pacific, known as the Garbage Patch, and the North Atlantic Garbage Patch, as well as other giant gyres, some of which are over a mile in diameter, in other regions of the world such as Australia.

Maine's ocean economy directly accounts for over \$2.3 billion annually and approximately 45,000 jobs. Tourism, recreational and commercial fishing, and shellfish aquaculture all directly depend on our coastal water quality. Marine debris, primarily plastic marine debris, impacts our marine environment negatively and jeopardizes our marine economy.

Maine helped lead the way last legislative session when the legislature passed a state ban on non-biodegradable microbeads in personal care products. That was LD 85, sponsored by the good Senator from Franklin County, Senator Saviello. Seven other states passed similar bans. Unfortunately, Maine's law, and those seven other laws, are now preempted by a federal bill signed into law in December 2015. This has led to confusion on two accounts. First, Maine's law is now moot and we are left with a much weaker law addressing micro-beads. It only includes

rinse off cosmetics that contain intentionally-added plastic microbeads, and exfoliates or soaps. All other products containing micro-beads are exempt. Second, and more importantly, these micro-beads represent only a minute portion. Mr. Speaker, I'm not talking about the size of the microbeads, themselves. I'm talking about the percentage of marine debris that this portion of microbeads makes up entering our ocean.

This federal law does not ban lotions or many other products with plastics in them. It does not address microfibers from fleece and other synthetic clothing. It does not include large plastic pollution from land sources such as Styrofoam containers, cigarette butts, straws and stirrers, plastic bottles, derelict fishing gear and fragments from ropes and many other commonly found forms of plastic.

In addition to the obvious problems associated with these larger forms of plastic debris, they are not bio-degradable. However, plastic does flake off from itself in size ranges from five to 25 microns. Mr. Speaker, there are 1,000 microns in one millimeter. There are 25,000 microns in an inch. To give you a sense of what 10 microns is, which is about the size of a human blood cell, it takes a chain of 2,500 human blood cells put end-to-end in a chain to reach one inch.

These microbeads and tiny plastic flakes can be consumed by small filter-feeding organisms, which in turn are eaten by larger animals including shellfish and finfish consumed by humans. Not only is it gross, it's unhealthy for us. Microplastics attract and concentrate chemicals already polluting the ocean, such as flame retardants, at magnitudes much higher than the surrounding seawater. This results in high levels of toxins concentrating in small prey, which are eventually consumed by predators at the top of the food chain such as we humans.

So, as you can see, the new federal law does not adequately address the problem of marine debris we are seeing along our coast in our marine waters. The new federal law is a small and important first step. It does not replace the need for other state laws to address marine debris. States like Maine must continue to lead the way to reduce our use of plastics that pollute and degrade the marine environment, affect the health of marine life and ultimately are consumed by humans with unknown consequences. I urge my colleagues in the House to support passage of LD 427. Thank you very much, Mr. Speaker.

Representative **ESPLING** of New Gloucester **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: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise to stress that there's a common misperception that there are sufficient state and federal programs taking care of our serious marine debris problem. Unfortunately, this is not accurate. The only dedicated Maine state program addressing marine debris is the annual Coast Week Coastal Clean-up administered by the Ocean Conservancy Program.

In 2015, the Clean-up's 1,343 volunteers—864 of them kids—collected over 19,000 pounds of trash along 94 miles of our coastline. The funding for this program is \$6,000. While admirable and appreciated, this is a very small investment in our growing marine debris problem. This is a very small investment in our valuable marine economy, an economy worth \$2.3 billion and employing 45,000 people. As an example of the extent of the marine debris problem, we have tons of derelict gear on land and in our coastal waters.

Among other issues created by this ghost debris is serious interference with our seabird nesting sites, with no plan to address the problem effectively. Another huge contributor to the trash in our waters and on our shores is single-use plastics. The Marine Coastal Program has focused on educating the public about the problem, but this has not proven enough to bring significant improvement. Marine debris is a huge issue and is not being addressed adequately. We clearly need to do more. As a Legislature, it is our job to develop policy and priorities for our state. I support passage of LD 427. Thank you.

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

Representative ALLEY: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, as a fisherman along with Representative Wayne Parry over there, we harvest a lot of various species from the ocean out there when we're hauling our traps. And we see a lot of this floating debris. We bring it up on our traps. I know that we haul up garbage bags. We haul up oil gear. And for the most part, this is in the shipping lane from 10-12 miles offshore. These ships, apparently, over time, have dumped enough garbage that if you fish there, your traps come up full of it. And at the same time, you'll see these Eddy's out there with oil jugs, buckets, floats, rope, seaweed, kelp, everything all together that probably would fill this area right in this House floor today.

And I'd like to ask the ones that—now I know that Representative Parry, if he's like me, when he hauls his stuff up, he doesn't throw it back overboard. We put this stuff in garbage bags, take it home, and throw it out at the pier where they have containers there to take and get rid of the garbage. But Maine has one state event and as both of the two previous to me concurred that \$6,000 is not enough to take and clean up the shorelines and get some of this mess off there. And in some places, we've seen needles on the shorelines and that's not good, especially for our tourists and our little children that go down there and play on these beaches.

Last year, five most collected items were cigarette butts and cigarette packs, food wrappers—plastic and paper both, bottle caps, straws, coffee cups, and plastic beverage bottles. Other stuff collected included 1,629 beach toys, 1,115 balloons, 985 pieces of fireworks. It seems that these ones, when they do the fireworks, can't seem to clean the mess up. They like to see the glitter, but they don't like to clean it up. If we want a healthy coastal economy, which employs about 4,500 people, we need to get a handle on this marine debris problem and I urge all of my colleagues in the House to support the motion on the floor, Ought to Pass. Thank you.

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. 491**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Corey, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Gattine, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Guerin, Hamann, Hanington, Harlow, Harrington, Herbig, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Ordway, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Sanborn, Saucier, Schneck,

Seavey, Short, Skolfield, Stanley, Stearns, Sukeforth, Tepler, Timmons, Tipping-Spitz, Tucker, Turner, Vachon, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Campbell R, Crafts, Dillingham, Dunphy L, Edgecomb, Esping, Farrin, Fredette, Gerrish, Greenwood, Hanley, Head, Herrick, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sherman, Sirocki, Stetkis, Theriault, Timberlake, Tuell, Wadsworth, Wallace, White, Winsor.

ABSENT - Buckland, Chace, Daughtry, Dion, Frey, Hawke, McClellan, Rykerson, Sawicki, Stuckey, Wood.

Yes, 100; No, 40; Absent, 11; Excused, 0.

100 having voted in the affirmative and 40 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-531) was READ by the Clerk and ADOPTED.**

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-531)** and sent for concurrence.

**SENATE PAPERS**

The following Joint Order: (S.P. 673)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, March 15, 2016 at 10:00 in the morning.

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

**READ and PASSED** in concurrence.

Bill "An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin" (EMERGENCY)

(S.P. 667) (L.D. 1640)

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

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

Bill "An Act To Address Employee Recruitment and Retention Issues at State Mental Health Institutions" (EMERGENCY)

(S.P. 670) (L.D. 1645)

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

On motion of Representative McCABE of Skowhegan, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

Bill "An Act Relating to Penalties for Drug Offenses"

(S.P. 672) (L.D. 1647)

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

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

Bill "An Act To Prevent Opiate Abuse by Strengthening the Controlled Substances Prescription Monitoring Program"

(S.P. 671) (L.D. 1646)

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

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

---

Bill "An Act To Amend the Laws Governing the Controlled Substances Prescription Monitoring Program and To Review Limits on the Prescription of Controlled Substances"

(S.P. 674) (L.D. 1648)

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

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

---

## REPORTS OF COMMITTEE

### Divided Report

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-550)** on Bill "An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250 Acres To Keep That Land Open for Hunting"

(H.P. 422) (L.D. 609)

Signed:

Senators:

DAVIS of Piscataquis

CYRWAY of Kennebec

GERZOFISKY of Cumberland

Representatives:

DUCHESNE of Hudson

ALLEY of Beals

COREY of Windham

CRAFTS of Lisbon

HILLIARD of Belgrade

MARTIN of Sinclair

REED of Carmel

SHORT of Pittsfield

WOOD of Greene

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

LYFORD of Eddington

### READ.

On motion of Representative DUCHESNE of Hudson, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-550)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-550)** and sent for concurrence.

---

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

Representative **McLEAN**: Thank you, Mr. Speaker, in reference to Roll Call No. 489 on LD 1641, had I been present, I would've voted "yea," and in reference to Roll Call No. 490 on LD 1583, had I been present, I would've voted "yea."

---

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

---

On motion of Representative HICKMAN of Winthrop, the House adjourned at 11:53 a.m., until 10:00 a.m., Tuesday, March 15, 2016, pursuant to the Joint Order (S.P. 673).