

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
12th Legislative Day
Tuesday, February 7, 2017

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

Prayer by Tom Waddell, The Maine Chapter of the Freedom from Religion Foundation, Brunswick.

National Anthem by Maddie Hancock, Windham Middle School.

Pledge of Allegiance.

At this point, a message came from the Senate borne by Senator Mason, of Androscoggin, of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 6:45 in the evening for the purpose of extending to His Excellency, Governor Paul R. LePage, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 6:45 in the evening and the Speaker appointed Representative HERBIG of Belfast to convey this message to the Senate.

Doctor of the day, John P. Herzog, D.O., Falmouth.

The Journal of Thursday, February 2, 2017 was read and approved.

SENATE PAPERS

Bill "An Act To Require State Compliance with Federal REAL ID Guidelines"

(S.P. 92) (L.D. 306)

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

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

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

Bill "An Act To Support Workforce Development by Increasing Engineering Capacity"

(S.P. 100) (L.D. 312)

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

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

The Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 57)

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

**1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

January 23, 2017

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:

I thank you for the invitation to deliver the State of the State address at a Joint Session of the 128th Maine Legislature on Tuesday, February 7, 2017 at 7:00 p.m.

Please know that I accept your invitation and look forward to seeing you at that time.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 56)

**STATE OF MAINE
CHILD DEVELOPMENT SERVICES
146 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 31, 2017

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from Child Development Services due by February 1, 2017.

- A. A list of all procurements exceeding \$10,000 during the 2015-2016 fiscal year as required under Section 2A.
- B. A list of all contributions greater than \$1,000 during the 2015-2016 fiscal year as required under Section 2B.
- C. There were no new or updated Finance policies for the 2015-2016 fiscal year.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Janice E. Breton

Acting Director

Child Development Services

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

The Following Communication: (H.C. 58)

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

February 7, 2017

Honorable Sara Gideon

Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Marine Resources has approved the request by the sponsor, Representative Simmons of Waldoboro, to report the following "Leave to Withdraw":

L.D. 202 An Act To Abolish Municipal Shellfish Ordinances

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

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

The Following Communication: (H.C. 59)

**STATE OF MAINE
CONNECTME AUTHORITY
145 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0145**

February 1, 2017

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333
Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the ConnectME Authority due by February 1, 2017.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,
S/Lisa Leahy
Associate Executive Director

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

The Following Communication: (H.C. 60)

**UNIVERSITY OF MAINE SYSTEM
OFFICE OF THE CHANCELLOR
15 ESTABROOKE DRIVE
ORONO, MAINE 04469**

January 27, 2017

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the University of Maine System due by February 1, 2017.

As provided in law and corresponding University policy and practice, there are legitimate reasons for waiving competitive procurement as part of standard procurement policy and all of the purchases in this report are consistent with that. For example, within the report that follows, a majority of the expenses for which waivers were granted involve purchases as

required or provided in a grant awarded to the University or a library acquisition, as distinct from the University's purchases of general operating supplies and services.

Please contact me if you have any questions or need additional information.

Sincerely,
S/James H. Page, Chancellor
University of Maine System

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

The Following Communication: (H.C. 61)

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

February 7, 2017

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

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

On February 3, 2017

John Moncure, Esq. of Harpswell

John G. Peters of Harpswell for reappointment to the Midcoast Regional Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

William W. McFarland of South China for reappointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,
S/Sara Gideon
Speaker of the House

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

The Following Communication: (S.C. 109)

**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

February 2, 2017

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Gideon:

In accordance with 3 MRSA §158 and Joint Rule 506 of the 128th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Appropriations and Financial Affairs, the nomination of Philip A. Brookhouse of Auburn for reappointment to the Maine Public Employees Retirement System Board of Trustees.

Upon the recommendation of the Committee on Insurance and Financial Services, the nomination of Eric A. Cioppa of South China for reappointment as the Superintendent of Insurance.

Upon the recommendation of the Committee on Marine Resources, the nomination of Geoffrey S. Smith of Portland for reappointment to the Marine Resources Advisory Council.

Upon the recommendation of the Committee on Marine Resources, the nomination of Ronald A. Trundy of Stonington for appointment to the Marine Resources Advisory Council.

Upon the recommendation of the Committee on Veterans and Legal Affairs, the nomination of Barbara J. Dresser, Esq. of Saco for reappointment to the Gambling Control Board.

Upon the recommendation of the Committee on Veterans and Legal Affairs, the nomination of Ret. Chief Alfred R. Skolfield of Winthrop for appointment to the Gambling Control Board.

Best Regards,

S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Prohibit the Use of Elephants in Traveling Animal Acts"

(H.P. 287) (L.D. 396)

Sponsored by Representative MONAGHAN of Cape Elizabeth. Cosponsored by Senator VITELLI of Sagadahoc and Representatives: McCREIGHT of Harpswell, McLEAN of Gorham, POULIOT of Augusta, RYKERSON of Kittery, SHEATS of Auburn, SYLVESTER of Portland, TEPLER of Topsham, TERRY of Gorham.

Bill "An Act To Educate the Public on the Proper Use of Pesticides and To Promote Integrated Pest Management Using Existing Resources"

(H.P. 298) (L.D. 418)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: HICKMAN of Winthrop, KINNEY of Knox, LYFORD of Eddington, MAREAN of Hollis, SKOLFIELD of Weld, THERIAULT of China, TIMBERLAKE of Turner, Senator: DAVIS of Piscataquis.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

Bill "An Act To Clarify Damages for the Willful or Negligent Injury or Death of a Dog"

(H.P. 299) (L.D. 419)

Sponsored by Representative BAILEY of Saco.

Cosponsored by Representatives: DENNO of Cumberland, FAY of Raymond.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

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

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

Bill "An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Groundfish Permit Bank"

(H.P. 296) (L.D. 416)

Sponsored by Representative KUMIEGA of Deer Isle.

Cosponsored by Senator MIRAMANT of Knox and Representatives: DEVIN of Newcastle, SPEAR of South Thomaston, SYLVESTER of Portland, Senators: CHIPMAN of Cumberland, DION of Cumberland.

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Facilities and Equipment To Support the Growth of Additive Manufacturing"

(H.P. 297) (L.D. 417)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: HERBIG of Belfast, KORNFIELD of Bangor, LONGSTAFF of Waterville, NADEAU of Winslow, SCHNECK of Bangor, TIPPING of Orono, TUELL of East Machias, Senator: DILL of Penobscot.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Provide Funding for Maine Public"

(H.P. 282) (L.D. 391)

Sponsored by Representative JORGENSEN of Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: FREY of Bangor, GOLDEN of Lewiston, MELARAGNO of Auburn.

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

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

Bill "An Act To Improve the Funding of County Jails"

(H.P. 329) (L.D. 463)

Sponsored by Representative MARTIN of Sinclair.

Cosponsored by Senator JACKSON of Aroostook and Representative: MARTIN of Eagle Lake, Senator: CARPENTER of Aroostook.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure the 3 Percent Tax on Incomes over \$200,000 Is Distributed Proportionally Based on Student Counts"

(H.P. 288) (L.D. 397)

Sponsored by Representative MALABY of Hancock.

Bill "An Act To Recognize Computer Science in the Path to Proficiency"

(H.P. 289) (L.D. 398)

Sponsored by Representative STEARNS of Guilford.

Cosponsored by Representatives: FARNSWORTH of Portland, KORNFIELD of Bangor, LYFORD of Eddington, PIERCE of Falmouth, POULIOT of Augusta.

Bill "An Act To Require Same-year State Valuations for Education Funding Purposes for Municipalities That Lose More Than 35 Percent of Their Tax Base"

(H.P. 300) (L.D. 420)

Sponsored by Representative AUSTIN of Skowhegan.

Cosponsored by Senator CHENETTE of York and Representatives: DOORE of Augusta, MARTIN of Sinclair, RILEY of Jay, SKOLFIELD of Weld, SPEAR of South Thomaston.

Bill "An Act To Require a Capstone Project as a Condition of High School Graduation"

(H.P. 328) (L.D. 462)

Sponsored by Representative FULLER of Lewiston.

Cosponsored by Representatives: WOOD of Greene, ZEIGLER of Montville, Senator: MAKER of Washington.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

(H.P. 301) (L.D. 421)

Sponsored by Representative McCREA of Fort Fairfield.

Cosponsored by Representative BERRY of Bowdoinham, Senator DOW of Lincoln and Representatives: GATTINE of Westbrook, MARTIN of Eagle Lake, MARTIN of Sinclair, McELWEE of Caribou, PARKER of South Berwick, SHERMAN of Hodgdon, Senators: DAVIS of Piscataquis, GRATWICK of Penobscot.

Bill "An Act To Extend Internet Availability in Rural Maine" (EMERGENCY)

(H.P. 303) (L.D. 423)

Sponsored by Representative ALLEY of Beals.

Cosponsored by Senator MAKER of Washington and Representatives: HANDY of Lewiston, PERRY of Calais, RYKERSON of Kittery, TUELL of East Machias, Senators: CYRWAY of Kennebec, LANGLEY of Hancock.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent for concurrence.

Bill "An Act To Facilitate the Creation of the Maine Water Trust To Regulate and Protect Maine's Water Supply and To Ensure the Quantity and Quality of Maine's Drinking Water"

(H.P. 302) (L.D. 422)

Sponsored by Representative SYLVESTER of Portland.

Cosponsored by Senator CARSON of Cumberland and Representatives: ACKLEY of Monmouth, HANDY of Lewiston, HARLOW of Portland, HICKMAN of Winthrop, McCREIGHT of Harpswell, SPEAR of South Thomaston, Senators: CHIPMAN of Cumberland, JACKSON of Aroostook.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Revise Maine's Environmental Laws"

(H.P. 290) (L.D. 399)

Sponsored by Representative TUCKER of Brunswick.

Bill "An Act Regarding the Construction or Placement of Decks within the Shoreland Zone"

(H.P. 291) (L.D. 400)

Sponsored by Representative TURNER of Burlington.

Cosponsored by Representative ESPLING of New Gloucester, Senator ROSEN of Hancock and Representatives: ALLEY of Beals, CAMPBELL of Orrington, FOLEY of Wells, HANINGTON of Lincoln, KINNEY of Limington, MARTIN of Eagle Lake, REED of Carmel, STANLEY of Medway.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities"

(H.P. 292) (L.D. 401)

Sponsored by Representative SIROCKI of Scarborough.

Cosponsored by Senator LANGLEY of Hancock and Representatives: MALABY of Hancock, SANDERSON of Chelsea, WINSOR of Norway.

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

(H.P. 321) (L.D. 454)

Sponsored by Representative VACHON of Scarborough.

Cosponsored by Representatives: ACKLEY of Monmouth, COOPER of Yarmouth, President THIBODEAU of Waldo and Representatives: DENNO of Cumberland, GATTINE of Westbrook, HEAD of Bethel, HILLIARD of Belgrade, Senators: BELLOWS of Kennebec, LANGLEY of Hancock, VOLK of Cumberland.

Bill "An Act Relating to the Provision of Tobacco Cessation Services by Pharmacists"

(H.P. 322) (L.D. 455)

Sponsored by Representative CHACE of Durham.

Cosponsored by Senator BELLOWS of Kennebec and Representatives: GILLWAY of Searsport, GROHMAN of Biddeford, MALABY of Hancock, PERRY of Calais, WINSOR of Norway.

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

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

Sent for concurrence.

Bill "An Act To Extend the Big Game Season in Coastal Wildlife Management Areas"

(H.P. 304) (L.D. 424)

Sponsored by Representative PIERCE of Dresden.

Cosponsored by Senator WOODSOME of York and Representatives: ALLEY of Beals, HANLEY of Pittston, HARLOW of Portland, LYFORD of Eddington, PRESCOTT of Waterboro, SIMMONS of Waldoboro, STEARNS of Guilford, WOOD of Greene.

Bill "An Act To Extend Fall Fishing Opportunities"

(H.P. 305) (L.D. 425)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: BICKFORD of Auburn, HARVELL of Farmington, HILLIARD of Belgrade, MASON of Lisbon, SKOLFIELD of Weld, STEARNS of Guilford, THERIAULT of China, TURNER of Burlington.

Bill "An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red"

(H.P. 306) (L.D. 426)

Sponsored by Representative McCREA of Fort Fairfield.

Cosponsored by President THIBODEAU of Waldo and Representatives: McELWEE of Caribou, PARKER of South Berwick, SHERMAN of Hodgdon, Senators: BELLOWES of Kennebec, CARPENTER of Aroostook, GRATWICK of Penobscot, MAKER of Washington.

Bill "An Act To Give Certain Landowners First Priority for Antlerless Deer Permits"

(H.P. 307) (L.D. 427)

Sponsored by Representative PICKETT of Dixfield. (BY REQUEST)

Cosponsored by Senator DAVIS of Piscataquis and Representatives: BLACK of Wilton, CRAIG of Brewer, HANINGTON of Lincoln, HANLEY of Pittston, HILLIARD of Belgrade, LYFORD of Eddington, NADEAU of Winslow, SKOLFIELD of Weld.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent for concurrence.

RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations

(H.P. 308) (L.D. 428)

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

Cosponsored by Senator CHIPMAN of Cumberland and Representatives: MADIGAN of Waterville, MALABY of Hancock, TALBOT ROSS of Portland, TUCKER of Brunswick, ZEIGLER of Montville.

Bill "An Act Concerning Guardians Ad Litem and Determinations Regarding the Best Interest of a Child in Custodial Relative Caregiver Cases"

(H.P. 309) (L.D. 429)

Sponsored by Representative PICCHIOTTI of Fairfield.

Cosponsored by Representatives: CHACE of Durham, GUERIN of Glenburn, LOCKMAN of Amherst, SIROCKI of Scarborough, STROM of Pittsfield, THERIAULT of China.

Bill "An Act To Repeal the Sunset Date on the Children's Guardians Ad Litem Law"

(H.P. 324) (L.D. 457)

Sponsored by Representative MOONEN of Portland.

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

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act To Increase Access to Vaccinations"

(H.P. 323) (L.D. 456)

Sponsored by Representative CHACE of Durham.

Cosponsored by Representatives: GILLWAY of Searsport, GROHMAN of Biddeford, MALABY of Hancock, WINSOR of Norway, Senator: BELLOWES of Kennebec.

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

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Amend the Exemption for Highway Contractors and Subcontractors under the Arborist Licensing Laws"

(H.P. 310) (L.D. 430)

Sponsored by Representative THERIAULT of China.

Cosponsored by Senator CYRWAY of Kennebec and Representatives: BLACK of Wilton, FARRIN of Norridgewock, KINNEY of Knox, PICCHIOTTI of Fairfield, WARD of Dedham.

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

On motion of Representative FECTEAU of Biddeford, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, ordered printed and sent for concurrence.

Bill "An Act Regarding Legal Lobster Haul Times outside of the 3-mile Line"

(H.P. 283) (L.D. 392)

Sponsored by Representative TUELL of East Machias. (BY REQUEST)

Bill "An Act To Ensure Participation and Equity in the Shellfish Depuration Certification and Compensation Process for Municipalities"

(H.P. 311) (L.D. 431)

Sponsored by Representative McCREIGHT of Harpswell.

Cosponsored by Senator DOW of Lincoln and Representatives: ALLEY of Beals, BLUME of York, DEVIN of Newcastle, RYKERSON of Kittery, TERRY of Gorham, TUCKER of Brunswick, Senators: MIRAMANT of Knox, VITELLI of Sagadahoc.

Committee on **MARINE RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act To Establish Maine Buy Local Month"

(H.P. 293) (L.D. 402)

Sponsored by Representative HAMANN of South Portland.

Cosponsored by Senator BELLOWES of Kennebec and Representatives: AUSTIN of Gray, BATES of Westbrook, BATTLE of South Portland, FECTEAU of Biddeford, LAWRENCE of South Berwick, VACHON of Scarborough, Senators: CHIPMAN of Cumberland, MIRAMANT of Knox.

Bill "An Act To Designate a Maine Community Litter Cleanup Day"

(H.P. 312) (L.D. 432)

Sponsored by Representative WADSWORTH of Hiram.

Cosponsored by Senator HAMPER of Oxford and Representatives: BATES of Westbrook, BERRY of Bowdoinham, BLACK of Wilton, GINZLER of Bridgton,

GROHMAN of Biddeford, HARVELL of Farmington, LUCHINI of Ellsworth, Senator: WOODSOME of York.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

Bill "An Act To Allow Municipalities To Apply a Local Option Sales Tax to the Sale of Marijuana"

(H.P. 313) (L.D. 433)

Sponsored by Representative RYKERSON of Kittery.

Cosponsored by Representative TUELL of East Machias, Senator CHIPMAN of Cumberland, Senator CHENETTE of York and Representatives: ALLEY of Beals, BATTLE of South Portland, HANDY of Lewiston, McCREIGHT of Harpswell, SPEAR of South Thomaston, TIPPING of Orono, WADSWORTH of Hiram, Senator: DION of Cumberland.

Committee on **TAXATION** suggested.

The Bill was **REFERRED** to the Committee on **JOINT SELECT COMMITTEE ON MARIJUANA LEGALIZATION IMPLEMENTATION**, ordered printed and sent for concurrence.

Bill "An Act To Clarify That the Department of Transportation Is Exempt from Property Assessment Liabilities When Acquiring Property by Condemnation"

(H.P. 284) (L.D. 393)

Sponsored by Representative GILLWAY of Searsport.

Cosponsored by Senator COLLINS of York and Representatives: BRYANT of Windham, GRANT of Gardiner, PARRY of Arundel, Senator: ROSEN of Hancock.

Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act To Allow Certain Vehicles To Make a Right Turn on a Red Light Even When Prohibited"

(H.P. 314) (L.D. 434)

Sponsored by Representative BATTLE of South Portland.

Cosponsored by Senator MIRAMANT of Knox and Representatives: ALLEY of Beals, HARRINGTON of Sanford, KINNEY of Limington, KUMIEGA of Deer Isle, McCREIGHT of Harpswell, ORDDWAY of Standish, TIMBERLAKE of Turner, TURNER of Burlington.

Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor

(H.P. 315) (L.D. 435)

Sponsored by Representative DUNPHY of Old Town.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: CARDONE of Bangor, CRAIG of Brewer, FREY of Bangor, KORNFIELD of Bangor, SCHNECK of Bangor, TIPPING of Orono, Senator: DILL of Penobscot.

Bill "An Act To Allow Intermediate Driver's License Holders To Drive between Midnight and 5:00 a.m. for School Activities"

(H.P. 316) (L.D. 436)

Sponsored by Representative RYKERSON of Kittery.

Cosponsored by Representatives: HOGAN of Old Orchard Beach, JORGENSEN of Portland, LAWRENCE of South Berwick, SANBORN of Portland.

Bill "An Act Concerning Maine's Transportation Infrastructure"

(H.P. 317) (L.D. 437)

Sponsored by Representative McLEAN of Gorham.

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

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

Bill "An Act Regarding Terminology in Campaign Finance Law"

(H.P. 285) (L.D. 394)

Sponsored by Representative SUTTON of Warren.

Cosponsored by Senator BRAKEY of Androscoggin and Representatives: LOCKMAN of Amherst, O'CONNOR of Berwick, PRESCOTT of Waterboro, SIMMONS of Waldoboro, SIROCKI of Scarborough.

Bill "An Act Regarding Referendum Recounts"

(H.P. 294) (L.D. 403)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator CHIPMAN of Cumberland, Senator DESCHAMBAULT of York and Representatives: HARRINGTON of Sanford, HOGAN of Old Orchard Beach, MARTIN of Sinclair, PICKETT of Dixfield, TIMBERLAKE of Turner, Senator: DAVIS of Piscataquis.

Bill "An Act To Provide a Travel Reimbursement to Members of the Maine National Guard"

(H.P. 318) (L.D. 438)

Sponsored by Representative STEWART of Presque Isle.

Cosponsored by Senator CARPENTER of Aroostook and Representatives: FARRIN of Norridgewock, GOLDEN of Lewiston, HANINGTON of Lincoln, McELWEE of Caribou, STROM of Pittsfield, WARD of Dedham, WHITE of Washburn, Senator: MASON of Androscoggin.

Bill "An Act To Allow Voters To Choose Ongoing Absentee Voter Status"

(H.P. 319) (L.D. 439)

Sponsored by Representative FECTEAU of Biddeford.

Cosponsored by Senator BELLOWES of Kennebec and Representative: HICKMAN of Winthrop.

Bill "An Act To Expand Absentee Balloting To Include Certain Residents in Independent Living Facilities"

(H.P. 320) (L.D. 440)

Sponsored by Representative HOGAN of Old Orchard Beach.

Cosponsored by Senator CHENETTE of York and Representatives: ALLEY of Beals, DUNPHY of Old Town, FECTEAU of Biddeford, HUBBELL of Bar Harbor, LUCHINI of Ellsworth, NADEAU of Winslow, STANLEY of Medway, ZEIGLER of Montville.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

Pursuant to Statute State Board of Education

Representative KORNFIELD for the **State Board of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the State Board of Education (EMERGENCY)

(H.P. 295) (L.D. 404)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Public Utilities Commission**

Representative BERRY for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 220: Removal of Provider of Last Resort Service Obligation, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 327) (L.D. 461)

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Department of Environmental Protection**

Representative TUCKER for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 286) (L.D. 395)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED**.

Representative CHAPMAN of Brooksville moved that the Resolve and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative **CHAPMAN**: Thank you, Madam Speaker. Friends and Colleagues of the House, it's not customary for this procedure to happen at this point in the process and I'd like to explain the reason for it. It's because this item is particularly extraordinary in the way it comes to us. Very briefly, this item comes to us by a vote of the Board of Environmental Protection about a month ago. At the same meeting, the Board of Environmental Protection also voted to send a letter to the Legislature indicating that their advice that we change the statute, which was the enabling statute under which these rules were written. Now, to understand the significance of what I've just said, I need to go over a little bit of history and a brief description of the Board of Environmental Protection. But before I do that I want to make a very clear point that the reason for Indefinite Postponement of this matter is not to short change the opportunity of the Legislature to have a full discussion and debate on the matter of regulating metal mining in the state. We have already -- the Legislature has already referred a number of bills to the committee of

jurisdiction and my understanding is there are even a couple more in the pipeline. The reason for this is that the Statute passed by the 125th Legislature in the late spring of 2012 is the legal basis for these rules having been written. That piece of legislation did a number of things, including removing from Statute environmental regulations pertaining to metal mining, and directed the Department of Environmental Protection to write some rules to regulate metal mining in Maine. The department did that as major substantive rules. They came back to the 126th Legislature, which did not accept the rules. In the 127th Legislature, rules came back from the department again but the committee of jurisdiction chose to significantly rewrite them as they were the same set of rules that had been submitted in the prior term. Now, we come up to this set of rules in which the Board of Environmental Protection is a citizen board appointed by the Chief Executive, and all of its current members have been appointed by the current Chief Executive to provide advice to the Department of Environmental Protection and also, that has the statutory authority to make recommendations to the Legislature about the statutes pertaining to the subject matter that it considers. And that is what it has done this time, which is extremely unusual. They have indicated their interest in communicating to us that we should be changing the enabling Statute, and the obvious reason for that is because they are unable to write rules that fit the constraints of the enabling Statute that would be reasonable. And so my reason for indefinitely postponing this now is simply to remove this as a distraction since if we take the Board of Environmental Protection's advice and redo the enabling Statute, these rules become moot. I thank you, Madam Speaker, for giving me the opportunity to give the explanation. Thank you.

Representative HERBIG of Belfast moved that the Resolve be **TABLED** until later in today's session pending the motion of Representative CHAPMAN of Brooksville to **INDEFINITELY POSTPONE** the Resolve and all accompanying papers.

Representative CHAPMAN of Brooksville **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending his motion to **INDEFINITELY POSTPONE** the Resolve and all accompanying papers.

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

The **SPEAKER**: Tabling is not to be debated. A roll call has been ordered. The pending question before the House is to Table until later in today's session pending the motion of Representative Chapman of Brooksville to Indefinitely Postpone the Resolve and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 9

YEA - Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farrin, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Hamann, Hanington, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T,

Pouliot, Prescott, Reckitt, Reed, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Spear, Stanley, Stearns, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Ackley, Chapman, Devin, Hanley, Harlow, Pickett, Rykerson, Skolfield.

ABSENT - Bates, Farnsworth, Frey, Haggan, Handy, Kumiega, Nadeau, Riley, Stetkis.

Yes, 134; No, 8; Absent, 9; Excused, 0.

134 having voted in the affirmative and 8 voted in the negative, with 9 being absent, and accordingly the Resolve was **TABLED** until later in today's session pending the motion of Representative CHAPMAN of Brooksville to **INDEFINITELY POSTPONE** the Resolve and all accompanying papers.

Pursuant to Statute

Department of Health and Human Services

Representative HYMANSON for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 325) (L.D. 458)

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

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

Sent for concurrence.

Pursuant to Statute

Commission on Governmental Ethics and Election Practices

Representative LUCHINI for the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

(H.P. 326) (L.D. 459)

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Central Aroostook Chamber of Commerce, of Presque Isle, the sponsor of the Maine-Quebec Winter Carnival Caravan, which is celebrating its 60th Anniversary. This month, a caravan of travelers heads from Portage through the logging roads of the North Woods to Quebec City for the Winter Carnival, a tradition that began as an effort to generate interest in cross-border trade and a highway to Quebec. We extend to the Central Aroostook Chamber of Commerce and all the caravanners our congratulations on this anniversary and offer them our best wishes;

(HLS 58)

Presented by Representative MARTIN of Eagle Lake.

Cosponsored by Senator CARPENTER of Aroostook, Senator JACKSON of Aroostook, Representative JOHANSEN of Monticello, Representative MARTIN of Sinclair, Representative McCREA of Fort Fairfield, Representative McELWEE of Caribou, Representative SHERMAN of Hodgdon, Representative STEWART of Presque Isle, Representative WHITE of Washburn.

On **OBJECTION** of Representative MARTIN of Eagle Lake, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **MARTIN**: Thank you, Madam Speaker and Members of the House. A little history, I think, is important on this particular item. The caravan was actually started by the Ashland Rotary club in 1957. And the person who led the first event from one end of the state to the other was John Reed, who was then a State Senator. And subsequently, as you know, he became Governor of Maine and actually instituted a study as to whether or not there should be a highway that would go from Ashland to Saint-Pamphile, Quebec. The event stopped in '68 and then was restarted in 2002 and has continued ever since. So this Friday I'm leaving Portage at about 6 o'clock in the morning, I'll go to Ashland, go up the Realty Road to Saint Pamphile, about a hundred and forty miles or so, eventually crossing the river, the St. Lawrence River, at Levis and then finally into Quebec City for the Winter Carnival. The whole purpose of the trip was to initiate more contact with people from Quebec, hopefully to create more trade, and in the end, hopefully create a highway that would go directly from Aroostook County to Quebec. And so for those of you that might be interested, come up to Portage this weekend, Friday morning, 6 o'clock, and you can join me and others that will be there. A fairly large group this year. We'll be going through the woods and through the entire length of Realty Road, and eventually the Blanchette Road, and eventually to Saint Pamphile. And so if you can't go this year, plan on it for next year. It's always the last weekend of the Winter Carnival in Quebec City. And I'm sure not only will you enjoy the trip, but you'll enjoy the Carnival as well. And so I urge any volunteers see me right after we're done this morning and I'll sign you up and get you on the trip.

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

Recognizing:

the Greenville Consolidated School Boys Soccer Team, of Greenville, which won the 2016 Class D State Championship. Members of the team include players Chris Caiazzo, Noah Bilodeau, Drew Worster, Camden Harmon, Jack Morehouse, Aubrey Kronholm, Doug Kane, Ben Baldwin,

Alec Oelshlegal, Noah Stolz, Noah Pratt, Nick Foley, Evan Bjork, Parker Richards, Connor DiAngelo, Anthony Mason, Robert Mello, Traj Macfadyen and Matt Mendes; managers Emily Vraux and Tomas Silva-Johnson; and coaches Jeff Richards and Bill Foley. We extend to all the members of the team our congratulations and best wishes;

(HLS 59)

Presented by Representative STEARNS of Guilford.

Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative STEARNS of Guilford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognized the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Madam Speaker. This certainly is a special day for the folks from Greenville. I do have to make a -- there is a correction that needs to be made though and it's an important one. On the calendar it says that the team that's being honored today here in this chamber are the state champions and that's not the case. Unfortunately, they lost in the state championship to Bangor Christian School; however, the team that's with us today, believe it or not, from Greenville, are the Southern Maine Class D Boys Soccer Champions. With that said, it certainly might be a sign of the times when we all read the newspapers and wonder what's going on with the world that Greenville, Maine is now in Southern Maine. The coaches and players, I did have an opportunity to see them once and watch them play. Outstanding group. Years ago I coached soccer for 18 years at Piscataquis High School and, trust me, back then the Greenville Lakers would keep me up at night trying to figure out a way to try to beat them and oftentimes, that didn't happen. Another very special item today, along with the Laker contingent, former Superintendent of Schools, Dave Morrill and his wife, Jeannette Morrill, are also in the balcony. Jeannette Morrill was recently inducted into the University of Maine at Presque Isle Hall of Fame. I did a sentiment for Jeannette for that purpose outside of session and it's been lingering on my desk as Dave and I have tried to -- her husband and I have tried to figure out a way to properly present it. So Jeannette is in the audience today and I want to take a moment to talk about this very special Mainer. After graduation back in the '70s from Presque Isle came the start of a promising career for Jeannette. I actually was at the University of Maine at Presque Isle when she was up there and got to know her. It was while she was in class teaching in Greenville that things started to take a turn in her life. While running laps with her students, Jeannette was a Phys Ed teacher, she had a freak fainting spell that would change her life forever. After many misdiagnoses, the tests before an echocardiogram and heart catheterization revealed the truth. In 1976 Jeannette Morrill was diagnosed with pulmonary hypertension, or PH. PH is extremely high blood pressure in the arteries to your lungs. The symptoms are severe, they're life threatening, and they're worsened by physical activity. Probably the worst thing that a Physical Education major and athlete and coach could assume. There's no cure for PH. In 1976 Jeannette was given two years to live. She was forced to retire from teaching due to her disability but she still stayed on in the Greenville school community in a variety of activities. Coaching, always participating in any way that she possibly could to help the school and her community. In 1997 her Pulmonary Arterial Hypertension no longer responded to the experimental drugs that she was on which forced Jeannette to retire once again

from teaching. This hasn't stopped her from continuing to make a difference. She continues to be an inspiration, a friend, and resource to everyone that knows her, and especially to those that suffer from PH. In 2012 she was named the outstanding citizen of the year by the Pulmonary Hypertension Association. Perhaps the actions that define Jeannette as a champion even more than her accolades is the unselfish work she does to help others suffering from PH. Since 2007, she has been the coordinator for the Maine Swinging Fore a Cure, with Fore being F-O-R-E, for you hackers that are in the chamber.

It's a charity golf tournament with the primary source of income that supports uphill journeys, pulmonary hypertension research and the key is to sustain friends and neighbors in Maine and New Hampshire's pulmonary community on their journey toward a positive resource for numbers of people affected with PH. Again, Jeannette was inducted into the University of Maine Presque Isle Hall of Fame. She's in the audience with us and I wanted to be able to recognize her along with the Greenville Lakers today. Thank you.

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

Representative **BABBIDGE**: Thank you, Madam Speaker. I would like to also thank the good Representative from Guilford for recognizing Jeannette, or Jeannette & David. I congratulate you, my good friends from the area. But I do want to stand and speak briefly to congratulate the students from the Moosehead region for achieving the great distinction of being the Class D Southern Maine Champions. I've had the pleasure of teaching in the school building these young people use. Louis Oakes, the Superintendent of Hollingsworth and Whitney, later part of Scott Paper, put the Town of Greenville to work back in 1936 to build a great school and auditorium, and then sold it to the town for one dollar. When I came to the town to teach in that building in 1973, Greenville had just gone through one of the most politically divisive confrontations any community can endure, whether to give up an expensive program, football, in the face of declining enrollment. So in September 1973 I recall the town's people of Greenville standing in the drizzle to witness their first Varsity Boys Soccer game under the new teacher/coach, Richard Malo. I had the privilege of teaching in the hallowed halls of Greenville Consolidated School for eight years. And being a graduate of South Portland High School, I became aware of the immense distances Greenville students were forced to travel, even mid-week, for athletic contests. Since my departure from Greenville 38 years ago, I have rooted for and even attended Greenville games, seeing the children and most recently the grand children of my former students. The road to success for Greenville usually went through Richmond. And I congratulate the team for winning a very exciting overtime contest to become the champions that they are. It is my great pleasure to congratulate these young people on their accomplishment. Thank you, Madam Speaker.

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

Representative **MARTIN**: Thank you, Madam Speaker, Members of the House. I also stand before you as a person who started his educational career at the Greenville Consolidated School. When my family moved from Eagle Lake to Greenville, a young four-year-old student who could not speak English went to Greenville. A number of years later, I came back to Eagle Lake and couldn't speak French. And so I had to relearn most of the French language. But I also

congratulate the people from Greenville since I began my educational career in that community.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, February 2, 2017, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment in Memory of the Honorable Robert Lewis Thorpe, of Auburn

(HLS 42)

TABLED - January 31, 2017 (Till Later Today) by Representative BICKFORD of Auburn.

PENDING - **ADOPTION**.

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

The **SPEAKER**: The Chair now recognizes the Representative from Amherst, Representative Lockman, who wishes to address the House on the record.

Representative **LOCKMAN**: Thank you, Madam Speaker. I want to begin by saying what I'm not going to talk about today. I'm not going to read from the Gospel of St. Matthew, Chapter 25. I'm not going to suggest that people who disagree with me may be in trouble on judgement day. I'm not going to suggest that people who disagree with me are un-American, or racist, or bigoted. I am going to say that the story starts in 2004. Governor Baldacci signed an Executive Order that turned the entire State of Maine into a harboring haven for illegal immigrants. The order said that state employees were forbidden to ask anybody about their immigration status. In effect we were telling the world, the doors are wide open here in Maine. We have a generous welfare system. We don't care whether you're -- whether you have entered the country legally or not. That Order was rescinded on the first day that the current Chief Executive took office. However, Portland's harboring haven's ordinance remained in effect. It was passed in 2003. Basically a don't ask, don't tell ordinance, forbidding police and city employees from inquiring into anybody's immigration status. Apparently, city officials in Portland didn't get the memo that the FBI is investigating Islamic State terrorist cells in all 50 states. But not only is Portland a harboring haven, the city actually took money that was appropriated by this Legislature, state aid to education, took 1.7 million dollars of that money and diverted it to an account that provides welfare benefits to noncitizens including illegal immigrants. According to the Federation for American Immigration Reform there are an estimated 5,000 illegal immigrants living in the State of Maine. We can argue about whether that figure is accurate or not. It's obviously a guess. But since 11 million illegals nationally seems to be commonly agreed to, I don't think 5,000 in Maine is unreasonable. FAIR estimates that the total cost to tax payers in Maine is 41 million dollars in state and local costs. But the illegals pay only an estimated one million dollars in taxes, leaving a burden of 40 million dollars for Maine taxpayers. Here's the standard I operate by, Madam Speaker. Maine is a poor state. We have limited resources. As long as we have a single veteran not getting the very best medical care we can provide, as long as we have a single Mainer who's lived here,

worked here, and paid taxes here all their lives on a wait list for needed services because there's no funding, we cannot afford to provide any public benefits to noncitizens and certainly not to anybody who entered this country illegally. Thank you, Madam Speaker.

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

SENATE PAPERS

Bill "An Act To Create the Maine Forest Resources Council"

(S.P. 141) (L.D. 414)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System"

(S.P. 136) (L.D. 409)

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

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

Bill "An Act To Allow Municipally Funded Hospitals To Prohibit the Presence of Firearms on Their Property" (EMERGENCY)

(S.P. 145) (L.D. 443)

Bill "An Act Regarding Imposition of an Automatic Life Sentence in the Case of Domestic Abuse Resulting in Murder"

(S.P. 151) (L.D. 449)

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

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

Bill "An Act To Require the Completion of Courses of Study in Home Economics and Industrial Arts Education Prior to Graduation from High School"

(S.P. 139) (L.D. 412)

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Make Changes to the So-called Dig Safe Law"

(S.P. 132) (L.D. 405)

Bill "An Act To Amend the Law Regarding Joint Use of Certain Utility and Telecommunications Infrastructure"

(S.P. 133) (L.D. 406)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Prevent Oil Spills in Casco Bay"

(S.P. 152) (L.D. 450)

Bill "An Act To Remove the Reformulated Gasoline Requirement"

(S.P. 154) (L.D. 452)

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

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

Bill "An Act To Add Addiction to or Dependency on Opiates or Prescription Drugs to the List of Qualifying Conditions for Medical Marijuana"

(S.P. 138) (L.D. 411)

Bill "An Act To Coordinate Services and Support Workforce Development for Substance Use Disorder Prevention and Peer Recovery Services"

(S.P. 149) (L.D. 447)

Bill "An Act To Fund Research on Cancer in Firefighters"

(S.P. 150) (L.D. 448)

Bill "An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process"

(S.P. 153) (L.D. 451)

Resolve, Directing the Department of Health and Human Services To Facilitate the Scheduling of Transportation for Persons with Disabilities

(S.P. 158) (L.D. 464)

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

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

Bill "An Act To Encourage Maine Consumers To Comparison-shop for Certain Health Care Procedures and To Lower Health Care Costs"

(S.P. 147) (L.D. 445)

Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery

(S.P. 155) (L.D. 453)

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Except from the Freedom of Access Act Certain Information in the Possession of the Maine Public Employees Retirement System"

(S.P. 137) (L.D. 410)

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

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

Bill "An Act To Require Certification under the United States Environmental Protection Agency's Lead Renovation, Repair and Painting Rule"

(S.P. 143) (L.D. 441)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Create a Family Caregiver Income Tax Credit"

(S.P. 144) (L.D. 442)

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

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

Bill "An Act To Increase the Maximum Registered Gross Weight Allowed for Vehicles with Disabled Veterans or Special Veterans Registration Plates"

(S.P. 146) (L.D. 444)

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

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

Bill "An Act To Simplify the Laws Regarding Games of Chance"

(S.P. 134) (L.D. 407)

Bill "An Act To Prohibit Taxpayer-funded Campaign Expenditures from Being Used on Post-election Parties"

(S.P. 135) (L.D. 408)

Bill "An Act To Limit the Influence of Lobbyists by Expanding the Prohibition on Accepting Political Contributions"

(S.P. 140) (L.D. 413)

Bill "An Act To Modify the Amount of Product Samples of Malt Liquor, Wine or Spirits That May Be Provided to Retail Licensees"

(S.P. 142) (L.D. 415)

Bill "An Act To Allow Campgrounds To Obtain Licenses To Operate Beano or Bingo Games"

(S.P. 148) (L.D. 446)

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

**Pursuant to Statute
Maine Turnpike Authority**

Report of the **Maine Turnpike Authority** pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asks leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2018"

(S.P. 157) (L.D. 460)

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

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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

In Convention

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

The Convention was called to order by the Chair.

On motion of Senator MASON of Androscoggin, it was **ORDERED**, that a Committee be appointed to wait upon the Honorable Paul R. LePage, Governor of the State of Maine, and First Lady Ann LePage, extending them an invitation to attend this Convention and to extend to Governor Paul R. LePage an invitation to make such communication as pleases him.

The **ORDER** was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from Piscataquis, Senator DAVIS
The Senator from Oxford, Senator KEIM
The Senator from York, Senator DESCHAMBAULT
The Representative from Sinclair, Representative MARTIN
The Representative from Windham, Representative BRYANT
The Representative from Rockland, Representative BEEBE-CENTER
The Representative from Old Orchard Beach, Representative HOGAN
The Representative from Rumford, Representative MADIGAN
The Representative from South Thomaston, Representative SPEAR
The Representative from Dixfield, Representative PICKETT
The Representative from Sanford, Representative HARRINGTON
The Representative from Standish, Representative ORDMAN
The Representative from Athens, Representative GRIGNON

Subsequently, Senator KEIM of Oxford, for the Committee, reported that the Committee had delivered the message with which it was charged and that the Honorable Paul R. LePage, Governor of the State of Maine, and the First Lady would attend forthwith.

The Chair welcomed in the House Gallery the First Lady of the State of Maine, Ann LePage, accompanied by daughter Lauren LePage.

The Chair recognized in the House Gallery the Constitutional and Statutory Officers of the State of Maine: Secretary of State Matthew Dunlap, State Treasurer Terry Hayes, and State Auditor Pola Buckley.

The CHAIR: The Chair would also like to take a moment to recognize a very special person. Those of us who have been in the Legislature for some time now know full well that we are a legislative family, and we have family all around us who support us in good times as well as sharing in grief in our most difficult times. We are very happy to have Senator Keim join us tonight. Would Senator Keim please rise and accept the condolences of this Joint Convention?

The Chair recognized Senator KEIM of Oxford in the front of the chamber to accept the condolences of the Joint Convention.

The Chair recognized in the House Gallery Corporal Alexander Layman of the United States Army, Staff Sergeant Andrew Roberson of the United States Marine Corps, Petty Officer Second Class Frederick Drake of the United States Coast Guard, and other distinguished members of the military. The Chair also recognized in the House Gallery representatives from the University of Maine System and the Maine Maritime Academy. The Chair also recognized in the House Gallery members of the Governor's cabinet.

The Chair welcomed to the Convention the Honorable Paul R. LePage, Governor of the State of Maine.

The Chair welcomed the Honorable Governor Paul R. LePage, Governor of the State of Maine, to the rostrum.

Governor LePage then addressed the Convention.

Governor **LePAGE**: Mr. President, Madam Speaker, Members of the 128th Legislature, distinguished guests, and my fellow Maine citizens, let me begin by first recognizing a few individuals. To my lovely wife and my children, please stand. I would not be here tonight without you. Love you. To the First Lady, you have made this State very, very proud to have you as our First Lady. I do not know if she made it but invited was Allison Salsbury of Bar Harbor. She was supposed to be here with her daughter, Kathy, and I'm not sure if she is here. But the reason she's invited this evening is Allison and I, she's a widowed lady -- Allison and I became pen pal's way back in early 2011 when I first became Governor. We write at least -- well, she writes me at least once a week. I'm three letters behind Allison, I apologize. I will get those written here shortly. She really, truly understands the plight of the Maine elderly and she has been through nursing homes, she's been through rehab, and she's been a lady that is just absolutely fantastic. And I think it's very important -- I wish everybody could have the opportunity to meet an elderly like Allison Salsbury.

To Technical Sergeant Christopher Ludden, the military herald this evening, thank you for your courageous service to our state and to our nation. And I believe all military veterans and their families deserve a round of applause.

By the way, before I go any further, if you heard me on the radio this morning, I had a challenge. There's \$200 on the table. So for Rick and George, WVOM, you owe me 200

bucks and it's going to go to Travis Mills Foundation. Thank you very much.

Now to business. I'm here tonight to speak to the Maine people. Our economy and our way of life is under attack. Older Mainers who have worked their entire lives are losing their homes because of tax and utility bills and many local governments condone it. Sadly, Maine Municipal Association defends them. The taxes Mainers have paid all their lives fund organizations that throw them out on the street. It has to stop. We owe it to our elderly to protect them in their wining years. They have protected us, we grew up under them. We need to protect the elderly of the State of Maine.

We must also protect younger Mainers. Our families are losing good paying jobs. It's all because of a faulty ideology. Maine was once renowned for its rugged individualism. Liberals are now trying to transform our state into a socialist utopia. Utopia is an ideology; no amount of tax payer money will make it a reality. We have made great strides in shrinking state government, but liberals continue to provide things, believe to want to provide things, to all Mainers that is free. Ladies and gentlemen, free is very expensive to someone. It's very expensive to someone. And unfortunately, in this case, it's the hard-working Mainers that are being forced into areas that they've never seen.

As Franklin Roosevelt said during his annual message to Congress in 1935, "The lessons of history, confirmed by the evidence immediately before me, show conclusively that continued dependence upon relief induces a spiritual and moral disintegration fundamentally destructive to the national fiber. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit. It is inimical to the dictates of sound policy. It is in violation of the traditions of America."

Ladies and Gentlemen, this was true in 1935, it's also true in 2017. Liberals have not learned from history but they have changed tactics. They are no longer in this body. They are doing an end run around the Legislature by high jacking the citizens' referendum process. They say they are helping low income Mainers by raising the minimum wage and taxing the so-called rich, but they are harming our economy. We are losing doctors, dentists, psychiatrists, and other professionals we so badly need. And you can all sit and deny, or you can accept it. But we all know, we have spoken to people that have left. I have been receiving letters and emails. The day after Christmas a doctor sent me a letter and said he was closing shop on December 31st. This is not the Maine I grew up in. It's not the Maine that I want to leave.

Liberals are harming our small family businesses, they are harming our low-income workers. Even worse, even worse, they're harming our elderly.

Successful people are not the problem, they are the solution. They create jobs. Whether you agree or disagree, they pay sales tax, excise tax, income tax, property tax. They pay two-thirds of the revenues that come into the coffers of the State of Maine. Ten percent of our population pays two-thirds of the tax burden. I will tell you something, I'd like to be one of them because I could sleep at night knowing I'm creating jobs and helping Maine people. Taxing them out of our state and hurting our economy is not the right thing to do.

It is harmful to lay off employees, it's harmful to put your local restaurants out of business, it's harmful to drive the elderly deeper and deeper into poverty. Liberals from Southern Maine never go to Calais, Machias, Rumford, Fort Kent. I do. I see elderly living in poverty. I see Maine families struggling. Our industries are laying off hard-working Mainers

or leaving our state. I'll give you an example, just in the last couple of years, Madison Paper, Verso in Bucksport, Verso in Jay, which is downsized tremendously, Lincoln Pulp and Paper, Millinocket, East Millinocket, Old Town, just to name a few.

We need to help our families, not harm our families. My budget has a theme, do no harm. I ask you to join me in doing no harm to our economy. Our citizens voted to raise the minimum wage, they also voted to tax the rich. I get it. I really do get it. But they did not read the legislation behind the ballot question. They didn't know that it would destroy a fragile economy.

In my administration over the last six years, we reduced the unfunded pension liability, at the time was very unpopular. But if you look at it now, we are one of the strongest pensions in the United States of America. We paid our hospitals, a debt that had been accumulating for a decade. We built a budget stabilization fund that was nearly zero when I got here. It was up to a hundred twenty three million dollars today, and it could be three hundred million dollars. If we had just a little bit more fiscally been responsible on the money we spent, we could be a Triple A state.

We reduced the structural gap from 1.2 billion dollars to a hundred sixty five million. For the first time since 2005, this state finished the fiscal year with a positive cash flow of 45 five million dollars of real growth.

We lowered the income tax from 8.5 percent to 7.15 percent. During this period, revenues started to increase. Wow. Wow. Imagine, signs of prosperity. Signs of prosperity, folks. People have money in their pockets, more so than they did ten years ago.

Now, under my administration we have been moving forward. And to paraphrase Ronald Reagan, free enterprise has done more to reduce poverty than all the government programs dreamed up by liberals. Frankly, the liberals I talk about tonight, make each and every one elected official in this body irrelevant because they're going straight to referendum. We need to reform the referendum process and we need to return to a representative government.

You know, I hear the word democracy every day. We are not a democracy; we are a representative republic. And we, the elected officials, need to act like it. It's not easy and it shouldn't be easy. It's a tough job. Over the last couple of years we've watched very wealthy out-of-state unions and progressive groups moving our state backwards. They've spent millions of dollars so that we could become the second highest income taxed state in America.

California has the highest marginal income tax rate which kicks in at one million dollars of income. Arguably, we are the number one state in America because we have a 10.15 percent income and it kicks in at two hundred thousand dollar household income. Household income. California's a wealthy state. California is 18th on the Family Prosperity Index. Maine is 44th. We can't compete with California and we shouldn't try to. We should try to be Maine. We should be proud to be Maine, the rugged individualism that made us great. But it takes everybody wanting to get it done together.

We must help our families achieve prosperity, not shatter the American dream with high taxation, high energy cost, and under-performing education system. I take great pride in saying the American dream because I lived it. I lived it. And many people know that for 60 years I carried a 50-cent piece. That's my sign of the American dream. We have the responsibility to make sure that the generations behind us

have that same opportunity. That's why we're here. We are here to make a difference.

I believe eliminating the income tax is the largest pay increase that Mainers will ever get but there's no political will here in Augusta to strive for that prosperity. And I'm going to tell you a quick little story. It's not even in here, but I'm going to go to the South and look at New Hampshire. New Hampshire is ranked 22nd on the Prosperity Index. Maine is ranked 44th. New Hampshire, I call it the pogo stick. They have no income tax, no sales tax, they have the seventh highest property tax in America. I call it the pogo stick because they jump around on one tax. Maine has an income tax, a sales tax, and we rank number ninth with the highest property taxes in America. I call that a three-legged stool and we are dragging our butts around and we are not getting anywhere.

My budget attempts to counteract the damage from the 10.15 percent income tax. It is designed, folks, to do no harm to Maine. By 2020, Maine income tax will set at 5.75 percent for all Maine families. I believe we should all commit tonight to work at eliminating it, not stop until it is zero. My budget lowers the corporate tax, broadens the sales tax, and eliminates the death tax. Now that's like a broken record. I've been saying that for six years. Every year I say that. The nonpartisan tax foundation called my tax plan this year, "a recipe for a more competitive state." I believe we owe it to the constituents of Maine to be competitive. It cuts taxes, it welcomes professionals, and allows families to thrive. It is designed to do no harm.

As written, the law to raise the minimum wage will wreak havoc. Mainers did not read the 32 pages of legal jargon behind the question. If the question asked Mainers to slash the pay for their favorite server, they would have said no. If they asked them to increase the cost of everything their grandparents purchase, they would have said no. Let's be clear, I am not opposed to the minimum wage but I would rather be talking about career wages. Liberals always aim low. They want to raise the starter wage. I don't want nine dollar jobs. I want 29 dollar-an-hour jobs. I want jobs that people can live on and make a career and grow their families, live in Maine and be happy. But you can't do it when you're working two or three jobs and we seem to forget that. The minimum wage would be devastating for the restaurant industry. Menu prices will increase dramatically to cover the new labor costs. It will eliminate the tip credit for employers which will end tipping as we know it. That right, dear? That's my boss. She'll vouch for me. I want her to go back to work next year. But restaurant servers who are making 20 and 30 dollars an hour this year will be relegated to a 12 dollars an hour base pay, and then they are going to have to fight for the tips. Well, guess what? Someone last week at a town hall told me some states get along without the tip credit. So I looked into it. I did. They're on the west coast. California, Oregon, Washington State, Montana and Minnesota. The only one of those states that's above the top 20 is Oregon. Everybody else is far, far better off and much richer states than the State of Maine. And then I find out that tips have gone way downhill. It's just the way it is, folks. We need, as a state, and this body, needs to address the tip credit. We need to tell our restaurant industry that they are now a very important industry to Maine since they're number one industry, tourism, we need to be supportive of them. We need to make sure that their servers can earn a decent living.

I will say this, if nothing else, even beyond that, higher prices will push our elderly deeper and deeper into poverty. And you don't have to take my word for it, just check it

tomorrow. 358,000 Mainers, I'm going to repeat that, 358,000 Mainers live on an eleven hundred and thirty dollar average social security check a month. Minimum wage, as it's written, is going to go up \$4 an hour. In 2017 social security went up \$4 a month. Medicare went up 2.8 percent. The elderly in our state right now are getting less money this month than they did two months ago. And we put a minimum wage on to increase all their costs of everything they purchase. We need to help them. I really got to say, this side's getting a lot of exercise. Thank you.

If we look at indexing, it's even worse. It means the minimum wage is going to go up automatically after we reach the \$12. Now, just remember here a few years ago, not too awful long ago, we got rid of indexing in the State of Maine on gasoline after gasoline hit \$4 a gallon and we were indexing the gas tax and we decided to -- wow, it's getting out of control. That was a good move. I think what you're going to find if you look around the state, we have a shortage of labor. That's why in the summer we use immigration laws to import workers. The market has already taken care of the minimum wage because at the time it passed, there were under 6,000 people in the State of Maine making minimum wage or less, and that included -- no, that did not include the service. But we had 358,000 elderly living on eleven hundred and thirty dollars a month. For a state like Maine, that is really poor. It's poor public policy.

You know, the minimum wage was always intended to be a starter wage or a wage for people that could not work at a hundred percent capacity. It was never intended to be a wage where you would raise your family on. And make no mistake, this minimum wage has nothing to do with the economics; it has everything to do socialist ideology. This is the same kind of programs that were brought to Greece and to Venezuela, and we know what their problems are today. We need to prevent that from happening. We need to be looking to reinvent ourselves. You know our paper industry has left for the most part, but we still have 17 million acres of forest land. Let's reinvent ourselves. Let's make it work for the Maine people.

They're catching up. I know we have a lot of disagreements, but I will say this, and if you do a lot of soul searching I think most people here will agree, that my budget protects the people liberals consider expendable. They have forgotten the elderly, they have forgotten the disabled and the intellectual disabilities. It seems whenever I have proposed to help the elderly, the mentally ill and the physically disabled over the last six years, it gets killed. It either gets killed in committee or somebody kills it and puts their name on it. Let me tell you, folks, I don't want credit. I want to get the job done. Take all the credit you want.

You know, that's why Maine people and the American people say government is not working. And it's not exclusive to Maine, it's exclusive to this country. We need to get rid of grid lock and we need to find a way to get the job done. That's the bottom line. The 1.3 million people in this state who deserve it. They don't even demand it, they just ask for it. We are starting to see a little bit of a push when they go to referendums all the time. But this body can fix that. We can show strong leadership. We need to reform the referendums process in the State of Maine. We cannot make it so easy that out-of-state money controls our lives. We need to stand up.

You know, Patrick and Janet Caskin of Litchfield wrote to me to say their daughter Katie is still on a waitlist for intensive home support. She has an intellectual disability and she's been on Section 21 waitlist for five years. The last biennial

budget, if you recall, two years ago, I paid off the entire waitlist of Section 21, Section 29, only to have the Legislature come in and reinstate two-thirds of it. About a third of it they supported. You know, folks, we forgot Katie. We forgot her. She wasn't a priority. I think we need to make her a priority. We need to make sure that our elderly, our physically disabled and our mentally ill are cared for. I do. When it comes to the most vulnerable citizens, we all should pledge to do no harm. We need to make sure that they become a priority, and I'm the first one that will help anybody. My wife told me my entire life, the 34 years we've been together, I'm always for the underdog, and I will continue to do that. But I think there are some priorities. Number one, family first. Two, your neighbors and relatives. Three, if you have anything left, help the common stranger. But we can't take money away from our elderly and give it to people that we don't even know yet.

There's a lot of talk around the country and there's a lot of hate. It's not warranted. It's only warranted once you don't take care of your own. You're going to see some bills this year, very tough bills, on dead-beat dads. And I'm going to say to you, I don't -- I think taking their license away is foolish. I think what we ought to do, make sure they go to work every day. And on the weekends, let's bring them in to house them in our -- in our care for a couple of days on the weekend.

You know, we've realigned the welfare system and the Medicaid program to prioritize elderly and those with disabilities. As Ronald Reagan said, "We should measure welfare's success by how many people leave welfare, not by how many are added." And I will tell you this, you can all disagree but I'm very proud of this statistic, since we've taken a hard line on the 19 to 50 year olds that are able-bodied to go to work, they are now earning 114 percent more than they ever earned on welfare. Our limited resources are needed for helping the most vulnerable. In our budget our elderly, disabled Mainers currently make up 40 percent of MaineCare. It's a 35 percent increase since 2011, and in two years it will climb to 45 percent. I'm telling you that we have limited resources, we have to make it work for the most vulnerable, and if they're able-bodied, we need to not just throw them off welfare. I'm not suggesting we throw them off welfare. I'm suggesting we roll up our sleeves, we work with them, get them the work skills they need to get a job and keep a job and to be contributors to the economy of the State of Maine. That's the bottom line. We include \$30 million to help increase cost for Medicaid Part B and Part D.

We also are asking you -- the last biennial budget you came half way and I thank you for that. You eliminated the income tax on military pensions. This time I'm asking you, let's finish the job, let's eliminate the income tax on pensioners in the State of Maine.

This budget provides low income and elderly home owners with property tax fairness credit. I think that's important. You know, this should help our elderly like Juliet Nyholt of Solon. She is currently another person who is struggling to pay her taxes, property taxes. In 1986 she wrote me and said her taxes were \$300. This year they're \$2,000. We are going in the wrong direction for somebody who is able, capable, and wants to remain in her home. No Mainers should be taxed out of their home, especially when environmental groups throughout this state are taking hundreds of millions of dollars of land values and real estate off the tax rolls. I'm all in. I'm all in. You own land, you buy land, you should do anything and everything you want with your land as long as it doesn't hurt others. But I'm going to tell you, folks, you need to pay your property taxes. Many communities in the State of Maine,

and the Maine Municipal Association for that matter, they may do things right. They follow the law regarding tax liens and foreclosure. But there is a difference between doing things right and doing the right thing. Help our elderly stay in their homes. I find it unethical and immoral for any person who wants to and is able to live in their home to be thrown out. They lose the equity they've built up during their lives and they end up on the street.

Tonight I invited Richard Sukeforth, an elderly veteran, and his wife who lost their home in Albion after the town seized it back for taxes, total about \$6,500. They lived in a home that had a market value considerably more than that. It was taken, sold for \$6,500, they were thrown on the street. But I'm pleased to announce tonight, Adria Horn of the Bureau of Veterans Services jumped into action and discovered he was eligible for VA benefits. Mr. Sukeforth now gets \$1,200 or nearly \$1,200 a month in pension. That would have kept him in his home.

And this year I have a bill in and it's just simply this, it's simply this, before any town can foreclose on an elderly, in fact it should be like this for everyone, you should first take a look at reverse mortgages. There are several options out there. There's abatement. If they have a whole lot of equity in the home, they don't have a mortgage. In fact, what I'm telling elderly now, if you don't have a mortgage, go get one. With a little mortgage on your house you make a friend with the banker when they're coming after you. Right? He's going to protect his interest. But, you know, what's wrong with a person that owes \$6,000 in taxes? You go to them and say, you can live here the rest of your life. You sign over the property, we will sell it, we'll take what's owed to the community with maybe a little bit of interest, and then the balance of the money on your home goes to your family. That's the right thing to do. Now, I will tell you, if you're a bank, that's what you have to do. But if you're a community, you're exempt from it. Let's take that exemption away. Let's make them keep elderly in their homes.

Next topic I want to talk about is the opiate crisis. It's ravaging our state. We have been urging Legislature to take action for years. And many are right there with us, on both sides of the aisle, but there are many that are dragging their feet. It took me two years to convince the Legislature to allow us to hire more DEA agents. Just recently we made the largest heroine bust in the history of the Northeast, eight pounds, and it could not have been possible without the additional agents. Not only the agents from Maine but the agents from New Hampshire, the agents from Massachusetts and Federal agents. This was a big haul. Lots of money, lots of drugs, guns, vehicles. It was a major haul. So I do thank you. It may be a little bit late, but we came around and we got it done. So now what we've done is we've gone from losing five people a week to over one person a day. 378 died last year of an overdose. We need to take action, now. And I will say this, we had a very good conversation this week. Senator Troy Jackson and I have been battling around, I think we are coming up with some ideas. We've discussed it with DHHS. We are trying to find programs that work because we have so much -- we've spent over \$80 million and it's not working. Too many people are dying. And we've made tremendous headway in the opiate world. We've cut the prescriptions of opiates almost in half. We've made a lot of headway there. In fact, a lot of people are telling me that a third of the people addicted to opiates, on the first try they can get them off. We are not having that luck with heroine and fentanyl. Heroine laced with fentanyl is a deadly, deadly combination. I've had a

doctor tell me -- I asked a simple question, when are we going to get our hands around this beast? And his answer was, when this generation dies. Because it's that difficult. We can expect, if we're lucky, a ten percent success rate. So we need to be looking at the combinations of different options out there. We need to be looking. I'm working with the Chief Justice. As I said, Senator Jackson and I met. We are talking about what can we try. And the Chief Justice is pulling her hair out as well. She understands the severity and the lack of success in our drug courts. We are looking at different options. Everything is on the table when it comes to the opiates, particularly heroine and the fentanyl. It is a real killer. We have to take all of the above prevention. We have to start in middle schools. We need to start in the middle school now to try to train our children to stay away from the drugs. We need law enforcement. We need rehab. We have a 200-bed facility that's going in in Windham. We need to get it in the ground as quick as possible. I was trying to get an update for you tonight and I just didn't get a hold of the commissioner in time. But he's going to get that to me this week and I'll relay it to everyone. The problem is this: We can't just simply throw money at something that isn't working because they're just going to die. We need to try to find a solution. You know, I've spoken to a judge in Miami and his program is showing some promise. I've mentioned it to the Chief Justice, she's working with judges now to see if maybe we can introduce it, similar. It's changing the way our drug courts are working so that we can encourage people to want to rehab, not using it as an excuse not to go to jail. So we are trying, believe me it's something that keeps us awake at night. The opiates and the heroine is a deadly, deadly drug. I know that Mary Mayhew in DHHS have, you know, through some really strong management -- and I give her kudos because instead of going to the Legislature as we were the first couple of years we were in the administration asking for \$200 million, another \$150 million, another \$170 million every six months, we are now in a position where we are finding moneys to do things. She just has 2.4 million dollars for a treatment, to enhance a treatment program that's going to help 359 -- we're going to have 359 openings. That's happening as we speak. With the conversations that we had this week, we've had -- I've had conversations with my staff and with Mary and they're looking at other options on opening up some other pilots that we might be able to throw some money at and try something new and different. We don't know if it's going to work but we're willing to try to get in there. But it's got to be sound, it's got to have an opportunity for success. And believe me, on the heroine and the fentanyl, it is deadly. We have over one person a day dying, three babies a day either afflicted or addicted. It's a real serious problem.

Then I want to go into education reform. I was told this week that nothing is going to happen. I hope that that's not the case. You know, the future of Maine is our kids. And I hope and pray that my daughter and my son get out of school some day because they're my 401K, like all of us. You know, out of state union, a national organization came in and spent millions and millions of dollars to tax the rich. Folks, we don't need more money in education. We need more accountability in education. In the State of Maine -- in the State of Maine 59 cents of every dollar spent on education, 59 cents, makes it in to the classroom. The national average is 64 cents. That's an eight and a half percent differential. The State of California: 75 cents. The State of Illinois, a state that's on the verge of going bankrupt, is spending 70 cents in the classroom. By taxing the ten percent richest people in the State of Maine who pay 65

percent of the tax burden, we cannot forget that they can leave. Once they feel they're being abused, they leave. So what we need to do is we really need to seriously look at education and make more of the 2.2 billion dollars that we spend on 174,000 kids and 148 superintendents. And every time I say that in a governors' meeting, they think I'm a comedian. We are the biggest outlier in the country when it comes to superintendents. We are just out of control. We need to seek accountability. So we eliminate in our budget, we eliminate the EPS formula and we say, communities work together. This is why I've been asking the Legislature for six consecutive years, give me five million dollars to work with schools, give me 5 million dollars to work with communities. And rather than force consolidation from the top down, we ask them to go to their neighbors and work through regionalization through the RFP process and give us a plan that you can work together and we will fund it, we will help you fund it the first year to get you started. That's the way you get the cooperation from the communities. If we don't do this, we simply cannot sustain our education system. The enrollment drops every year. There are more people that challenge. They want to go to charter schools, they want go to private schools. They are looking for an education system that works for their children. The CTE system, the trades, all of the above. I'm a believer children learn with their hands, their eyes, their ears. Somebody like me learns by his mouth. It's gotten me this far. Doesn't mean you have to like me. Doesn't mean you have to love me. Because that's not what this job's all about. When I need love, I go see my wife. If she's in Florida, I go get a dog.

Really what it's all about, it's about our students and our teachers. We have some of the poorest paid teachers in America. So what we are trying to do is set the stage for a statewide teachers' contract. I met with the MEA last week. We've got a long ways to go. But they really like the concept. Don't know if it can work as one state contract. It might be eight contracts, it might be district contracts. I don't know. But I told them that we -- it's not going to work and there's no sense moving forward with it unless they're onboard, because it's about our kids and it's about our teachers. I maintain, and I've said it for many, many years, you want to solve the education problem in Maine, you put a sign in the middle of the table that says that every decision that is made has to be in the best interest of the children. I truly believe it's about educating our children. And the best way to educate is to have a mentor in front of the classroom. A mentor, in my definition, is people like the Clara Swan that I went to her funeral a couple of weeks ago, 104 years old. She has thousands and thousands of people in this state that she helped. I was a high-risk kid at 18 years old when Mr. Husson, Sr. said, I'll give you a chance and he handed me over to Clara and said, see what you can do with this guy. That's what I'm talking about. I think we have to allow young people that are in the education field to enter our schools and to become teachers. In rural areas of the State of Maine they're constantly, constantly looking to hire new teachers because a young teacher who comes in lasts about three years. If they're good, the wealthy towns come after them and they're gone in two or three years. So what did we do? We back filled with double dipping. The problem with double dipping is it's going to come to haunt us. It's going to come to haunt us because they are going to get old and they are going to die off. So we need younger -- we need an age balance. The same way you need an age balance in a forest you need an age balance in your employment force. You can't have those big gaps. And so I'm saying, let's look at the youth that are coming out of some of the schools that are very, very

well trained, and we need to get them into the classroom. And we can do it by having a statewide teachers' contract. Pay them what they're worth. We simply don't pay. The most important thing we do is we have children. We want to put them in the hands, we want them safe, and then we don't pay the teachers, and they spend more time with the teachers than with us because we are out working all the time. We just need to pay them. We have to be demanding. We have to make sure there's accountability and responsibility, but pay them. You know, growing up I used to think the two professions in this world that I can't understand, particularly in Maine, that we pay so poorly was nurses and teachers. You spend more time with teachers than you do most anybody else, and when you're sick you see the doctor maybe ten minutes a day. The nurse is the one I want to take care of me. And many of you have heard to go on to higher education. We have worked very hard at trying to lower the cost of higher education. We have the rural university, we have the bridge year, we have many, many school districts and colleges. Thomas College, Husson, University of Maine, Northern Maine Community College, they're all getting involved in helping our high schools. I think the University of Maine, Fort Kent and Fort Kent High School really started us on the track. This year they're working with 98 high schools and about 2,500 students. I'm so proud to say that in 2011 I was smart enough to listen to the President of the University of Maine, Fort Kent. It wasn't my idea; it was his idea. And we went along with it and we made it work. And I'm so, so proud of that university, what they're doing with our youth. So this year, yes, we are increasing the University of Maine budget, we are increasing the Maine Community College system and Maine Maritime Academy. Maine Maritime Academy speaks for itself. It's been known -- it's known nationally as one of the best schools. I think the Community College system under Derek Langhauser is doing a marvelous job. He's bringing it back to the direction -- he's heading back to the direction of preparing kids to go on to the university if they choose, but they are doing the trades and they're doing jobs and the hard lifting that we need a lot of people to be doing if those jobs don't go away. And he's committed to doing it so I am helping him. The University of Maine is coming off the sixth consecutive year without increasing tuition and they've worked for six years at the rural university in Fort Kent. So I told them, yes, you've proven yourself, and Chancellor Page has done a good job. I just wish they weren't so liberal but that's okay. We'll get over that.

I got -- very, very importantly, I'm going to ask you again this year, we passed the law, now I'm going to ask you to fund it. Zero interest for our kids going on to higher education. It's very, very important. It's not only important to the kids here in Maine, but it's an important tool to attract people to come to the university and to the schools of Maine, and I will tell you why. Kids that go away to university, 70 percent don't come home. So let's go out and recruit from other states, other countries, bring them to Maine. Maybe we can lower the median age of Maine by keeping these people living and earning their living and marrying, and growing their families right here in the State of Maine. We have a program that helps companies pay off student loans but it's too slow. If we're going to keep people, allow the businesses to hire people and to work out employment contracts of five to seven years to pay off student loans. So our kids that go in, the younger people that go in to work in Maine aren't paying off historical loans, they're investing in a net worth for the future. I think that's very, very critical to attract young blood to the State of Maine. I really believe we would be the only state doing it. And if we allowed

our businesses to pay off the student loan and allow them to write it off over five to seven years instead of 20 years, we could take a big advantage, we could attract young people. I'm already working with the Federal Delegation to have an exemption in the IRS Code to allow that to happen at the federal level. I really believe if we do that, we'd have a head start on all the other 49 states and we could attract the cream of the crop to work in Maine.

I've got two quick topics, and then I'm going to get out of here and you can all come over next door.

Energy. Energy, you're going to hear a lot about it because this year, folks, in 2017, we have now gone from the twelfth highest in the nation to the eleventh highest in the nation. And in the next two years I'm going to use every ounce of my body and breath and blood and sweat to prevent the PUC or you folks to make us in the top ten. It's a killer. And if you don't believe me, you call up all the industries that we've lost in the last five years, particularly the manufacturing and industrial based, and you ask them whether or not energy is not a killer. This bill that was just passed, this rule that was just passed by the PUC, is the most horrific bill that I've ever seen. And if I had the ability right now, I'd fire all the commissioners because what they did is unconscionable. What they have done is they said that if you have a solar panel on your roof, you're going to get paid for the excess energy. I'm all in. I'm all in. You generate electricity and you have too much, you want to sell it? I'm all in. But this is where the boogey man is. They're allowing them not only to sell from their home here, but if it needs to be transmitted to the Blaine House across the street, they're going to get paid for transmitting and distribution of the power. Unfortunately that's how CMP and EMERA makes their money. So each and every one in this room, and all the Mainers out there, I am telling you, until 2042 you are paying for distribution of your power twice. That is wrong. It's wrong for Maine, it's wrong for Maine people, it's wrong for the PUC and it's wrong for this body to condone that behavior. The only reason that that's being done -- and the technology is out there. They could easily generate the solar energy for their home, put the excess in a battery and use it when they need it. The problem is the return on investment would be like 30 years. So I don't blame them for not doing it. I don't blame them for not doing it. But why should you penalize the elderly, hardworking Mainers to line the pockets of the solar industry? Because that's what we're doing. And I believe that they should get paid for the excess energy and we should work at finding ways to make it more affordable for everyone. But the only people who have solar energy are the big homes that can afford multiple systems. Mr. Sukeforth, Ms. Nyholt in Solon, they cannot afford these two systems but you're making them pay for the distribution. You're making them pay for the distribution. It's simply isn't right. There are better ways to do it. And I am all for allowing the technology to move forward, I'm all for solar, I'm all for the above. And this is the questions I'm going to ask the Legislature. I'm going to ask you three questions. And I'm going to ask you -- don't answer tonight. Just think about it. Should we lower energy costs in Maine, first question? Second question, should we lower carbon dioxide levels in the most effective manner? Should we reduce our demand on oil? If you say yes to all three, then this is the answer. You lower the cost of energy without harming the environment. If we took that policy as a state, then we would be agnostic to the technology and let the markets determine which technologies get to prime time first. Let's not pick the winners and losers, let the markets pick them. All we want is clean energy at an

affordable rate. That's what we should be determined to do. Tonight I would love to call up Premier Couillard and say, I want to buy 2,400 megawatts of electricity at six cents and I want to deliver any amount of electricity you sell to Southern New England, and I'll charge you a penny so I get it for five cents. And if all the energy we make in Maine, we sell it to Southern New England, we would be competitive in the United States of America. We could become competitive. And people say to me, Governor, we're the cheapest in New England. I tried that with Airbus; it didn't work. But the fact of the matter, folks, with 17 million acres of land, we do not compete with New England. We compete with Michigan, with Wisconsin, with Minnesota, with Georgia, with North Carolina. We compete with states with high forest, with big forest. We compete with Oregon. And out west they have hydro. The TVA provides a whole lot of inexpensive energy. So I just ask you, let's be agnostic to the markets, to the technologies. Let's just be demanding to the markets, that they provide us with low-cost energy without harming the environment. If we do that, we become the winners because they will react. That's how it works.

In closing I just want to say this, my administration, my cabinet and my staff, we try every day to attract small business and successful young professionals. We need to be creative, we need to find innovators and we need to find entrepreneurs to come to Maine because we are aging out. We are an old state, we need new blood. We need to attract young, smart people. We must keep our families here and not allow our children to leave, to go out of state and never come back. We need to attract new people from other states and other countries. We must give our young people a reason to stay in Maine. And there's no other better reason than living in a state that is safe, beautiful; now we've got to make sure that they can afford to live here. And that's the only missing ingredient, is affordability. We need to have competitive rates on our energy. We need to be competitive in our tax structure. We need to have a system, an education system, that's not the 23rd in the country, the middle of the road. It's got to be in the top ten. And you become the top ten by having the best teachers, the best mentors in front of the classroom. If we do that, we can make a difference. We can move Maine. You know, I read books on presidents and every single day I'm reading at least one or two books on presidents. I have one in the bathroom, one on the nightstand, one in the living room, one at the dinner table. Drives my wife crazy because I don't talk to her. I'm always asking her about First Ladies or their children. But I just finished a book by Andy Jones. And he made this quote, he said, "Whenever government, in general, whenever government, in general, is smaller, the people have more to say over their own lives, and society prospers."

We are trying to make Maine prosper. I have 45 years of business experience. Many of the companies I worked with were very, very successful. I did a lot of consulting in the State of Maine. I have studied finance and economics. Believe me when I tell you, when it comes to business, I would not send you down the wrong path. But I will tell you this, it's not easy. It's hard work. It is really hard work. We are trying to make Maine prosperous. It takes courage. We in Augusta have been elected to make tough decisions for the hardworking Mainers in the State of Maine. And I'm going to say, I often say, the only constituent that's not represented in the halls of Augusta are the hardworking people of the State of Maine because they can't afford a lobbyist and they're not a special interest. They just go to work every day and try to earn a living. But they love their state and they want to stay in their

state. There's nothing more that I would like to see is grow old with my kids here in Maine. But I also understand they have to be where they can raise their families successfully. So I believe we made some progress. I think we're in danger of losing the progress because not just Maine, but the entire country, has moved away from our Representative governments and we are moving over to referendums. There was a record number of referendums throughout the 50 states this year because people have lost faith in their governments. They really have, on both sides. I'm not -- everybody. You can see it every day just by the rhetoric you hear on the news. We need to take back our government, we need to say, we have a responsibility to those who elected us and we have to do our jobs for the people who elected us. And, you know, if you've got a monkey on your shoulder, you've got to knock him off and get on with the work. So I ask you tonight, over the next two years I ask you, do no harm. Do no harm to the economy. Let's try to figure out a way that we can work together. Now I'm going to tell you something, two years ago - for the last two years Troy Jackson was not here in the House. He got termed out and he's back. And I will tell you with some of the conversations we had a few years ago, it would be a wonder that we'd be talking to each other. But I will tell you this, he's a better man for it; I'm a better man for it because we've met at least three times now. That's what it's all about. That's what it's all about for everybody in this room. You have a responsibility to 1.3 million people. And this body of 186 people, with the Governor, have got to make good public policy. It's our responsibility. So I ask you, the 128th Legislature, let's protect the economy, our families, our small businesses, and most importantly our elderly. I ask you, do no harm, and let's go to work. Thank you.

At the conclusion of the address, Governor Paul R. LePage withdrew amid the applause of the Convention, the audience rising.

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

Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

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

On motion of Representative FAY of Raymond, the House adjourned at 8:18 p.m., until 10:00 a.m., Thursday, February 9, 2017, in honor and lasting tribute to the Honorable Robert Lewis Thorpe, of Auburn.