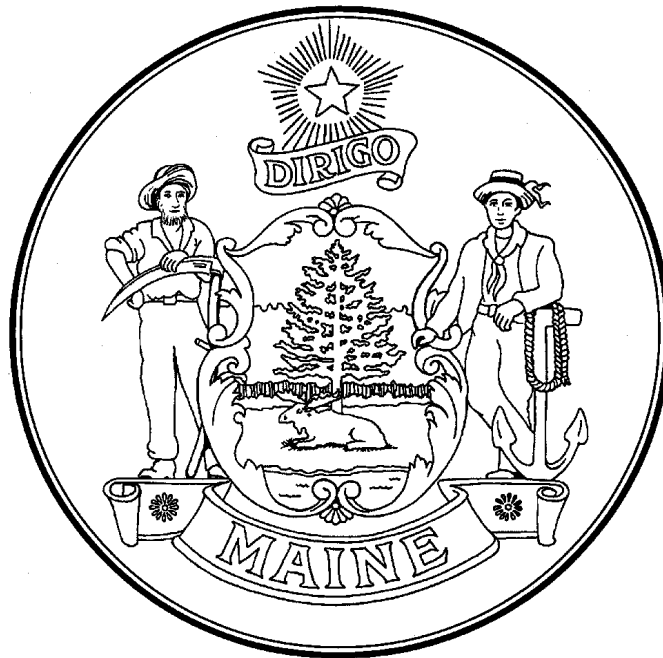


# MAINE STATE LEGISLATURE

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**Journal and Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Eighth Legislature**  
**State of Maine**

**Daily Edition**

**First Regular Session**  
beginning December 7, 2016

pages 1 -

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
 FIRST REGULAR SESSION  
 1st Legislative Day  
 Wednesday, December 7, 2016

Pursuant to Article IV, Part 3, Section 1 of the Constitution of the State of Maine, the Representatives-Elect to the One Hundred and Twenty-Eighth Legislature assembled in the Hall of the House and were called to Order by ROBERT B. HUNT of Yarmouth, Clerk of the House of the One Hundred and Twenty-Seventh Legislature.

Prayer by Reverend Diane Bennekamper, Congregational Church in Cumberland United Church of Christ.

National Anthem by Freeport High School Chamber Choir Quartet.

Pledge of Allegiance.

Doctor of the day, Lisa Gouldsbrough, D. O., Biddeford.

**COMMUNICATION**

The Following Communication: (H.C. 1)

**STATE OF MAINE**

**OFFICE OF THE SECRETARY OF STATE**

December 1, 2016

To Robert B. Hunt, Clerk of the House in the One Hundred and Twenty-seventh Legislature:

I, Matthew Dunlap, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Representatives-elect to the One Hundred and Twenty-eighth Legislature, in accordance with the tabulation submitted to the Governor on November 28, 2016:

District 1 Rykerson, Deane, Kittery  
 District 2 Lawrence, Mark W., South Berwick  
 District 3 Blume, Lydia C., York  
 District 4 Hymanson, Patricia, York  
 District 5 O'Connor, Beth A., Berwick  
 District 6 Parker, Jennifer Ellen, South Berwick  
 District 7 Foley, Robert Alan, Wells  
 District 8 Babbidge, Christopher W., Kennebunk  
 District 9 Seavey, H. Stedman, Kennebunkport  
 District 10 Parry, Wayne R., Arundel  
 District 11 Fecteau, Ryan Michael, Biddeford  
 District 12 Grohman, Martin J., Biddeford  
 District 13 Hogan, George W., Old Orchard Beach  
 District 14 Bailey, Donna, Saco  
 District 15 O'Neil, Margaret M., Saco  
 District 16 Marean, Donald G., Hollis  
 District 17 Prescott, Dwayne Willis, Waterboro  
 District 18 Mastraccio, Anne-Marie, Sanford  
 District 19 Harrington, Matthew A., Sanford  
 District 20 Gerrish, Karen A., Lebanon  
 District 21 Sampson, Heidi H., Alfred  
 District 22 Kinney, Jonathan L., Limington  
 District 23 Ordway, Lester S., Standish  
 District 24 Bryant, Mark E., Windham  
 District 25 Corey, Patrick W., Windham  
 District 26 Terry, Maureen Fitzgerald, Gorham  
 District 27 McLean, Andrew J., Gorham  
 District 28 Sirocki, Heather W., Scarborough  
 District 29 Vachon, Karen R., Scarborough  
 District 30 Monaghan, Kimberly J., Cape Elizabeth  
 District 31 Reckitt, Lois Galgay, South Portland  
 District 32 Hamann, Scott, South Portland  
 District 33 Battle, Kevin J., South Portland  
 District 34 Gattine, Andrew, Westbrook

District 35 Bates, Dillon F., Westbrook  
 District 36 Harlow, Denise P., Portland  
 District 37 Farnsworth, Richard Ransom, Portland  
 District 38 Moonen, Matthew W., Portland  
 District 39 Sylvester, Michael A., Portland  
 District 40 Ross, Rachel Talbot, Portland  
 District 41 Jorgensen, Erik Clark, Portland  
 District 42 Collings, Benjamin T., Portland  
 District 43 Sanborn, Heather B., Portland  
 District 44 Pierce, Teresa S., Falmouth  
 District 45 Denno, Dale J., Cumberland  
 District 46 Chace, Paul B., Durham  
 District 47 Cooper, Janice E., Yarmouth  
 District 48 Gideon, Sara, Freeport  
 District 49 Daughtry, Matthea Elisabeth, Brunswick  
 District 50 Tucker, Ralph L., Brunswick  
 District 51 McCreight, Joyce, Harpswell  
 District 52 DeChant, Jennifer L., Bath  
 District 53 Pierce, Jeffrey K., Dresden  
 District 54 Tepler, Denise A., Topsham  
 District 55 Berry, Seth A., Bowdoinham  
 District 56 Mason, Gina M., Lisbon  
 District 57 Wood, Stephen James, Greene  
 District 58 Handy, James R., Lewiston  
 District 59 Fuller, Roger Jason, Lewiston  
 District 60 Golden, Jared F., Lewiston  
 District 61 Brooks, Heidi Eileen, Lewiston  
 District 62 Melaragno, Gina, Auburn  
 District 63 Bickford, Bruce A., Auburn  
 District 64 Sheats, Bettyann W., Auburn  
 District 65 Espling, Eleanor M., New Gloucester  
 District 66 Fay, Jessica L., Raymond  
 District 67 Austin, Susan M., Gray  
 District 68 Cebra, Richard M., Naples  
 District 69 Ginzler, Phyllis A., Bridgton  
 District 70 Wadsworth, Nathan John, Hiram  
 District 71 Winsor, Tom J., Norway  
 District 72 Dillingham, Kathleen R.J., Oxford  
 District 73 Herrick, Lloyd C., Paris  
 District 74 Riley, Christina, Jay  
 District 75 Timberlake, Jeffrey L., Turner  
 District 76 Hilliard, Gary L., Belgrade  
 District 77 Perkins, Michael D., Oakland  
 District 78 Nadeau, Catherine M., Winslow  
 District 79 Theriault, Timothy S., China  
 District 80 Bradstreet, Richard T., Vassalboro  
 District 81 Hickman, Craig V., Winthrop  
 District 82 Ackley, Kent, Monmouth  
 District 83 Grant, Gay M., Gardiner  
 District 84 Warren, Charlotte May, Hallowell  
 District 85 Doore, Donna R., Augusta  
 District 86 Pouliot, Matthew Gary, Augusta  
 District 87 Hanley, Jeffery P., Pittston  
 District 88 Sanderson, Deborah J., Chelsea  
 District 89 Hawke, Stephanie, Boothbay Harbor  
 District 90 Devin, Michael G., Newcastle  
 District 91 Simmons, Abden S., Waldoboro  
 District 92 Spear, John Alden, South Thomaston  
 District 93 Beebe-Center, Anne H., Rockland  
 District 94 Casás, Owen D., Rockport  
 District 95 Sutton, Paula G., Warren  
 District 96 Zeigler, Stanley Paige, Jr., Montville  
 District 97 Herbig, Erin D., Belfast  
 District 98 Gillway, James S., Searsport  
 District 99 Kinney, MaryAnne, Knox

- District 100 Fredette, Kenneth Wade, Newport
- District 101 Haggan, David G., Hampden
- District 102 Guerin, Stacey K., Glenburn
- District 103 Reed, Roger E., Carmel
- District 104 Wallace, Raymond Allen, Dexter
- District 105 Stetkis, Joel R., Canaan
- District 106 Strom, Scott Walter, Pittsfield
- District 107 Austin, Betty A., Skowhegan
- District 108 Picchiotti, John J., Fairfield
- District 109 Longstaff, Thomas R.W., Waterville
- District 110 Madigan, Colleen M., Waterville
- District 111 Farrin, Bradlee Thomas, Norridgewock
- District 112 Skolfield, Thomas H., Weld
- District 113 Harvell, Lance Evans, Farmington
- District 114 Black, Russell J., Wilton
- District 115 Madigan, John E., Jr., Rumford
- District 116 Pickett, Richard A., Dixfield
- District 117 Head, Frances M., Bethel
- District 118 Grignon, Chad Wayne, Athens
- District 119 Stearns, Paul A., Guilford
- District 120 Higgins, Norman E., Dover-Foxcroft
- District 121 Duchesne, Robert S., Hudson
- District 122 Dunphy, Michelle A., Old Town
- District 123 Tipping-Spitz, Ryan D., Orono
- District 124 Frey, Aaron M., Bangor
- District 125 Kornfield, Victoria P., Bangor
- District 126 Schneck, John C., Bangor
- District 127 Cardone, Barbara A., Bangor
- District 128 Craig, Garrel Robert, Brewer
- District 129 Lyford, Peter A., Eddington
- District 130 Campbell, Richard H., Orrington
- District 131 Ward, Karleton S., Dedham
- District 132 Luchini, Louis Joseph, Ellsworth
- District 133 Chapman, Ralph, Brooksville
- District 134 Kumiega, Walter A., III, Deer Isle
- District 135 Hubbell, Brian L., Bar Harbor
- District 136 Malaby, Richard S., Hancock
- District 137 Lockman, Lawrence Earl, Amherst
- District 138 Alley, Robert W., Sr., Beals
- District 139 Tuell, William R., East Machias
- District 140 Perry, Anne C., Calais
- District 141 Turner, Beth Peloquin, Burlington
- District 142 Hanington, Sheldon Mark, Lincoln
- District 143 Stanley, Stephen S., Medway
- District 144 Sherman, Roger Leigh, Hodgdon
- District 145 Johansen, Chris A., Monticello
- District 146 White, Dustin Michael, Washburn
- District 147 Stewart, Harold L., III, Presque Isle
- District 148 McCrea, David Harold, Fort Fairfield
- District 149 McElwee, Carol A., Caribou
- District 150 Martin, Roland Daniel, Sinclair Township
- District 151 Martin, John L., Eagle Lake

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this first day of December in the year Two Thousand and Sixteen.  
 S/Matthew Dunlap  
 Secretary of State

**READ and ORDERED PLACED ON FILE.**

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives-Elect was called by the Clerk of the House of the One Hundred and Twenty-Seventh Legislature.

A roll call was taken. 148 out of 151 members answered to their names and accordingly the Chair declared a quorum present.

Those absent were:  
 Representative-Elect GRIGNON of Athens  
 Representative-Elect HILLIARD of Belgrade  
 Representative-Elect TURNER of Burlington

Motion by Representative-Elect DeCHANT of Bath, that Representative-Elect BRYANT of Windham, Representative-Elect TALBOT ROSS of Portland, Representative-Elect HANDY of Lewiston, Representative-Elect SPEAR of South Thomaston, Representative-Elect GINZLER of Bridgton, Representative-Elect STEWART of Presque Isle and Representative-Elect KINNEY of Limington were appointed a Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives-Elect have assembled in the Hall of the House of Representatives and request his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Representative BRYANT of Windham reported that the Committee had delivered the message with which it was charged.

The Governor, the Honorable PAUL R. LePAGE, entered and administered to the members-elect and they subscribed the oaths required by the Constitution to qualify them to discharge their official duties.

Governor **LePAGE**: Thank you. Please have a seat. Before I do the Oath of Office, I would like to ask for your help. I just finished over at the Senate and I think it's an important enough issue that I would like to ask you for your assistance before I do the swearing in.

Two questions were passed, or several questions were passed this election, but two of them will have some significant negative impact on our economy. Two of the Referendums, while I fully agree and respect the will of the people, I believe that as elected officials we are required not to do harm to our state economy. Two questions will cause significant harm to our economy. They will hurt restaurant workers, small businesses, successful people and most importantly, our elderly.

Question two, I see income tax 42% on successful Mainers, supposedly to boost funding for education; however, the Constitution contradicts that. But, it will furnish high earners with the second highest income tax in the nation for a state that is one of the poorest in the Nation. It will drive many out of state. I already have proof of it. We have examples of people that have just given up and they are leaving. These folks already pay most of the taxes. If they leave and take their income with them, it will result in even less money for education, less revenue for property taxes, sales taxes, and excise taxes.

Question four raises the minimum wage too fast for small business to be able to absorb it. Combined with higher income tax, local business owners will face a financial debt spiral, and the small businesses are what make up the economy of the State of Maine. If we were all Boeings, or Chrysler, or GM, I wouldn't have as big a problem, but we are not. Local businesses would get hit with a 10.15% income tax, then they will have to pay a significant higher minimum wage. On top of that, the minimum wage will automatically go up every single year, based on CPI. I ask you all to think back to 2008 and the devastation of the

largest recession since the Great Depression, how Maine companies could afford to increase wages in those years. When many companies were going bankrupt and many companies couldn't even afford -- the business owners couldn't even afford to take a salary. But even during these economic down turns, this indexing will require the minimum wage to go up. Many will close their shops, or leave to go to New Hampshire as is what's happened in the last few days, that we've been notified of some dentists that are leaving or they will go to other states, to the low or no income tax. Then their employees, who work for these companies, who will be out of a job. And the state will lose their income tax as well. We must slow down the rate of increase to the minimum wage. I am not suggesting we not honor the will of the people, I'm saying we need to do it in an affordable, meaningful manner. There are those who will get significantly hurt by the minimum wage, our elderly. There are 5,900 Mainers who now earn the minimum wage, if you take out restaurant workers. They will face an increase of about \$4 an hour. But, 325,000, let me repeat it, 325,000 Mainers live on SSI, Social Security Insurance or SSDI, Social Security Disability Insurance, and that is their only form of income. Their only form of income. The average income for social security in the State of Maine is \$1,131 a month. \$1,131 a month. While many people will be getting \$4 an hour in 2017, these people, these 325,000 people will be getting \$4 a month. Let me repeat, \$4 a month increase to an average of \$1,135 a month. These people are going to be thrown into severe poverty. As labor costs rise so fast, businesses will have two choices; they either lay people off or they raise their prices. And the elderly get left out in the cold. They will have to spend more of their fixed incomes on higher prices on everything they buy. It will push them deeper and deeper into poverty, and Maine is already one of the poorest states in America. I will submit legislation and this is where I need your help, not suggesting that we do not meet the will of the people. I'm suggesting that we work together to implement a bill that does no harm to our economy and no harm to our people. It is critical as elected officials that we make sure that when we implement laws that people don't get hurt. So I am asking that we work together to salvage and to minimize the damage that's going to be levied upon our small businesses so that we can welcome professionals to come to Maine, not leave Maine. So that we can move towards a better life for everyone in our state. I'm going to ask that you reverse the referendum vote on the tip credit. I think and I believe strongly, after 45 years in business and someone who has studied finance and economics for six years, that this is going to have a devastating impact on a workforce in our tourist industry. Already restaurants are finding themselves losing their help, they are moving away, saying, I'm throwing my hands up. Between May and September of every year, this state has 40,000,000 visitors. We need to have servers in our restaurants and people who work in our hotels to serve this population. It's the number one industry in Maine. We certainly don't want to destroy it. So I'm asking you to work with me to try to find a system that will work for everyone and will do no harm to our economy, but most importantly, to our elderly, our disabled, and our mentally ill, which are the most vulnerable population in our State and which per capita we have the largest in the country. Thank you very much. And will all the elected officials please stand to take the Oath of Office. Please raise your right hand and repeat after me.

I, (members stated their names) do swear, that I will support the Constitution of the United States and of this state, so long as I shall continue a citizen thereof. So help me God.

I, (members stated their names) do swear, that I faithfully discharge to the best of my abilities, the duties incumbent upon

me as a Representative of the 128th Legislature of the State of Maine, according to the Constitution and the laws of this state.

Congratulations, and let's get to work. Thank you.  
The Governor retired.

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Motion by Representative COOPER of Yarmouth, that Representative TEPLER of Topsham, Representative FECTEAU of Biddeford, Representative MONAGHAN of Cape Elizabeth, Representative PIERCE of Dresden, Representative SEAVEY of Kennebunkport and Representative AUSTIN of Gray were appointed a Committee to receive, sort and count votes for the Speaker.

The CLERK: The Clerk recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Mr. Clerk, I move that the name of Sara Gideon of Freeport be placed in nomination as Speaker of the House.

The CLERK: The Representative from Belfast, Representative Herbig, has placed the name of Sara Gideon of Freeport in nomination for Speaker of House. The Representative may proceed.

Representative **HERBIG**: Thank you, Mr. Clerk. Women and Men of the House, it's really nice to be with you all today. I'm honored to stand before you today to nominate Representative Sara Gideon of Freeport as Speaker of the House. Under this dome, we deal with complex questions every day. We are citizen legislators trying to make decisions that will help our neighbors find better jobs, pay mortgages and medical bills, put their kids in good schools, and if they're lucky, retire someday. There is no one I trust to lead us more as we make those difficult decisions than Representative Sara Gideon. I know she will be with me and all of you in the trenches every day because she has proven it again and again. Since the day Sara first stepped into this building, her steady leadership and tireless dedication, no matter how difficult the question, has benefited all of us and the people we represent. Some of you have seen Sara's strength first hand. On the floor of this chamber, she has lead faithfully and fairly as Assistant Majority Leader for the past two years. She has kept this chamber and our state moving forward with an honest, open, and unapologetic devotion to all Maine families. Respect for the institution and respect of others guide her, and it should be what guides all of us as we work together for the next two years. On the most difficult days Sara will remain committed to the work we do for the people of Maine, even when the other side walks away from the table. And on the quietest of days in this House, when we come together to pass good legislation, when we are more than just Republicans or Democrats, Sara will lead us. Representative Sara Gideon has earned our support and I urge you to vote with me in electing her Speaker of the House. Thank you.

Representative **HERBIG** of Belfast moved that the name of SARA GIDEON of Freeport be placed in nomination for the Speaker of the House.

The CLERK: The Chair recognizes the Representative from Lewiston, Representative Golden.

Representative **GOLDEN**: Mr. Clerk, I second the nomination of Sara Gideon and wish to speak to my motion.

The CLERK: The Representative from Lewiston, Representative Golden has seconded the nomination of Sara Gideon of Freeport for Speaker of the House. The Representative may proceed.

Representative **GOLDEN**: My understanding of leadership is informed by a perspective that most in this body don't have. It is a perspective that comes from fighting in Afghanistan and Iraq

when the qualities of leaders was often the difference between life and death, between mission accomplished and failure. Speaking from the heart, these experiences taught me the importance of having the right kind of leaders and the consequences of having the wrong type of leaders. I've observed that the best are always strong, and always fair. They listen to the ideas of the people they lead and whenever possible empower them to lead themselves. But when necessary, they respectfully but firmly take control and do what's best for the greater good. Representative Gideon takes the time to listen to the members of this House. I know that many of you have experienced this yourselves, as have I. She seeks out opportunities to hear opposing viewpoints and strives to understand the values that drive them. From that place of understanding, she focuses on the merits of the policy proposals at hand and on what is best for the people of Maine. She will lead this body with integrity, fairness, and respect for each of you. She will also firmly enforce the rules of this House and ensure that every member is treated with civility. Given the opportunity to stand and speak for the people they represent, I know that Representative Gideon is a leader who will empower the members of this House to be successful when they have earned it. I can tell you that who leads from the front of this chamber matters. The qualities, personality and style that they lead with trickle down to the whole and have a profound impact upon the environment in which we operate. Speaking to the majority of this chamber just a few weeks ago, Representative Gideon reminded us that instead of seeing division and dysfunction in the wake of the election, we must instead see the immense opportunity to meet people where they are and work to find a way to bring us all together. She believes that all voters must be respected and understood, and as such, so do the people they have elected to represent them. She deeply appreciates that many people in this state are living on the edge, fearful that their jobs will be lost or will never come back, and anxious for the future of their communities and their children. She cares about them the same as you do and will work tirelessly to bring this House together to address their concerns and provide for their needs. Representative Gideon is the leader that we need at the helm of this chamber and she has the right mixture of qualities necessary to lead this House. I am honored to have seconded her nomination for Speaker of the House. Thank you, Mr. Chair.

Representative GOLDEN of Lewiston seconded the motion.

The CLERK: The Clerk recognizes the Representative from Newport, Representative Fredette.

Representative FREDETTE: Thank you, Mr. Clerk. I move the name of Sheldon Hanington from Lincoln be placed in nomination as Speaker of the House and I wish to speak to my motion.

The CLERK: The Representative from Newport, Representative Fredette, has placed the name of Sheldon Mark Hanington of Lincoln in nomination for Speaker of the House. The Representative may proceed.

Representative FREDETTE: Thank you, Mr. Clerk. Ladies and Gentleman of the House, the job of Speaker of the House is simply that, you are Speaker of the House. When I first was elected in 2010 and I came into this Chamber, Republicans had the majority. We elected Bob Nutting as the 100<sup>th</sup> Speaker of the Maine House of Representatives. And during those two years I believed that Speaker Nutting set a standard, a very high standard, as someone who was not a Speaker for the Republicans or the Democrats, but was the Speaker of the House. I thought he exercised fairness, dignity, and clarity in everything that he did. In that same year in 2010 when I first came down here, I saw a good friend of mine who was a former

Speaker of the House, Representative John Martin from Eagle Lake. I developed a very good relationship with him and he has mentored me in different ways and many times not even knowing that he is doing it. And so these people play a very special role in the Maine House of Representatives. I have had the opportunity, the privilege, and dignity to serve as the House Republican Leader for the last four years and will do so for the next two. But the last four years have been difficult. We have had significant policy differences and we've had challenges. And my hope is going forward for the next two years, that we change that tone, that we change that conversation in this body. As we look forward into the coming weeks we need to have conversations about committees, terms of fairness. We picked up four seats since the last election. Back in 2010 when we had the majority, Speaker Nutting then was allowed a very fair allocation of Democrats on very important committees including Energy, LCRED and whatnot. Those are the kinds of important details in judgments that are important in setting the right tone in this body for the next two years. I am fortunate to have known Sheldon Hanington for most of my life. As many of you know, and I will remark probably many more times before I get done in the next two years, I come from a small town in Washington County where the population is 600 people, with a little high school named East Grand High School. My graduating class had 21 people in it. I had four brothers and my next oldest brother, Bruce Fredette, graduated with a guy named Sheldon Hanington who was from just a couple towns over in Wypitlock. And the Hanington family is a family that worked throughout Washington County and Aroostook County in the woods industry providing jobs, providing for their family, and providing for their community and providing leadership in that neck of the woods, back then. I've seen Sheldon grow as a person and as a man. Someone who decided to put himself forward in further service of his country in serving in the military. And when that seat became vacant up in Lincoln, Maine, I knew Sheldon was up there and I knew that he was involved in his local Legion, he was a community leader, someone who had the experience in his community to provide leadership in that area. In the last two years, I have seen Sheldon grow and learn in this body, and on his committee, the Veterans and Legal Affairs Committee. And I think that he has provided, from what I have seen, the temperament and the judgment to provide a fair, balanced approach for someone to be Speaker of this body. We have got a difficult two years ahead of us. Most of us know that. We have Referendum Questions, we have a budget, we've had a budget process for the last six years that has been very contentious. We need to get through that budget process without a state government shutdown. So we need to have leadership that's willing to engage, willing to work hard together, to roll up his sleeves and to get things done. Not to make political points, but to get things done. There's lots of analysis about this last election. What does it mean? What doesn't it mean? But at the end of the day I think the people, the voters, send a very simple message. Let's get something done for our country. In the same vein, let's get something done for our state. I think Sheldon Hanington can provide that leadership as Speaker and I ask that you follow my light in that vein. Thank you, Mr. Clerk.

Representative FREDETTE of Newport moved that the name of SHELDON MARK HANINGTON of Lincoln be placed in nomination for the Speaker of the House.

Representative ESPLING of New Gloucester seconded the motion.

Representative HICKMAN of Winthrop moved that nominations cease.

Subsequently, the Committee reported that it had attended to its duties and that:

Total number of votes cast 148

Total number of votes needed 75

The Representative from Freeport, Sara Gideon, having received a majority of the votes cast, the Sergeant-at-Arms escorted Speaker-elect Gideon to her chair.

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The Honorable ROBERT B. HUNT, Clerk of the House of the 127th Maine Legislature, administered the necessary oath of office to qualify the Speaker of the House to enter upon the discharge of her official duties.

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The House was called to order by Speaker Sara Gideon, of Freeport.

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At this point, pursuant to House Rule 201, the Chair addressed the House.

Speaker **GIDEON**: Congratulations to each and every one of you, Members of the 128<sup>th</sup> Maine House of Representatives and to all your family members, supporters, and friends who are here today. You have earned your seat in this House. There is something unique and powerful about this body as we enter it together today. The Maine House of Representatives is really the people's House and each of you represents the closest connection that Maine women, men, and children have with their own state government. The way that you listened to your friends, your neighbors, your colleagues, local business people, young and old and everywhere in between will remain the foundation of your work here because more important than earning you these seats, that listening, that learning, those expectations of what people around this state need from each of us will be the driving force of the work that we do here. Those returning from the 127<sup>th</sup> Legislature can probably turn to all of those who are new with this promise, the work you do will both be the hardest and the most gratifying that you have probably ever done. So as we embark on this journey today, let's just take a moment to look around recognize the effort and commitment from every one of us here and from your family and friends and let's give each other a round of applause. Over the course of these next two years we will become familiar to each other. Many of us will get to know each other very well. We will find what makes us different, but we will also learn that there is much we have in common. One of those things I know is how much family means to us. So I want to take just a moment to recognize the one person without whom I would never be standing here today, my husband, Ben. For as long as I have known him, I thought he was both the smartest and the most hard working person I've ever known and he inspires me to ask the very best of myself too. Every day he focuses his work on helping people when they are at their lowest point. For me, he is my true north, he is my inspiration and he is also the one who makes every day a little richer in spirit and laughter in our home. Thank you for also giving me a moment to recognize my children. They are the number one reason I do what I do every day. My 13-year old son Julian, right there, who once when I was deciding whether to run for a next term or to pursue other work, quietly put his hand on my shoulder and he said, no way, Mom. You've taught us this is the most important work you can be doing, you have to keep doing it. My son Alek, who you can barely see down there, who asks really tough questions like, mom, is it really worth working on this if you are

not sure you can get the bill passed. And, my baby, Josie, who is not really a baby anymore, she's 9 years old but she will always be my baby, who once when we saw a homeless person, she made me realize that she was really seeing that person as a human being and who insistently asked me this question until I could give her an answer: What are we doing to help? And finally, I would like to introduce my parents who are right here on the left of me. My dad, who has always taught by example, whose way of quiet leadership, whose lessons of, read everything and always tell the truth, have kept me honest in learning in all of my life. His love for this country as a pediatrician that immigrated here after falling in love with both my mom, and he says, with America too, lent me the deepest understanding of what the idea and spirit of this country really is. And my mother, a woman who raised my three sisters and me with this amazing combination of love and warmth but also a passion for her own career. She showed me the great gift of independence that a parent can give a child. She taught me that a woman's place is leading the pack and that being an incredible mom was easier, not harder, when we are also doing the work that we love and believe in. She is a first generation American herself, one of five girls born to her parents who barely escaped the Armenian genocide as children. My parents found hope and opportunity, they found each other and the great American dream in this country. And today, their daughter takes the Oath of Office as Speaker of the Maine House of Representatives. I know that each of you have these people and these stories who make you who you are too. Ancestors whose rich culture, whether French Canadian or Irish or so many things in between created who you are. Loved ones who are here today who shape your life and support you every day. None of us could do the job that we have done or are embarking on without your love and support. Thank you. Let's take a moment to recognize all of your loved ones who are here today too. Our different stories, our backgrounds and experiences, are such an important part of who we are together in this House. It is, in fact, one of our greatest strengths. In these familiar and new faces in the Chamber today, I want to celebrate that 54 of those faces belong to women, the largest number ever in the Maine House of Representatives. I am proud of the other diversity among our membership too. Our openness and welcoming spirit is part of what makes Maine such a special place. Though there are many different issues that motivate us to come here and do this work, we are here to help Maine people. For me I am driven every day by two things that were shared with me over these last months campaigning around the state. The first came from a conversation with a recently retired public health nurse. She told me how the number of kids, particularly in rural and rim counties in Maine, who arrive to kindergarten not ready to learn is rising at an alarming rate. Generational poverty, too little food in their bellies, and the effects of an ever-growing drug epidemic put both these innocent kids at risk, not just today, but also all the way into their future. And make no mistake, their future and Maine's future is one and the same. We cannot afford to lose even one of these children, and yet if we do nothing, we will lose an entire generation of them. The second story was one that a former colleague Stanley shared. He was interviewing a man at Madison Paper Mill, this man is 57 years old, smart, capable, tough, proud. He worked his whole adult life in a mill. His job was going away, like so many thousands of other jobs in Maine that have gone away in this past decade. Stanley recounted to me how devastating it was to watch this man break down and cry, wondering what his future and the future of so many other Maine men and women like him could possibly be. He wanted nothing more than to simply be able to take care of himself and his family. I share

these stories with you because I have been thinking a lot about how we should measure our work together. And here's what I think, that two years from now we should ask ourselves at least these two questions. First, did we help the economy grow good jobs across every part of this state, good jobs with opportunity for growth, and for learning, and for the good wages that afford someone at least a place in the middle class?

Second, did we help reduce the number of Maine children, and really all Maine people, across this state who are living in poverty? More jobs, fewer Maine kids and seniors and people in poverty. I believe those are goals every person in this room shares. Today is not the day to worry about whose ideas are best or how we get there, but the facts tell us clearly that work needs to be done. Today we start out with a Maine economy that is still lagging behind New England and the rest of the country in terms of economic growth, recovery of jobs lost during the recession, and wage growth. Yet we lead New England when it comes to the number of Maine children and seniors living in poverty. Those are the facts. And here's another: We have to do better. Because despite these statistics, there is hope for us. That hope comes from the great work ethic and Yankee ingenuity that all of us know and love and are so proud of as Mainers. That hope comes from this beautiful state and its rich natural resources that make our economy. That hope comes from the idea that each of us here today, Democrats and Republicans and Independents, accept that we can do better and pledge that we will do it together. I believe that pledge will allow us, no matter the letter after our name, plenty of room to work together. There are 1.3 million Mainers who expect it of us. We all want better health, education, jobs opportunities for our communities. We all have infrastructure that needs attention. We all care about clean water, clean air, and preserving Maine's natural beauty for future generations. There's one example of working together and rising above politics that I would like to recognize. During my four years in this Legislature, Representative Sanderson and Representative Malaby, who showed us a better way three years ago when we worked on a bill to increase access to Naloxone. It's hard to believe that just four years ago, opioid induced deaths were an issue that were just coming onto the public radar. But it was. And though increasing access, at first honestly, it seemed like it would fall completely into a partisan abyss, both Representative Sanderson and Representative Malaby became the leaders who changed the conversation, helped bring us all together, and ultimately today have saved hundreds of lives in the State of Maine. Those kinds of results are the reason I pledge this to you today. We will always remain at the table, we will not walk away so long as we have a willing partner who is negotiating in good faith on the other side. When we work together we are capable of great things. And in my heart and at the end of each day, I believe that this is what the spirit of Maine people are all about. For the folks who are here, last session, we proved that working together we could pass a budget that provided tax relief for working families while also increasing funding for education and providing smart investments in our seniors and the most vulnerable among us. That's the good news. But building on that foundation, we have more work to do. More work to give our children and grandchildren the quality education that they deserve. More work to fix our crumbling roads and bridges. More work to create the basic infrastructure of modern broadband that is so necessary for our economy. More work to make Maine more energy independent. More work to fight back against the devastating opioid epidemic that continues to take lives. More work to provide healthcare, childcare, and eldercare to those in need. More work to bring good high paying jobs to the parts of our State that need them

most. And more work to recruit and train the talented people, young and old, who can do the jobs well and with the sense of pride that we know exists within every person who lives in this great state that we call home. As Speaker, I will always work together and come to the table in search of common ground. I will always try to protect the integrity of this chamber and the office that you have elected me to hold. I will always work to help grow Maine's economy and protect Maine's children and their families. And I will always hold my door open to all of you because I believe that each of you want those very same things too. Thank you for giving me the privilege of standing here with you today. I look forward to serving with all of you and to seeing the great work that you do and we do together. Thank you.

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Motion by Representative LUCHINI of Ellsworth, that Representative PIERCE of Falmouth, Representative FULLER of Lewiston, Representative FAY of Raymond, Representative FARRIN of Norridgewock and Representative WINSOR of Norway were appointed a Committee to receive, sort and count votes for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Madam Speaker. I move that the name of Robert B. Hunt of Yarmouth be placed in nomination for Clerk of the House.

The SPEAKER: The Representative from Belfast, Representative Herbig, has placed the name of Robert B. Hunt of Yarmouth in nomination for the Clerk of the House. The Representative may proceed.

Representative **HERBIG**: Thank you, Madam Speaker. Women and Men of the House, it is my pleasure to nominate Rob Hunt to serve another term as Clerk of the Maine House of Representatives. Rob has served admirably as Clerk of the House in the 127<sup>th</sup> Legislature and as Assistant Clerk in the 126<sup>th</sup>. We grapple with complex, difficult issues on a daily basis in this chamber and there is no one more qualified or more committed than Rob Hunt to keep the train on the tracks. His expertise, humor and steady hand have guided all of us through the procedural process to ensure our daily operations run smoothly. It is unique that Rob has also served as a member of this chamber. He literally has sat where you are now serving the people of Maine as a Representative of Buxton and Hollis from 2008 to 2012. A lot may have changed since then, but some things have remained the same. I actually use to sit behind the then Representative Hunt and the Representative Louis Luchini of Ellsworth, actually on that side of the aisle. Rob, they sat right in front of me. Rob keeps a close eye on Representative Luchini and continues to do so. For good reason. Rob's deep love and fierce respect for this institution was taught to him by Millie MacFarland. He keeps that today and is an incredible asset to this chamber and to each of us. Clerks are uniquely responsible for serving this entire body regardless of member background or political affiliation. Rob's open-door policy and unequivocal respect has and will continue to serve us well in the session ahead. Please join me in supporting Rob Hunt for Clerk of the House. Thank you.

Representative **HERBIG** of Belfast moved that the name of ROBERT B. HUNT of Yarmouth be placed in nomination for the Clerk of the House.

Representative **WARD** of Dedham seconded the motion.

Representative **MARTIN** of Eagle Lake moved that nominations cease.

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Motion by Representative **BABBIDGE** of Kennebunk that the Committee cast one vote for the House for **ROBERT B. HUNT**.

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The Speaker of the House administered the necessary oath of office to qualify the Clerk of the House of the 128th Maine Legislature to enter upon the discharge of his official duties.

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Motion by Representative **TALBOT ROSS** of Portland, that Representative **AUSTIN** of Gray, Representative **CASÁS** of Rockport, Representative **DENNO** of Cumberland and Representative **GRANT** of Gardiner were appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative **Berry**.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, I move that the name of Jennifer E. McGowan of Hallowell be placed in nomination for Assistant Clerk of the House.

The **SPEAKER**: The Representative from Bowdoinham, Representative **Berry**, has placed the name of Jennifer E. McGowan of Hallowell in nomination for Assistant Clerk of the House. The Representative may proceed.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the 128<sup>th</sup> Maine House, I have had the pleasure of knowing Jennifer McGowan for ten years, since the first time that I was a first-year legislator here. The Assistant Clerk needs to know really two jobs, her own and that of the Clerk. Because, as we have seen over the years, the Assistant Clerk often steps in to take over and needs to be ready to do that at the drop of a gavel, needs to be ready to keep this institution running smoothly, to keep the wheels of the Maine House turning, and to keep us all looking and doing our best for Maine people. Madam Speaker, Men and Women of the House, Jennifer McGowan is ready and willing and able and there is no one that I would rather see in this role working for us and for Maine people. Jennifer is a working mother and grandmother, she is very proud of her three children and her two grandchildren. And in an important sense, we are a family here. We are one big fractious family, fractious at times, but we also work together. And I have full faith and confidence that with her leadership, that of the Clerk, that of the Speaker, we will be a wonderful family here and get a lot done for Maine. She also really values the family aspects of this institution, in part because of her upbringing. She grew up with a father who served as a State Representative and a brother who served as a State Representative, one Democrat and one Republican. So she also appreciates the importance of working in a bipartisan way and a non-partisan way and is well suited to the non-partisan office of the Clerk's Office. Jennifer is also an avid skier, loves the Maine outdoors and also has served on the Ski Patrol. So if you ever feel like you're going off the trail a little bit, or maybe embarked down a trail that is a little too hard, I recommend that you have a word with her. I'm sure she'll help you out. So for all these reasons and more, it's my honor to nominate Jennifer McGowan for Assistant Clerk. Thank you.

Representative **BERRY** of Bowdoinham moved that the name of **JENNIFER E. MCGOWAN** of Hallowell be placed in nomination for Assistant Clerk of the House.

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

Representative **SKOLFIELD**: Thank you, Madam Speaker. I second the nomination of Jennifer McGowan and I would like to speak to that motion.

The **SPEAKER**: The member may proceed.

Representative **SKOLFIELD**: It is with great pleasure that I stand to second the motion of Jennifer E. McGowan to the Assistant Clerk of the House. It has been my observation that Ms. McGowan has done her duties in an efficient and effective manner. She is fair, she is professional, personable, and last but not least, non-partisan in all her efforts. She accomplishes this all with style and with grace. She will serve and continue to serve this body well. Thank you Madam Speaker.

Representative **SKOLFIELD** of Weld seconded the motion.

Representative **PERRY** of Calais moved that nominations cease.

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Motion by Representative **COLLINGS** of Portland that the Committee cast one vote for the House for **JENNIFER E. MCGOWAN**.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 4)

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

December 7, 2016

Normand Arbour  
2 State House Station  
Augusta, Maine 04333

Dear Normand:

Pursuant to House Rule 201.1 (I) (b), I am pleased to appoint you as the Sergeant-at-Arms for the 128th Legislature.

On behalf of the entire House membership, I would like to welcome you and wish you well as you carry out your duties and responsibilities.

Sincerely,

S/Sara Gideon

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 5)

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

December 7, 2016

Lance Willis  
2 State House Station  
Augusta, Maine 04333

Dear Lance:

Pursuant to House Rule 201.1 (I) (b), I am pleased to appoint you as Assistant Sergeant-at-Arms for the 128th Legislature.

On behalf of the entire House membership, I would like to wish you well as you carry out your duties and responsibilities.

Sincerely,

S/Sara Gideon

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Clerk of the House administered the necessary oaths of office to qualify the Assistant Clerk of the House, the Sergeant-at-Arms and the Assistant Sergeant-at-Arms to enter upon the discharge of their official duties.

Motion by Representative BEEBE-CENTER of Rockland, that Representative TUCKER of Brunswick, Representative HUBBELL of Bar Harbor, Representative DUNPHY of Old Town, Representative FAY of Raymond, Representative WINSOR of Norway, Representative PARRY of Arundel and Representative WADSWORTH of Hiram be appointed a Committee to notify the Governor of the organization of the House.

Subsequently, Representative HUBBELL of Bar Harbor reported that the Committee had delivered the message with which it was charged.

**ORDER**

On motion of Representative HERBIG of Belfast, the following House Order: (H.O. 1)

ORDERED, that the House Rules of the 127th Maine House of Representatives shall be the House Rules of the 128th Maine House of Representatives.

**READ and PASSED.**

**COMMUNICATIONS**

The Following Communication: (H.C. 2)

**STATE OF MAINE**

**OFFICE OF THE SECRETARY OF STATE**

December 1, 2016

To the Speaker of the House in the One Hundred and Twenty-eighth Legislature:

I, Matthew Dunlap, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Representatives at the General Election held on the eighth day of November in the year Two Thousand and Sixteen;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected:

District 1	
Pulchlopek, Ronald S., Kittery	1,623
Rykerson, Deane, Kittery	3,355
District 2	
Lawrence, Mark W., South Berwick	3,116
Moynahan, Jonathan Michael, Eliot	2,561
District 3	
Blume, Lydia C., York	3,652
Mantell, Peter G., York	2,473
District 4	
Hymanson, Patricia, York	3,000
Moulton, Bradley S., York	2,649

District 5	
O'Connor, Beth A., Berwick	2,496
Plante, Joshua R., Berwick	2,301
District 6	
Gove, Manley C., South Berwick	2,333
Parker, Jennifer Ellen, South Berwick	2,756
District 7	
Foley, Robert Alan, Wells	3,730
Howard, Joachim H., Wells	2,255
District 8	
Babbidge, Christopher W., Kennebunk	3,803
Ducharme, Bradley Scott, Kennebunk	2,209
District 9	
Denk, Diane M., Kennebunk	2,715
Seavey, H. Stedman, Kennebunkport	2,769
District 10	
Ingwesen, Emily E., Arundel	1,913
Parry, Wayne R., Arundel	3,436
District 11	
Fecteau, Ryan Michael, Biddeford	3,194
Morin, Renee P., Biddeford	1,512
District 12	
Grohman, Martin J., Biddeford	1,851
Lauzon, Matthew D., Biddeford	1,624
District 13	
Coleman, Michael E., Old Orchard Beach	2,061
Hogan, George W., Old Orchard Beach	3,277
District 14	
Bailey, Donna, Saco	2,614
Christenbury, Jeffrey A., Saco	1,588
Johnston, Jacob C., Saco	995
District 15	
Bedell, Mark Alan, Saco	1,713
O'Neil, Margaret M., Saco	3,342
District 16	
Marean, Donald G., Hollis	3,489
Payne, River L., Hollis	2,012
District 17	
Gibson, Gerry R., Waterboro	1,757
Prescott, Dwayne Willis, Waterboro	2,766
District 18	
Frohloff, Gordon E., Sanford	1,386
Mastraccio, Anne-Marie, Sanford	2,331
District 19	
Harrington, Matthew A., Sanford	2,288
Tero, Nalbert Tarbox, Sanford	2,179

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District 20		District 36	
Gerrish, Karen A., Lebanon	3,365	Harlow, Denise P., Portland	3,251
Lauzon, Daniel J., Lebanon	1,565		
District 21		District 37	
Carroll, Aaron R., Limerick	2,042	Farnsworth, Richard Ransom, Portland	3,830
Sampson, Heidi H., Alfred	3,144		
District 22		District 38	
Fitzgerald, Richard J., Buxton	2,192	Loring, Thomas J., Portland	773
Kinney, Jonathan L., Limington	2,938	Moonen, Matthew W., Portland	4,310
District 23		District 39	
Ordway, Lester S., Standish	3,169	Doyle, Peter Ignatius, Portland	944
Smith, Pamela J., Standish	1,805	Sylvester, Michael A., Portland	4,387
District 24		District 40	
Bryant, Mark E., Windham	2,775	Ross, Rachel Talbot, Portland	3,156
Martin, Benjamin, Windham	2,347		
District 25		District 41	
Corey, Patrick W., Windham	4,000	Azzola, James H., Portland	909
District 26		Jorgensen, Erik Clark, Portland	4,053
Mattingly, Matthew L., Gorham	2,264	District 42	
Terry, Maureen Fitzgerald, Gorham	2,306	Abercrombie, Susan M., Portland	1,311
District 27		Collings, Benjamin T., Portland	3,424
McLean, Andrew J., Gorham	3,164	District 43	
Means, James D., Gorham	2,538	Langholtz, Jeffrey W., Portland	1,957
District 28		Sanborn, Heather B., Portland	3,632
Caiazzo, Christopher J., Scarborough	2,747	District 44	
Sirocki, Heather W., Scarborough	3,046	Diamond, Kimberly A., Falmouth	2,647
District 29		Pierce, Teresa S., Falmouth	3,586
Kalikow, Theodora J., Scarborough	2,847	District 45	
Vachon, Karen R., Scarborough	3,193	Denno, Dale J., Cumberland	3,415
District 30		Timmons, Michael J., Cumberland	2,644
Monaghan, Kimberly J., Cape Elizabeth	4,144	District 46	
Van Syckel, George W., Cape Elizabeth	1,960	Chace, Paul B., Durham	3,052
District 31		Hall, Sarah K., Durham	2,771
Reckitt, Lois Galgay, South Portland	4,670	District 47	
District 32		Cooper, Janice E., Yarmouth	3,788
Hamann, Scott, South Portland	4,184	Snow, Richard Vinton, Yarmouth	2,319
District 33		District 48	
Battle, Kevin J., South Portland	2,161	Gideon, Sara, Freeport	3,994
Fox, Brad, South Portland	1,905	Schulz, Paul Benjamin, Pownal	1,841
District 34		District 49	
Gattine, Andrew, Westbrook	3,916	Daughtry, Matthea Elisabeth, Brunswick	3,981
District 35		Stevens, Michael R., Brunswick	2,046
Bates, Dillon F., Westbrook	2,859	District 50	
Bourque, James R., Westbrook	1,968	Tucker, Ralph L., Brunswick	4,530
		District 51	
		McCreight, Joyce, Harpswell	4,636
		District 52	
		DeChant, Jennifer L., Bath	3,021
		Weidner, Bil, Bath	1,666

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District 53		District 68	
Neilson, William L., Arrowsic	2,330	Cebra, Richard M., Naples	2,722
Pierce, Jeffrey K., Dresden	3,309	Powers, Christine B., Naples	2,565
District 54		District 69	
Lyons, Ruth A., Topsham	2,849	Ginzler, Phyllis A., Bridgton	2,603
Tepler, Denise A., Topsham	3,121	Riseman, Walter N., Harrison	2,467
District 55		Others	3
Berry, Seth A., Bowdoinham	2,926	District 70	
Hobart, Brian D., Bowdoinham	2,496	Rankin, Helen E.E., Hiram	2,145
District 56		Wadsworth, Nathan John, Hiram	2,729
Gaiason, Scott N., Lisbon	1,983	District 71	
Mason, Gina M., Lisbon	2,740	Twitchell, Michael W., Norway	1,992
District 57		Winsor, Tom J., Norway	2,714
Gayton, Nicholas John, Sabattus	1,726	District 72	
Wood, Stephen James, Greene	3,522	Bradley, James F., Mechanic Falls	1,566
District 58		Dillingham, Kathleen R.J., Oxford	3,099
Handy, James R., Lewiston	2,454	District 73	
Roy, Matthew Paul, Lewiston	2,348	Coffman, Cheryl S., Buckfield	1,485
District 59		Herrick, Lloyd C., Paris	2,952
Chicoine, Elliot R., Lewiston	2,072	District 74	
Fuller, Roger Jason, Lewiston	2,868	Cornelio, Keith R., Jay	2,304
District 60		Riley, Christina, Jay	2,361
Golden, Jared F., Lewiston	2,420	District 75	
Padham, Jeffery M., Lewiston	962	Buzzell, James A., Leeds	1,667
District 61		Timberlake, Jeffrey L., Turner	3,543
Brooks, Heidi Eileen, Lewiston	1,972	District 76	
Miller, Stephen Francis, Lewiston	1,205	Ducharme, Jill E., Wayne	2,398
District 62		Hilliard, Gary L., Belgrade	3,195
Dickey, Brandon Eli, Auburn	1,208	District 77	
Melaragno, Gina, Auburn	1,903	Perkins, Michael D., Oakland	3,133
District 63		Tibbetts, Alan B., Sidney	1,988
Bickford, Bruce A., Auburn	3,038	District 78	
LeClair, Nathan Paul, Auburn	1,861	Nadeau, Catherine M., Winslow	2,400
District 64		Twitchell, Benjamin B., III, Winslow	2,250
Sheats, Bettyann W., Auburn	2,673	District 79	
Travers, Michael C., Minot	2,456	Glowa, John M., Sr., China	1,766
District 65		Therault, Timothy S., China	2,940
Breton, Elijah Ty, Poland	2,295	District 80	
Espling, Eleanor M., New Gloucester	2,795	Bradstreet, Richard T., Vassalboro	2,549
District 66		Fowle, Lori A., Vassalboro	2,308
Fay, Jessica L., Raymond	2,638	District 81	
McClellan, Michael Dennis, Raymond	2,537	Hadley, Milton F., III, Winthrop	1,853
District 67		Hickman, Craig V., Winthrop	3,575
Austin, Susan M., Gray	3,369	District 82	
Rumson, Rachel Lyn, Gray	1,863	Ackley, Kent, Monmouth	2,692
		Greenwood, Randall Adam, Wales	2,379

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District 83		District 99	
Grant, Gay M., Gardiner	2,715	Kinney, MaryAnne, Knox	2,799
Williams, Scott Douglas, Gardiner	1,956	Turner, April Dawn, Freedom	2,133
District 84		District 100	
Warren, Charlotte May, Hallowell	4,137	Fredette, Kenneth Wade, Newport	4,086
District 85		District 101	
Doore, Donna R., Augusta	3,482	Davitt, James E., Hampden	1,860
District 86		Haggan, David G., Hampden	3,505
Pouliot, Matthew Gary, Augusta	3,260	District 102	
District 87		Guerin, Stacey K., Glenburn	3,460
Hanley, Jeffery P., Pittston	3,046	Hammill, Kimberly Claire, Levant	1,242
Ross, Wendy S., Wiscasset	2,275	District 103	
District 88		Reed, Roger E., Carmel	3,605
Sanderson, Deborah J., Chelsea	2,922	Thomas, Richard A., Hermon	1,564
Torbert, James R., Whitefield	2,069	District 104	
District 89		Pearson, David Brookes, Dexter	1,537
Hawke, Stephanie, Boothbay Harbor	3,052	Wallace, Raymond Allen, Dexter	2,669
Wolf, Wendy J., Boothbay Harbor	2,617	District 105	
District 90		Hartford, Joshua T., Canaan	1,675
Devin, Michael G., Newcastle	3,373	Stetkis, Joel R., Canaan	2,998
Mayer, Roberta C., Damariscotta	2,311	District 106	
District 91		Short, Stanley Byron, Jr., Pittsfield	1,928
Simmons, Abden S., Waldoboro	2,721	Strom, Scott Walter, Pittsfield	2,065
Trask-Eaton, Emily, Waldoboro	2,256	District 107	
District 92		Amadon, Anne C., Skowhegan	1,384
Sleeper, Sonja, South Thomaston	1,891	Austin, Betty A., Skowhegan	1,557
Spear, John Alden, South Thomaston	3,003	Pelletier, Michael J., Skowhegan	1,154
District 93		District 108	
Beebe-Center, Anne H., Rockland	2,531	Picchiotti, John J., Fairfield	2,658
Robishaw, Donald Paul, Jr., Rockland	1,993	Rowden, Aaron Blaschke, Fairfield	1,579
District 94		District 109	
Casás, Owen D., Rockport	3,079	Longstaff, Thomas R.W., Waterville	3,517
Meil, Kathleen, Rockport	3,067	District 110	
District 95		Andre, Mark R., Oakland	1,669
Goldberg, Elinore, Hope	2,079	Madigan, Colleen M., Waterville	2,323
Sutton, Paula G., Warren	2,707	District 111	
District 96		Dorney, Ann E., Norridgewock	1,984
Harmon, R. Ryan, Palermo	2,490	Farrin, Bradlee Thomas, Norridgewock	2,633
Zeigler, Stanley Paige, Jr., Montville	2,888	District 112	
District 97		Chassie, Barbara R., Phillips	1,693
Herbig, Erin D., Belfast	3,912	Skolfield, Thomas H., Weld	3,001
Richardson, Blaine, Belfast	1,437	District 113	
District 98		Harvell, Lance Evans, Farmington	2,438
Cuddy, Scott W., Winterport	2,136	Landry, H. Scott, Jr., Farmington	2,349
Gillway, James S., Searsport	2,973		

JOURNAL AND LEGISLATIVE RECORD - HOUSE, December 7, 2016

District 114		District 129	
Black, Russell J., Wilton	3,312	Lyford, Peter A., Eddington	3,239
Iverson, Guy A., Chesterville	1,464	Montague, Teresa, Clifton	1,968
District 115		District 130	
Madigan, John E., Jr., Rumford	2,391	Campbell, Richard H., Orrington	3,170
Martin, Joseph Edward, Rumford	2,033	Wombacher, John Andrew, Bucksport	1,729
District 116		District 131	
Briggs, Sheryl J., Mexico	2,108	Caldwell, Dorothy L., Penobscot	1,707
Pickett, Richard A., Dixfield	2,626	Ward, Karleton S., Dedham	3,695
District 117		District 132	
Head, Frances M., Bethel	3,267	Edsall, David Walter, Ellsworth	1,893
Pew, Sidney J., Andover	2,425	Luchini, Louis Joseph, Ellsworth	3,228
District 118		District 133	
Estabrook, Philip Anthony, Cornville	1,597	Chapman, Ralph, Brooksville	3,074
Grignon, Chad Wayne, Athens	2,569	Colwell, Nancy Faye, Surry	2,261
District 119		District 134	
Stearns, Paul A., Guilford	4,238	Kumiega, Walter A., III, Deer Isle	4,523
District 120		District 135	
Evans, Richard A., Dover-Foxcroft	2,011	Hubbell, Brian L., Bar Harbor	4,040
Higgins, Norman E., Dover-Foxcroft	2,313	Marshall, Maurice Joseph, Lamoine	1,612
District 121		District 136	
Drinkwater, Gary A., Milford	2,193	Fisher, Michael G., Sullivan	1,959
Duchesne, Robert S., Hudson	2,218	Malaby, Richard S., Hancock	2,672
District 122		District 137	
Dunphy, Michelle A., Old Town	2,455	Fogelman, Laurie W., Franklin	1,716
Paradis, Edward L., Old Town	1,565	Lockman, Lawrence Earl, Amherst	2,761
District 123		District 138	
Brann, Ryan S., Orono	1,522	Alley, Robert W., Sr., Beals	2,451
Tipping-Spitz, Ryan D., Orono	2,846	Doak, Peter, Columbia Falls	2,240
District 124		District 139	
Frey, Aaron M., Bangor	2,712	Morton, Colleen S., Eastport	1,331
LaPointe, Daniel, Orono	1,849	Tuell, William R., East Machias	3,251
District 125		District 140	
Capehart, Gary E., Bangor	1,825	Moore, Marianne, Calais	2,033
Kornfield, Victoria P., Bangor	2,113	Perry, Anne C., Calais	2,185
Turcotte, Michael P., Bangor	232		
District 126		District 141	
Damon, Douglas K., Bangor	1,462	Griffin, Robert Francis, Chester	1,098
Schneck, John C., Bangor	1,808	Turner, Beth Peloquin, Burlington	3,304
District 127		District 142	
Cardone, Barbara A., Bangor	2,217	Betz, Lee Ann, Lincoln	1,189
Veilleux, John Glenn, Bangor	1,724	Hanington, Sheldon Mark, Lincoln	2,974
District 128		District 143	
Craig, Garrel Robert, Brewer	2,414	Perkins, Debbi J., Millinocket	1,836
Verow, Arthur C., Brewer	2,359	Stanley, Stephen S., Medway	2,702
		District 144	
		Sherman, Roger Leigh, Hodgdon	3,749

District 145  
 Hines, Glenn M., Hammond 842  
 Johansen, Chris A., Monticello 2,653  
 Rockwell, Randy S., Merrill 936

District 146  
 Monahan, Rosemary, Woodland 1,932  
 White, Dustin Michael, Washburn 2,859

District 147  
 Saucier, Robert J., Presque Isle 1,795  
 Stewart, Harold L., III, Presque Isle 2,196

District 148  
 Edgecomb, Anthony J., Fort Fairfield 1,917  
 McCrea, David Harold, Fort Fairfield 2,218

District 149  
 McElwee, Carol A., Caribou 2,659  
 Rivard, Ginette M., Caribou 1,531

District 150  
 Martin, Roland Daniel, Sinclair Township 4,288

District 151  
 Martin, John L., Eagle Lake 4,056

I, Matthew Dunlap, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Representatives at the General Election, as reported to me on the returns from the cities, towns, and plantations of the State.  
 S/Matthew Dunlap  
 Secretary of State

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 3)  
**HOULTON BAND OF MALISEET INDIANS**  
**88 BELL ROAD**  
**LITTLETON, MAINE 04730**

November 9, 2016  
 Honorable Robert B. Hunt  
 Clerk of the House  
 2 State House Station  
 Augusta, Maine 04333  
 Dear Clerk Hunt:

This is to certify that Henry J. Bear was re-elected by the Houlton Band of Maliseet Indians to serve as the Representative to the State Legislature representing the Houlton Band of Maliseet Indians for the term of December 2016 to December 2018.

Sincerely,  
 S/Crystal Tucker  
 Tribal Clerk

**READ and ORDERED PLACED ON FILE.**

**ORDERS**

On motion of Representative MONAGHAN of Cape Elizabeth, the following Joint Order: (H.P. 1)

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at the Speaker's discretion, to permit radio or television in the Hall of the House of Representatives during joint conventions of the Legislature.

**READ and PASSED.**

Sent for concurrence.

On motion of Representative STANLEY of Medway, the following Joint Order: (H.P. 2)

ORDERED, the Senate concurring, that there be prepared by the Legislative Information Office, under the direction of the Secretary of the Senate and the Clerk of the House, after adjournment of the present session, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed sufficient copies to meet the needs of the Legislature. A copy shall be mailed to each member and officer of the Legislature and the State Law and Legislative Reference Library.

**READ and PASSED.**

Sent for concurrence.

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

On motion of Representative McELWEE of Caribou, the following House Order: (H.O. 2)

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

**READ and PASSED.**

On motion of Representative GOLDEN of Lewiston, the following House Order: (H.O. 3)

ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal and Calendar of the House, said copy to be on the desk of each member or electronically distributed at the opening of each daily session.

**READ and PASSED.**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 4)

ORDERED, that the remaining subordinate officers of the House be appointed to serve for the present biennium as follows by the Clerk: a Chief Calendar Clerk, two Advance Journal and Calendar Clerks, an Administrative Assistant, a Journal Copy Clerk, a House Reporter, a Senior Systems Support Coordinator, a Telephone Receptionist, and a Chamber Activities Coordinator; and be it further

ORDERED, that the Clerk is hereby authorized to accept resignations and fill any vacancies of said subordinate officers during the biennium.

**READ and PASSED.**

On motion of Representative HANLEY of Pittston, the following House Order: (H.O. 5)

ORDERED, that the Clerk of the House be authorized to invite the clergy of Augusta, Hallowell and Gardiner to officiate as Chaplains of the House, or to invite clergy from other areas of the State as requested by any member of the House; and be it further

ORDERED, that all clergy acting as Chaplains of the House shall receive \$30 for each officiation, to be paid on payrolls to be approved by the Clerk of the House.

**READ and PASSED.**

On motion of Representative LOCKMAN of Amherst, the following House Order: (H.O. 7)

ORDERED, that the Standing Committee on Elections shall convene in an expeditious manner at the call of the chair to examine thoroughly issues relevant to the election in House District 13 regarding the qualifications of George Hogan to hold office as a properly elected candidate in the 128th Legislature, and that the committee, by December 30, 2016, shall make such recommendations to the full House as it considers appropriate.

**READ.**

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

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the Maine Constitution lays out the qualifications for State Representative in Article IV, Part First, Section IV, Qualifications residency requirement, "No person shall be a member of the House of Representatives, unless the person shall, at the commencement of the period for which the person is elected, have been 5 years a citizen of the United States, have arrived at the age of 21 years, have been a resident in this State one year, and for the 3 months next preceding the time of this person's election shall have been, and, during the period for which elected, shall continue to be a resident in the district which that person represents." Madam Speaker, there is no exception for being between homes. A State Representative must live in their district continuously. That does not preclude him or her from vacationing outside his or her district, nor should it prevent him or her from visiting friends, even overnight. It is reasonable to expect a State Representative to maintain an inhabited place of abode within his or her district, and not depend upon a dwelling outside the district for shelter. It is also reasonable to expect a State Representative to comply with the constitutional requirements of his or her office at all times during his or her tenure. A candidate for State Representative must live within the district he or she seeks to represent for the entire three-month period prior to the election. Evidence in the form of a private investigator's report, supported by sworn affidavits of witnesses, supports the conclusion that George W. Hogan, Sr. was not living in House District 13 for the entire three-month period prior to the election on November the 8<sup>th</sup>. He is therefore ineligible to be seated as a State Representative in the 128<sup>th</sup> Legislature. Madam Speaker, the evidence is credible and compelling and it merits review by the House Elections Committee. An affirmative vote on the pending motion will send a clear message to Maine people that we take our oath to uphold the Maine Constitution seriously. Madam Speaker, I urge passage of the pending House Order and I request a Roll Call.

The same Representative **REQUESTED** a roll call on **PASSAGE**.

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

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank, you Madam Speaker. Madam Speaker, Women and Men of the House, Representative George Hogan has lived in Old Orchard Beach for 74 years. Representative Hogan owns two homes in Old Orchard Beach. He lived with his wife at 17 Seacliff Avenue for many, many years. When she passed away, he wanted a fresh start, a chance to build new memories. He bought a second home at 17 Fern Park Avenue, also in Old Orchard Beach. While the renovations are being completed, Representative Hogan has been staying in Saco until he can move back into his newly renovated home full-time. Representative Hogan has hefty bills

from contractors, landscapers, and utility companies for the renovations and investments he's already made into building a new life for himself. Never mind the documentation showing Old Orchard Beach is in fact his home and has been for generations for his entire family. Again, let me be clear, Representative Hogan has lived in his District for 74 years. He literally continues to build his life there today. One million, three hundred, twenty-nine thousand Mainers are wondering when we are going to stop tripping over our own feet and get something done. That includes the thousands of Mainers who trust Representative George Hogan to do the job they elected him for. This is a waste of our time and theirs, and I, for one, had higher hopes for today. I ask that you follow my light and respect for George Hogan and each one of us in this room.

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

Representative **FREDETTE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I think it is fair to say that Representative Lockman has brought this forward in his opinion, in good faith and as a strict constructionist under the Constitution. However, I would submit that this body has acted upon the definition of residence I believe some 28 times in Statute. And I refer specifically to Title 21A, Ch. 3, § 112 where it speaks about residence for voting purposes. And I will read that, in part, Madam Speaker. Voting for residence is governed by the following provisions. Subsection 1, Residence. The residence of a person is that place where that person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return. The following factors may be considered by an applicant and considered by a registrar in determining a person's residence under this section. The registrar need not find all of these factors to be present in order to conclude that an applicant qualifies to register to vote in the municipality. Subsection 1, a direct statement of intention by the person pursuant to Subsection 121, Subsection 1, 2, the location of any dwelling currently occupied by the person, 6, the place where any motor vehicle owned by the person is registered, and it goes on and on and on, including number 16 where it indicates any other objective facts tending to indicate a person's place of residence. And then I would follow that up with Sections 3 where it indicates, residence retained, a person does not lose the person's residence if the person temporarily leaves home and goes to another country, state or place in this state with the intent of returning. Madam Speaker, the time of the drafting of the Constitution, some 200 years ago, we certainly weren't as mobile as we are today. We have many factors generally in our lives today that change circumstances. We have people right in this state who are deployed overseas as members of the National Guard who may be sent to Iraq or Afghanistan or other places away for periods of time exceeding a year. I don't think anyone is going to suggest that somebody deployed overseas in duty of our country in Iraq loses their right to have a place of residence in their hometown. And I would further submit, Madam Speaker, for myself back in 2007 and 2008, I spent two years receiving an education, a Master's Degree, down in Cambridge, Massachusetts, where I would travel down there on a Sunday night, and when I would return back to Maine on Friday night. And I did that for two years. And certainly in obtaining that Master's Degree out-of-state, I certainly did not intend to give up my residence. And I think there are many more circumstances under which people have today where they may have a temporary situation where residence is temporary. It certainly, I believe, when someone is declaring, based on history, based on where they previously lived, voted, register a car, has the ample evidence to meet the standard as required, not only in the



Constitution, but is also in the Statute. I am an attorney and as an attorney sometimes we do these things called a Motion for Summary Judgment. And what that really means in sort of layman's terms is, even if you believe the facts in the best case scenario to the other party, you are still entitled to what is called a Judgment as a Matter of Law. In my opinion, Madam Speaker, even if one were to believe the statements as they were put forth, I believe that there would still be a finding that George Hogan is in fact a resident of his district and should be properly seated. And I therefore will be voting against the motion. Thank you, Madam Speaker.

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

Representative **LOCKMAN**: Thank you, Madam Speaker. For all of the reasons we have just heard, recited by Representative Herbig and Representative Fredette, argue that this matter ought to be referred to the Elections Committee to determine whether there is indeed a residence to which Mr. Hogan can return in Old Orchard Beach but hasn't been leased out. We don't need to debate this on the floor of the House. A vote in favor of the pending motion simply recognizes that there is evidence, there is some question about this, it ought to be referred to the Elections Committee for review and then have the Elections Committee report back to us. Thank you, Madam Speaker.

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

**ROLL CALL NO. 1**

YEA - Bradstreet, Campbell, Cebra, Guerin, Hanington, Hanley, Johansen, Lockman, Lyford, O'Connor, Picchiotti, Reed, Sirocki, Timberlake, Vachon, White, Wood.

NAY - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Esping, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Hickman, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Pickett, Pierce J, Pierce T, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Wadsworth, Wallace, Ward, Warren, Winsor, Zeigler, Madam Speaker.

ABSENT - Casas, Grignon, Haggan, Herrick, Higgins, Hilliard, Hogan, Pouliot, Sanderson, Simmons, Stetkis, Sutton, Turner.

Yes, 17; No, 121; Absent, 13; Excused, 0.

17 having voted in the affirmative and 121 voted in the negative, with 13 being absent, and accordingly the House Order **FAILED PASSAGE**.

On motion of Representative HERBIG of Belfast, the following House Order: (H.O. 8)

ORDERED, that Representative Sara Gideon of Freeport be declared Speaker of the House of Representatives for a term to expire on December 5, 2018; and be it further

ORDERED, that Robert B. Hunt of Yarmouth be declared Clerk of the House of Representatives for a term to expire on December 5, 2018; and be it further

ORDERED, that Jennifer E. McGowan of Hallowell be declared Assistant Clerk of the House of Representatives for a term to expire on December 5, 2018.

**READ and PASSED.**

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**SENATE PAPERS**

The following Joint Order: (S.P. 1)

ORDERED, the House concurring, that the Joint Rules of the 127th Legislature are the Joint Rules of the 128th Legislature, except that Joint Rule 202 is adopted as follows:

**Rule 202. Cloture for Legislators at the First Regular Session.**

All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in December, except that for the First Regular Session of the 128th Legislature, the cloture date is December 30, 2016.

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

**READ.**

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

Representative **FREDETTE**: Thank you, Madam Speaker. I just would raise as a point of order, I just want to clarify that we certainly had some questions raised in our caucus in regards to cloture date being December 30, 2016. I just want to clarify for purposes of today, by adopting this Joint Order we are essentially agreeing that cloture will be December 30, 2016. There has been concerns raised particularly given the Holidays that that does not allow ample time for people to put in bills and that it should be a later date. I would inquire as to the Speaker as to her thoughts on that.

The SPEAKER: The Chair answers in the affirmative that this Joint Order establishes December 30<sup>th</sup> as the date for cloture. Failure to pass this Order today will mean that cloture will remain December 16<sup>th</sup>, as it is in Statute, in the Joint Rules. Sorry, not in Statute but in the Joint Rules.

Subsequently, the Joint Order was **PASSED** in concurrence.

---

The following Joint Order: (S.P. 2)

ORDERED, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 4, 2017, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

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

**READ and PASSED** in concurrence.

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The following Joint Order: (S.P. 3)

ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for

processing and payment in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

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

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The following Joint Order: (S.P. 4)

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

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

---

The following Joint Order: (S.P. 5)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

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

---

The following Joint Order: (S.P. 6)

ORDERED, the House concurring, that a sufficient number of the Legislative Record for the 128th Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House. The remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that a suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

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

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The following Joint Order: (S.P. 7)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Wednesday, January 4, 2017, at 10:00 in the morning.

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

---

The following Joint Resolution: (S.P. 8)

**JOINT RESOLUTION RECOGNIZING  
THE 75TH ANNIVERSARY OF THE  
ATTACK ON PEARL HARBOR**

WHEREAS, on December 7, 1941, without warning and minutes before 8 a.m., aircraft of the Imperial Japanese Navy and Air Force attacked United States military installations at Pearl Harbor and elsewhere on the island of Oahu, Hawaii; and

WHEREAS, the bulk of the attack at Pearl Harbor lasted for approximately 5 hours, during which 2,403 members of the United States Armed Forces were killed or mortally wounded,

1,247 members of the Armed Forces were wounded and 57 civilians lost their lives; and

WHEREAS, President Franklin Delano Roosevelt declared the day of the attack on Pearl Harbor "a date which will live in infamy," and the people of the United States became united in remembrance of their fallen countrymen and committed to defending the United States against all aggressors; and

WHEREAS, the following day, on December 8, 1941, Congress declared war against Japan and 3 days later against Germany, thus beginning the United States's involvement in a global conflict that would define a generation; and

WHEREAS, after nearly 4 years of warfare, on September 2, 1945, after victory on the European front, World War II ended with the Japanese surrendering aboard the USS Missouri; and

WHEREAS, on August 23, 1994, Congress enacted Public Law 103-308, which designated December 7th of each year as National Pearl Harbor Remembrance Day and requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the 75th anniversary of the attack on Pearl Harbor and the lasting significance of National Pearl Harbor Remembrance Day and to honor both those who survived the attack and all those who paid the ultimate sacrifice and gave their lives in defense of freedom and liberty during World War II.

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

**READ**.

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

Representative **TUELL**: Thank you, Madam Speaker. It's a pleasure to rise today. And it's a little bit ironic at the moment because 8 o'clock a.m. Hawaii time is right about now, and I had the distinct honor on Saturday to escort one of the Pearl Harbor survivors by motorcade. No, I wasn't driving, fortunately. But be that as it may, I had the distinct honor to join the Washington and Hancock County Sheriff's Departments and the bunch of first responders from way down east to escort Bob Coles of Machias, 92 years old, Pearl Harbor survivor, to the Trenton Airport. And it was quite a sight to see all these law enforcement folks and former military and whatnot converge on the airport as Mr. Coles returned to Pearl Harbor for the first time in 75 years. Many of you here have met Mr. Coles, certainly those in the 127<sup>th</sup>. He is a great guy, he is always not at a loss for words and he is, always got a good saying in his, you never know what he will come out with. So for those who heard Mr. Coles here last session, you know what I'm talking about there. I will say that it is a tremendous honor for him to be able to go back and he was totally stunned and surprised, both by the response of the community from Machias all the way to Trenton, and no doubt now, the whole State of Maine. It is an incredible honor to call him a friend, he is certainly a patriot and he is definitely, despite what he might say, a hero, for he was one of the first to fire at the Japanese as they invaded this country. Well, certainly tried. And while it may not go down officially as an attack, he certainly was there and he certainly had his -- gave it his all in doing so. So thank you, Madam Speaker. And I request that this body have a moment of silence in lasting tribute to Bob Coles. Thank you.

At this point, the Members of the House stood and joined in a moment of silence in honor of Bob Coles of Machias.

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

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**ORDERS**

On motion of Representative BICKFORD of Auburn, the following House Order: (H.O. 9)

ORDERED, that the Speaker of the House is authorized, at the Speaker's discretion, to permit radio or television in the Hall of the House of Representatives while the House is in session.

**READ and PASSED.**

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At this point, a message came from the Senate, borne by Senator CUSHING of Penobscot of that body, proposing a Convention of both branches of the Legislature to be held at 2:00 o'clock in the Hall of the House for the purpose of electing an Attorney General, a Secretary of State, a State Treasurer and a State Auditor.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 2:00 o'clock and the Speaker appointed Representative HERBIG of Belfast to convey this message to the Senate.

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

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Doctor of the day, Charles Pattavina, M.D., Winterport

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Subsequently, Representative HERBIG of Belfast reported that she had delivered the message with which she was charged.

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At this point, the Senate came and a Joint Convention was formed.

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**In Convention**

The President of the Senate, the Honorable Michael D. Thibodeau in the Chair.

The Convention was called to order by the Chair.

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Speaker GIDEON of Freeport assumed the Chair.  
The Convention was called to order by the Chair Pro Tem.

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The CHAIR PRO TEM: Nominations are now in order for the office of State Treasurer for the political years 2017 and 2018. The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU**: And thank you, Madam Chair. Men and Women of the Joint Convention, it's my honor today to nominate Terry Hayes as the State Treasurer for the calendar years 2017 and 2018. Now, certainly it's an honor on my behalf to nominate such a distinguished public servant as the Honorable Terry Hayes. She served in this body, I have had the pleasure of serving with her for four years. And Terry had a distinguished career, a person that was known as somebody that could be approached by both sides of the aisle. So it wasn't any surprise when two years ago, when Terry was nominated, as she was tremendously successful and overwhelmingly elected, to be

Maine State Treasurer. And over the past two years, she's accomplished some really great things. Some of those things include modernizing the process in which the state agencies make payments. She's administered 795 million dollars in cash funds, which have earned over 7.12 million dollars in interest. She has increased the long-term investment holdings by 20%. Unclaimed property has been returned at a new state high, 31.2 million dollars of unclaimed property returned over the past two years. That's a 44% increase over the previous two-year period. Now, I know that the incumbents in this room are very proud of that fact that we played a key role in that, but make no mistake it was Treasurer Hayes that spearheaded that effort. And we all ought to be very, very proud of that. She serves on 13 different boards: FAME, MEPERS, Maine College Savings Advisory Committee, MSHA, etc., etc., etc. Many, many important committees. She does some incredibly important things for each one of our constituents. You know, we've talked about the opportunity to work together. We've talked about our responsibility to our constituents. We've talked about how we, I mean this, as a group, we are going to accomplish some amazing stuff. I believe this is our first opportunity to set aside partisanship and elect a State Treasurer who is not a Republican, who is not -- is no longer a Democrat, but truly an Independent. Somebody who has always been an independent thinker. And I would encourage each and every one of you to join me in supporting Treasurer Hayes. She has done a fantastic job, we all should be very proud of her public service, both when she was a member of this chamber and as State Treasurer. So I'd ask you to join me in supporting Treasurer Hayes. Thank you, Madam Speaker.

On motion of Senator THIBODEAU of Waldo, the Honorable Terry Hayes of Buckfield was placed in nomination for the office of State Treasurer for the political years 2017 and 2018.

The CHAIR PRO TEM: The Chair recognizes the Representative from Portland, Representative Harlow.

Representative **HARLOW**: Thank you, Madam Chair. I second the nomination for the Honorable Terry Hayes of Buckfield for the office of State Treasurer and I wish to speak to my motion.

The CHAIR PRO TEM: The member may proceed.

Representative **HARLOW**: Thank you, Madam Chair. I'm standing here as a Democrat from Portland nominating Terry Hayes for the office of State Treasurer. And I'm nominating her not because she has the letter after her name, not because she's an Independent, Republican, or a Democrat, I'm nominating her because she's, I've experienced her to be a tremendous leader and I feel she is the best person for the job. When I was thinking about her job performance on probably every run I've had for the past two weeks, all I can think is job performance is the best indicator of your job performance and I think we can agree that Terry Hayes has done a terrific job. She's reached out to everyone in this chamber to try and see what you would like, need from the Treasury. She's inclusive, she tries to bring people together. She's brought both of our caucuses information from the Treasury. And she is one of the hardest working people I know. Her leadership ability is without question. She is inclusive, she wants to hear what you think. She might not agree with you, but she's always interested in your ideas. I've always known her to bring people together and I'm going to share a short story about her from my freshman year, which was six years ago, when I got to know her. She was actually in leadership in my caucus and she was the Whip. And as anybody in leadership currently, or maybe some of my caucus might know, I might be what you call challenging to leadership. And so this was with

Terry was no exception. So I tried to avoid her and I managed to avoid her on -- as often as possible. And we had a big vote coming up and she had sent me three notes asking me how I was voting and I didn't answer. And so she caught me in the back of the chamber and she said, it seems like you're avoiding me, you know. And I said, well, I am. That's why it seems it. And she said, well, why? What have I done? I said, well, I don't want to be told how to vote. And she said, well, have I ever done that? I said, no, but that's your job. And she said, but I haven't done that. Will you give me a chance? And I said, okay, I'll give you a chance. So maybe it was about half way through my freshman year, probably, you now, another six months, I began to trust her. But this is how that sort of epitomizes Terry Hayes, is that she reaches out to the people, to everybody. It doesn't matter who you are. And she gives you chance after chance after chance until you don't want it any longer and then she might even try more. She's very hard working. And I hope that when we vote today, we all have one vote, we are here representing our constituents, and I hope that we chose the person we feel to be best for this job and not the person who fills a certain slot in our caucuses. I think it's important that we vote out consciences here, and whatever that is is obviously individual, but I hope that you will consider voting for Terry Hayes because I've found her to be one of the best leaders I've known in Augusta. And I thank you, Madam Chair.

Representative HARLOW of Portland seconded the motion.

The CHAIR PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator MILLETT: Thank you, Madam Chair. Madam Chair, I nominate the Honorable Adam Goode of Bangor for the office of State Treasurer for the political years 2017 and 2018 and wish to speak to my motion.

The CHAIR PRO TEM: The Senator from Cumberland, Senator Millett, nominates Honorable Adam Goode of Bangor for the office of State Treasurer for the political years 2017 and 2018. The member may proceed.

Senator MILLETT: Thank you, Madam Chair and Members of the Joint Caucus. I am pleased and honored to put forth the nomination of Adam Goode for the position of State Treasurer. It has been a pleasure to get to know Adam and work with him these past four years. During my service on the Joint Standing Committee on Taxation, Adam was House Chair. His calm and respectful demeanor, deep listening, probing questions and valuable insights impressed me immediately. It was a given that Adam came to each tax policy discussion prepared and well informed. He knew his fellow committee members well and worked tirelessly to make sure all felt heard and valued. Taxation is not an easy committee and has the potential to be highly partisan, but under his leadership, we avoided that and functioned remarkably well. Over the last four years the Committee on Taxation dealt with wide ranging tax reform proposals and on many occasions was able to reach a unanimous decision. And we all know that is not an easy task. By working in a bipartisan fashion with his Republican, Democratic and unenrolled colleagues, both in the committee and in the Legislature as a whole, Adam's work resulted in doubling the Homestead Exemption and the Standard Deduction protecting Revenue Sharing and dramatically increasing the Earned Income Credit, all of which helps Maine's low-wage workers, property owners, towns and middle class families. Furthermore, with his usual patience, thoughtfulness, sharp mind and deep understanding of the issues, he successfully guided into law a comprehensive review of Maine's significant tax expenditures, which will ensure greater transparency and accountability. Adam's bipartisan and collaborative approach is a

model for us all. In addition to his chairmanship of the Taxation Committee for four years, Adam served another four years on the Committee on Insurance and Financial Services. For eight years he has harnessed his keen intellect to deal with complex financial, insurance, and tax issues and always in a deft and even handed manner. Adam's professional experience and personal qualities make him the ideal candidate to be our State Treasurer. The core duties of the Treasurer's Office include debt and cash management and administration of the municipal revenue sharing program, unclaimed property, and trust funds. The State Treasurer serves on 13 boards, involved in issues ranging from college affordability, to housing, to retirement security. Adam's services as State Treasurer would be guided by the same values and work ethic that we have seen on display when addressing tax, insurance, and financial issues throughout his legislative service. Adam's love of Maine is palpable and is at the core of his constant search for ways to be of service to our great state. He was born in Calais and grew up living in Monticello, Hodgdon, and Orono. His father worked at PD Manufacturing Mill in Eddington in the late 1970's and early 80's, followed by a 30-year career as a Customs Agent. Adam's mother taught domestic science, raised two children, and continues to work as an Educational Technician. I mention this because Adam's hopes and desires are our hopes and desires, and those of our constituents, neighbors, and friends. We want to know the system is fair and that if we work hard we can make a living and support our families. As State Treasurer, Adam will again show his passion and dedication to public service, apply his critical and analytical thinking to complicated and strategic financial matters of the state, bring his professionalism and collaborative bipartisan approach to problem solving, and work hard to improve state government and make it work better for the people of Maine. Adam's character and integrity is unquestionable. He extends respect to all, and I know he will work with all of us. So, Madam Chair, Ladies and Gentlemen of the Joint Caucus, I urge you to join me in supporting Adam Goode of Bangor for the position of State Treasurer. Thank you, Madam Chair.

On motion of Senator MILLETT of Cumberland, the Honorable Adam Goode of Bangor was placed in nomination for the office of State Treasurer for the political years 2017 and 2018.

The CHAIR PRO TEM: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative TEPLER: Thank you, Madam Chair. I second the nomination of the Honorable Adam Goode of Bangor for the Office of State Treasurer and I wish to speak to my motion.

The CHAIR PRO TEM: The member may proceed.

Representative TEPLER: Thank you, Madam Chair, and Mr. President, Leaders Herbig and Jackson, Assistant Leaders Golden and Libby, Honorable Senators and fellow Representatives. I have tremendous respect for Adam Goode and I am excited to ask you to support him with your vote. Two years ago I was a freshman legislator. I came here armed with knowledge of municipal finances from six years on my town's Budget Committee, and knowledge of policy processes and statistics from the Muskie School, but I was essentially ignorant of the work of bipartisan legislative standing committees. I was appointed to the Taxation Committee, as I had requested, and then I met my House committee chair who had, as I understood it, already served a term in the position and was serving his fourth and final term in the Legislature. Frankly, he seemed very young and rather light hearted. He was the same age as my oldest daughter. But over the course of the session, my impression of Representative Adam Goode was greatly changed.

He managed the committee and our relationship with our Republican colleagues clearly, efficiently and fairly. He sought out the opinions of our committee caucus regularly and with respect. He helped me understand the complex history of some of the issues we were considering and shared a depth of knowledge of both taxation policy and politics that we will certainly miss this session. He represented our caucuses' opinions to the committee without ranker but with firmness. I was, and I am, impressed. When necessary, to get something done, Adam was willing to give up his ownership of an issue or a bill. That selflessness is how we were able to pass the bill to evaluate tax expenditures. Senator Davis sponsored the final bill, but Adam Goode was certainly an architect of this important piece of legislation. Despite the almost 30-year difference in our ages, Representative Goode became one of my mentors in my first term. While Adam and I disagreed on a very few policy issues, when we did, we had excellent discussions in which I felt he truly listened to what I had to say. Adam taught me not to hesitate to consult with our analysts or with other respected mentors such as Peggy Rotundo. When I was uncertain or when he and I disagreed, he was consistently kind and respectful. There were times on the committee when I felt I was alone in my opinion or I felt singled out by a fellow committee member's remarks. Adam was always there to provide guidance. You are imagining that that was directed at you or, no, you weren't imagining that, and to aid in coming up with an appropriate response when necessary. I trust and I am certain that Adam will use the deep knowledge of our state's finances that he has gained from four years on the Insurance and Financial Services Committee and four years on the Taxation Committee to manage our state's finances to best advantage for our citizens, with the needs of our citizens primarily in his mind. His excellent management skills which come from both a natural empathy and his social work training, will ensure that the employees of the Treasurer's Department will have a skilled and a knowledgeable leader. I will cast my vote for Adam Goode for State Treasurer and I respectfully ask you all to follow my lead.

Representative TEPLER of Topsham seconded the motion.

Senator MASON of Androscoggin moved that nominations cease.

The CHAIR PRO TEM: The nominees are the Honorable Terry Hayes of Buckfield and the Honorable Adam Goode of Bangor for the office of State Treasurer for the political years 2017 and 2018. The Chair will appoint a committee to receive, sort and count votes for the office of the State Treasurer for the State of Maine for the political years 2017 and 2018.

Subsequently the Chair appointed:

The Senator from Waldo, Senator THIBODEAU  
The Representative from Portland, Representative HARLOW  
The Senator from Cumberland, Senator MILLETT  
The Representative from Topsham, Representative TEPLER

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The Chair announced the result. 183 votes having been cast, 92 votes necessary for choice, the Honorable Terry Hayes having received a majority of all votes cast, the Chair declared the Honorable Terry Hayes of Buckfield duly elected Treasurer for the State of Maine for the political years 2017 and 2018.

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The President of the Senate resumed the Chair.  
The Convention was called to order by the Chair.

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The CHAIR: The first order of business is to thank the Speaker for filling in as Convention Chair. You did a fabulous job. Thank you, Speaker Gideon.

Nominations are now in order for Office of Attorney General for the political years 2017 and 2018. The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER**: Mr. Chairman, I nominate the Honorable Janet T. Mills of Farmington for the office of Attorney General for the political year 2017 and 2018 and wish to speak to my motion.

The CHAIR: Senator from Aroostook, Senator Carpenter, nominate the Honorable Janet T. Mills of Farmington for the office of Attorney General for the political years 2017 and 2018. The member may proceed.

Senator **CARPENTER**: Thank you, Mr. Chairman. Ladies and Gentlemen of the Joint Convention, I'm new here or newly back here, if you will. Twenty-six years ago, two days ago, on Monday, I had the incredible honor of being elected as Maine's 51<sup>st</sup> Attorney General. I spent two years in that office and learned a great deal and enjoyed myself immensely. When I came up for re-election in 1992, I found I had an opponent within my own party. Her name was Janet T. Mills of Farmington. I won that race and spent another wonderful two years in the Office of Attorney General and then I left state service and went back home to Aroostook county. During the years that have passed since that time, I have learned to admire and respect Janet Mills beyond I guess even my wildest dreams. As I stand here today, I'm probably the only former Attorney General to nominate somebody to be Attorney General. So maybe there's a little check mark or an asterisk in history for me. I'm also the last Democrat Attorney General to serve a Republican Chief Executive. I served as -- my four years were Governor John McKernan's last four years. And they were difficult times, they were difficult times politically. There was a great divide between the parties, the Chief Executive on the second floor and the Democratic Party up here. Nothing compared, perhaps, to how difficult things have been the last few years here and may, in fact, be in the future. As I've sat at home and practiced law and done some other things, I've always kept an eye on the Department of Attorney General because there is nothing in the body politic of Maine that I care as much about, and you will probably hear about it a lot over the next two years as the integrity of the Office of Attorney General. Since I left office, we've had Attorney General Ketterer, Attorney General Rowe, both Democrats; Attorney General Schneider, Republican, and Attorney General Mills. Throughout that period of time the professionalism and the respect of that office has not waived. Janet Mills embodies that integrity and professionalism. I just recently had a Republican member of this body say that when Janet Mills puts on her AG's hat, it's altogether different then when she has on her partisan hat. There have been many, many opportunities when Attorney General Mills could have lashed out politically because of the various events that have gone on and the various headlines and that has not happened. And I have been very proud of that. That office does something to you. And I ask you as you are pondering your vote here today to think back over the last two or four years that Janet has been in office and think about the advice that has come from that office and how often have they been wrong. And think about the judgment that has come from that office and has it ever been political? It may be counter to what you want to hear, but the courts will almost always validate what the Attorney General's Office says. Because when you sit in that office over there, as I said, something takes over, something takes over you. And it did me for four years that I was there. Janet, I have her resume here and I can go through a

great list of things about her. She's an author, she's been an educator, she's been a trial attorney. And when I was Attorney General, Janet was the District Attorney for the largest prosecutorial district in the State of Maine, Oxford, Androscoggin -- I'm sorry, no -- Androscoggin, Franklin and Somerset counties, all combined. Not only did she head the office, but she actually tried cases. So she brings to the office a great deal of trial experience, some political experience, which is important over there, and some great administrative experience. I'm very proud of the number of people that are in that office today. I was just over there over the lunch hour and bumped into a few people, a few people that I had hired. One of the last things I did before I left in 1994 was to appoint a lady named Linda Pistner as the Chief Deputy Attorney General. Linda Pistner is still the Chief Deputy Attorney General. And I think we as legislators need to look at things like that. The continuity and the stability of that department is nothing short of amazing, and a great deal of credit has to go to the people who have been in that office, and a great deal of credit, especially as politicized as our life has become, to Janet T. Mills of Farmington. I would ask that you follow my lead and support my good friend Janet Mills for re-election for her fifth and sixth year as your Attorney General. I don't think you will be disappointed. She will continue to lead that office and the fine men and women, and I'm telling you, they are the finest people in state government. They are there, the lawyers are there because that's where they get to practice law the way that they teach you in law school. So again, I heartily hope that you follow my lead and vote for Janet Mills as the next Attorney General. And I thank you.

On motion of Senator CARPENTER of Aroostook, the Honorable Janet T. Mills of Farmington was placed in nomination for the office of Attorney General for the political years 2017 and 2018.

The CHAIR: The Chair now recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Mr. Chair. Mr. Chair, I second the nomination of the Honorable Janet T. Mills of Farmington for Attorney General and wish to speak to my motion.

The CHAIR: The member may proceed.

Representative **MOONEN**: Thank you, Mr. Chair. I support Janet Mills for Attorney General and much like Senator Carpenter, I could spend a lot of time going through her resume and it would take a long time but I will give you a couple of highlights. She has served as an Assistant Attorney General in the Attorney General's Office. She was the first woman elected to be District Attorney in the entire Northeastern United States. She has served as a member of this Legislature, serving on the Appropriations, Judiciary and Criminal Justice Committees. And she was the first woman elected to be Maine's Attorney General where she has served three terms. She took all of that experience to the Attorney General's Office and put it to good work for all of us. She has fought against the opiate epidemic, providing life-saving Narcan, supporting operation hope, and expanding drug education in the media and in schools. She took on Standard and Poor's and brought in a settlement of 21.5 million dollars on behalf of the people of Maine. She has expanded protections for seniors who suffer financial exploitation. She has helped thousands of consumers and small businesses obtain millions of dollars in restitution in consumer cases. She has supported shelter and services for victims of human trafficking. She has prosecuted murderers and perpetrators of domestic violence, drug traffickers, and those who commit fraud. She has protected our children from abuse and neglect, and she has protected our natural resources. Over the last two days I have had the opportunity to ask my Republican colleagues who I

serve with on the Judiciary Committee what they would say about Janet. And while they were very clear that they don't always agree with her, they had some really positive things to say. They said that she is a great lawyer, that she is smart and she knows the law, that she calls it exactly as she sees it, but she almost always works in a joke to keep things light, and I think we saw a little bit of that during our mandatory ethics training yesterday, and FOAA training as well. So with my colleagues on the Committee, we've had many opportunities to work with Janet on a wide range of issues. I have found her always willing to listen, to advise and to work together with us towards an outcome that is positive for the people of Maine. Like my Republican colleagues, for those of you who have been around for a couple of terms, you know that I too have not always been on the same side as Janet on some issues. And on those occasions I found her to be a fierce advocate for her position and a worthy opponent who played to win. When I think about what I want in the Attorney General's Office for the next two years, when I think about the opiate crisis, when I think about someone who's going to defend our citizens against fraud, and defend our seniors against financial exploitation, I want someone who's a fierce advocate and who plays to win. I have learned so much from Janet. She has made me a better legislator. And I hope you will join me in supporting her, and if you do, she will make you a better legislator too. Thank you, Mr. Chair.

Representative **MOONEN** of Portland seconded the motion.

The CHAIR: The Chair recognizes Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Mr. Chair, I nominate the Honorable Joshua A. Tardy of Newport for the office of Attorney General for the political years 2017 and 2018 and I wish to speak to my motion.

The CHAIR: The Representative may proceed.

Representative **FREDETTE**: Thank you, Mr. Chair. Ladies and Gentlemen of the House, it is a great honor that I nominate Joshua A. Tardy for this position. Very fortunate to know Josh in a very special way, and that is as a friend, a colleague but someone who actually shares the same hometown as Josh Tardy of Newport, Maine. We've had an opportunity for the last 25 years to grow together as young attorneys and young people in our community. And one of the ways that I first got to know Josh was as a coach. And I think when you look at the position of Attorney General, I think being a coach is a great analogy to being able to do a great job. I have a son who is now 18 years of age and Josh taught him, sometimes with a fist and sometimes with love, and he did both in a very great way. My son's a better kid, a better player because of that. Josh is someone who is looked at in our community as truly one of the pillars of the community. Most recently we had an opportunity where we had a 70-million-dollar school being proposed for the communities, it was seven communities, district communities, very different communities, and we had to lead a referendum process to have that come because what was going to have to happen was there was going to have to be some closings of some schools. Josh jumped right into the fray on that, took the lead fund raising, messaging, getting people together, calling so that we could actually get that passed through our communities and get that new school. So I think that that speaks well of him, in terms of just who he is as a person. Because I think one of the things we look for when someone is in the Attorney General's, what is their temperament? What is their judgment? And as someone who is an attorney myself, oftentimes we look for that in those kinds of people. Josh presently serves as the Chairman of the Governor's Judicial Selection Committee. And while some people may have issues with the Governor over the past six

years, I don't think I've heard any complaints over the last six years of over the nominees that the Governor has put forward, both Democrats and Republicans alike to the bench, and Josh has done a terrific job in leading that and I think that speaks to his bipartisan ability to work with people. Josh served in this body and he also served as the Minority Leader under a Democratic Governor, Governor John Baldacci. And during those four years they worked together and got a lot done, and so again, I think that speaks well of his ability to work together. So I'm proud to not only nominate Joshua Tardy for this position, but I'm proud to know him as a friend. I think he would do a terrific job bringing people together and really doing what is in the best interest of the State of Maine. Thank you, Mr. Chair.

On motion of Representative FREDETTE of Newport, the Honorable Joshua A. Tardy of Newport was placed in nomination for the office of Attorney General for the political years 2017 and 2018.

The CHAIR: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ**: Thank you, Mr. President. Mr. Chair, I second the nomination of the Honorable Joshua Tardy for Attorney General and wish to speak briefly to my motion.

The CHAIR: The member may proceed.

Senator **KATZ**: The good Representative from Newport, Representative Fredette, has done an excellent job of setting out the case, if you will, for Mr. Tardy's nomination. His history of litigation experience, his record of community service, his history as Chair of the Judicial Selection Committee, his accomplishments as a basketball coach, although I must say that those accomplishments are dwarfed by those of the good Representative from Carmel, Representative Reed. One more thing. When you think of what makes a good lawyer, sure, you think of someone who is a fighter and who is skilled in the courtroom, but the best lawyers are problem solvers. It's the ability to give advice, to keep the client out of court and to solve conflicts before they blow up. And that is why Josh Tardy has probably a unique skill set that qualifies him to be Attorney General. In my own experience in three terms in the State Senate, every time there has been a thorny legal issue in this building, many of us have sought the advice and counsel of Josh Tardy, not to look for gasoline to throw on the fire, but to give a dispassionate assessment of the situation, to lay out for us what our options were, and to suggest a cause of action, a course of action, all the while being respectful of everyone involved in the process, exactly the kind of skill and temperament that uniquely qualifies Josh to be Attorney General. It's for all those reasons, Mr. Chairman, that I am honored to second the nomination of Josh Tardy for Attorney General. Thank you.

Senator KATZ of Kennebec seconded the motion.

Senator MASON of Androscoggin moved that nominations cease.

The CHAIR: The nominees are the Honorable Janet T. Mills of Farmington and the Honorable Joshua A. Tardy of Newport for the office of Attorney General for the political years 2017 and 2018. The Chair will appoint a committee to receive, sort and count votes for the office of Attorney General for the State of Maine for the political years 2017 and 2018.

Subsequently the Chair appointed:

The Senator from Aroostook, Senator CARPENTER  
The Representative from Portland, Representative MOONEN  
The Senator from Kennebec, Senator KATZ  
The Representative from Newport, Representative FREDETTE

The Chair announced the result. 183 votes having been cast, 92 votes necessary for choice, the Honorable Janet T. Mills having received a majority of all votes cast, the Chair declared the Honorable Janet T. Mills of Farmington duly elected to the office of Attorney General for the political years 2017 and 2018.

The CHAIR: Nominations are now in order for the office of Secretary of State for the political years 2017 and 2018. The Chair recognizes the Senator from Penobscot, Senator Dill.

Senator **DILL**: Thank you, Mr. Chair. Mr. Chair, I would like to nominate Honorable Matthew Dunlap of Old Town for the office of Secretary of State for the political years 2017 and 2018 and wish to speak to my motion.

The CHAIR: The Senator from Penobscot, Senator Dill, has nominated the Honorable Matthew Dunlap of Old Town for the office of Secretary of State for the political years 2017 and 2018. The Member may proceed.

Senator **DILL**: Thank you, Mr. Chair. Ladies and Gentlemen of the Joint Convention, it is my distinct honor to nominate the Honorable Matthew G. Dunlap for Secretary of State. Matthew is a Maine native, being born and raised on Mount Desert Island, and I have known Mr. Dunlap for many years, having both lived in Old Town for over 25 years. Because of that -- I think you all probably have a constituent that calls you, emails you, texts you? Well, in my case it's Mr. Dunlap. I have the chance right now to get back at him because as nominating for Secretary of State, I then get to send half my calls back to him because I get all these calls about licensing and the other things. So this is kind of a tit for tat. At a young age Matt worked on the family farm picking rocks, which in this state many of you know what that's all about. He graduated from Mount Desert High School and then he enrolled in the University of Maine where he lettered in track and cross country while earning both a master's and bachelor's degree. And again, having the opportunity to be able to nominate Mr. Dunlap, I also get to make a challenge for him, and I think what we are going to do is call it the Honorable Five K. And Mr. Dunlap is going to run against the Honorables Good and Luchini. Matt has always been active in conservation areas. He's the founder and former Vice President and current Board Member of Maine's Youth Fish and Game Association. He's an award winning monthly columnist for the Northwood's Sporting Journal and a member of the Outdoor Writers Association of America. Matt has a long and distinguished career in local and state politics and even had a bid for the Democratic Nomination for the U.S. Senate. Matt Dunlap's career in state service began with his election to the State House of Representatives in 1996. During eight years in the Legislature, he served three terms as House Chair of the Joint Standing Committee on Inland Fisheries and Wildlife. Representative Dunlap's notable legislative activities include his securing passage of amendments to the Great Pond Act, the creation of the Maine Online Sportsman's Electronic System which is known as MOSES, so if any of you are hunters or fishers you are probably very familiar with this system, and also sponsorship of legislation creating the Maine Atlantic Salmon Commission. Representative Dunlap also was a local champion for historic preservation and promotion of Maine libraries. Last but not least, Matt was elected by the Legislature to serve as Maine's Secretary of State in 2004, he was sworn into Office on January 7, 2005 and served until January of 2010, and then again from 2012 through present. While serving as the Secretary of State, Mr. Dunlap served as president of the National Association of Secretaries of State, the Nation's oldest non-partisan professional organization for elected officials. As mentioned,

Matt lives in Old Town with his wife, Representative Michelle Dunphy, and their daughter Emily. Again, it is my great pleasure to nominate the Honorable Matthew G. Dunlap for Secretary of State. Thank you.

On motion of Senator DILL of Penobscot, the Honorable Matthew Dunlap of Old Town was placed in nomination for the office of Secretary of State for the political years 2017 and 2018.

The CHAIR: The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Mr. Chair. I second the nomination of the Honorable Matthew Dunlap of Old Town for Secretary of State and wish to speak to my motion.

The CHAIR: The member may proceed.

Representative **WARREN**: Thank you, Mr. Chair. Mr. Chair, Women and Men of the Joint Convention, it is my honor to second the nomination of the Honorable Matthew Dunlap for Secretary of State. Anyone who has spent any time at all under the dome knows that Matt Dunlap is the go-to person for all sorts of information, whether it's legislative procedure, the genesis of a specific Maine law or random bits of almost unknown Maine history, Matt not only knows it but he enjoys sharing it. Matt's history lessons are filled with vivid description and undeniable humor. Matt loves the State of Maine and its people. In his role as Secretary of State, he serves as a wonderful ambassador of state government to our people. Take a quick scan of Matt's Facebook page and you'll see that he doesn't just talk the talk of civic engagement but he walks the walk. On a Tuesday night he might be speaking at a Rotary event in Damariscotta or moderating a town meeting in Stetson. On a Saturday afternoon he might be volunteering with the Maine Youth Fish and Game Association or fulfilling his responsibilities as Commissioner of the Maine Wabanaki State Child Welfare Truth and Reconciliation Commission. As Secretary of State, Matt has certainly harnessed the power of social media. He uses Facebook and Twitter to educate Maine's citizens about motor vehicle laws, services offered by his department, and information regarding electoral rules and procedures. Above all else, Matt is accessible, not just by phone and by email, but in person. As we all know, when we are in session, he's around, ready and willing to help in any way that he can. When I have contacted Matt with questions from my constituents, he has always gotten back to me in record time. I remember one specific example where a constituent called me with a question just as I was heading into a committee public hearing. I sent Matt a quick text message explaining the situation. He wrote back immediately that he would do a little research and connect with my constituent. Before long, and well before my public hearing was over, I got a text message from my constituent thanking me for help in getting their situation resolved. All I had done was to reach out to Matt, he had taken care of the rest. Now that is service. So Matt Dunlap is knowledgeable, he is accessible, and he provides excellent service to us, and that's why I proudly second the nomination of Matt Dunlap to continue serving as our Maine Secretary of State and I hope you will join me in supporting him. Thank you.

Representative WARREN of Hallowell seconded the motion.

Senator MASON of Androscoggin moved that nominations cease.

On further motion of the same Senator, one vote was cast, on part of the Convention, for the Honorable Matthew Dunlap of Old Town for the office of Secretary of State for the political years 2017 & 2018.

The Chair declared the Honorable Matthew Dunlap of Old Town the Secretary for the State of Maine for political years 2017 & 2018.

The CHAIR: Nominations are now in order for the office of State Auditor for the political years 2017 through 2021. The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY**: Mr. Chairman, I nominate Pola Buckley of Hallowell for the Office of State Auditor for the political years 2017 through 2021 and wish to speak to my motion.

The CHAIR: Senator from Androscoggin, Senator Libby, nominates Pola Buckley of Hallowell for the office of State Auditor for the political year 2017 through 2021, the member may proceed.

Senator **LIBBY**: Thank you, Mr. Chairman. Men and Women of the Convention, Pola Buckley is a consummate professional, a skilled administrator and exceptionally well qualified to serve the citizens of the State of Maine as our State Auditor. She has been employed by the office of State Auditor for 16 years, four of those years as the State Auditor. And she has personally identified issues that have resulted in Maine taxpayers recouping millions of dollars. Not only is Pola a certified public accountant licensed in the State of Maine, she has an international certification in Information Systems Auditing. She has a Master's in Business Administration and she has a Bachelor's of Science in Advanced Accounting. For us as Representatives of the people to this Legislature, she stands ready to assist us in ensuring the accountability of each precious tax dollar that is spent. Her phone is at the ready and her door is always open. And finally, Mr. Chairman, Pola Buckley has the courage, the skill, and the integrity to perform the Auditor's job and to lead the office of the State Auditor in a very challenging period for Maine State government. She will be Maine's Independent Certified Public Accountant. Please join me in supporting Pola Buckley for State Auditor. Thank you, Mr. Chairman.

On motion of Senator LIBBY of Androscoggin, the Honorable Pola Buckley of Hallowell was placed in nomination for the office of State Auditor for the political years 2017 through 2021.

The CHAIR: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Chair. I second the nomination of Pola Buckley for the office of State Auditor and wish to speak to my motion.

The CHAIR: The member may proceed.

Representative **GRANT**: Thank you, Mr. Chair. Ladies and Gentlemen of the House and Senate, I will now give you a one-hour treatise on the audit process, actually I don't need to. I have such confidence in Auditor Buckley that I am really pleased and proud to second her nomination as State Auditor. Since I first met her four years ago, I have been impressed with Ms. Buckley's experience, her credentials, and her professionalism. Pola works well with Legislators. And as a member of the Appropriations and Financial Affairs Committee last session, I was able to see her work in closer detail. I would like to outline just a couple of her accomplishments. Pola has worked with the State and Local Government Committee to modernize and update the operations of the department. Thirteen laws involved in the office were repealed or modified and the name of the office changed from the Department of Audit to the more contemporary Office of the State Auditor. As a State Auditor, she provides timely and independent information to all elected officials, especially legislators, so that we can make financially sound



policy decisions. Annually, the State Auditor now also publishes findings in a format that focuses on the State of Maine Joint Select Committee Policy areas and formally makes herself available for discussion with those committees. Ms. Buckley is able to interpret complex financial details in a way that is accessible and understandable and I trust her judgment and her integrity. I hope you will join me in supporting Pola Buckley of Hallowell in the beautiful Kennebec County for re-election as our State Auditor. Thank you, Mr. Chair.

Representative GRANT of Gardiner seconded the motion.

Senator MASON of Androscoggin moved that nominations cease.

On further motion of the same Senator, one vote was cast, on part of the Convention, for the Honorable Pola Buckley of Hallowell for the office of State Auditor for the political years 2017 through 2021.

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The Chair declared the Honorable Pola Buckley of Hallowell the State Auditor for the State of Maine for political years 2017 through 2021.

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The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

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The Senate then retired to its chamber.

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(After the Joint Convention)

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The House was called to order by the Speaker.

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

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On motion of Representative TUELL of East Machias, the House adjourned at 4:44 p.m., until 10:00 a.m., Wednesday, January 4, 2017, in honor and lasting tribute to Pearl Harbor Remembrance Day and all those who bravely served.