

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 3, 2018

beginning at page H-1216

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION  
9th Legislative Day  
Thursday, February 1, 2018

Representative HERBIG of Belfast assumed the Chair.  
The House met according to adjournment and was called to order by the Speaker Pro Tem.

Prayer by Pastor Todd Bell, Calvary Baptist Church, Sanford.

National Anthem by Michelle Gonya, Winslow.

Pledge of Allegiance.

Doctors of the day, Aaron Tebbs, M.D., Cumberland and Walter L. Blackburn, D.O., Gorham.

The Journal of Tuesday, January 30, 2018 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 414)

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

January 29, 2018  
Honorable Robert B. Hunt  
Clerk of the House

2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 5, Chapter 5, MRSA §90-T, I have reappointed Stephen Rich of Glenburn to the Maine Regulatory Fairness Board.

Please contact my office if you have any questions regarding this reappointment.

Sincerely,

S/Sara Gideon

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 412)

**NORTHERN NEW ENGLAND  
PASSENGER RAIL AUTHORITY  
75 WEST COMMERCIAL STREET  
PORTLAND, MAINE 04101-4631**

January 29, 2018  
Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

RE: Statutory Citation P. L. 2011 c. 616: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear Speaker Gideon:

Please find enclosed the Northern New England Passenger Rail Authority's annual report as required under section 12023 (2) "Ongoing Reports" of the Statutory Citation referenced above for NNEPRA's Fiscal Year 2017.

Required Reports:

2A. A list of all procurements exceeding \$10,000 in the preceding year (NNEPRA Fiscal Year 2017) for which competitive procurement was waived under the policies

adopted pursuant to section 12022, subsection 3 - Attached.

2B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year (NNEPRA Fiscal Year 2017) and the total amount contributed to each - Attached.

2C. There were no changes made to the written policies and procedures required by Section 12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.

Sincerely,

S/Mr. John Melrose

Chairman

Northern New England Passenger Rail Authority

S/Ms. Patricia Quinn

Executive Director

Northern New England Passenger Rail Authority

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

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The Following Communication: (H.C. 413)

**MAINE HUMAN RIGHTS COMMISSION  
19 UNION STREET  
AUGUSTA, MAINE 04330**

January 29, 2018  
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. §12023, please consider this the letter of transmittal for the required report from the Maine Human Rights Commission due by February 1, 2018.

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

Sincerely,

S/Amy M. Sneirson

Executive Director

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

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The Following Communication: (H.C. 415)

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

February 1, 2018  
Honorable Sara Gideon

Speaker of the House  
2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

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

Agriculture, Conservation and Forestry

L.D. 1574

Resolve, To Require Greater Clearing of Vegetation along Portions of Route 161 in the Town of Allagash

Health and Human Services

- L.D. 272 An Act Requiring Meningococcal Meningitis Vaccinations for Teenagers
- L.D. 470 An Act To Strengthen Maine's Hospitals and Increase Access to Health Care
- L.D. 898 An Act To Address Mandatory Overtime for Hospital Professionals
- L.D. 1214 An Act To Create Fairness in Home-based Care Fees for Service
- L.D. 1273 Resolve, To Redispense Donated Prescription Drugs
- L.D. 1495 An Act To Break the Generational Cycle of Domestic Violence
- L.D. 1612 An Act To Support Maine Families through Universal Family Care

State and Local Government

- L.D. 473 An Act To Quantitatively Evaluate State Contracts
- L.D. 823 An Act To Promote Transparency with Respect to Surveillance Technology
- L.D. 890 An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives
- L.D. 1068 An Act To Require That State-funded Buildings Be Constructed with Wood Products

Taxation

- L.D. 1565 An Act To Ensure the Effectiveness of Tax Increment Financing

Transportation

- L.D. 1688 An Act To Require That Railroads Grant Easements to Owners of Land That is Otherwise Inaccessible

Sincerely,  
S/Robert B. Hunt  
Clerk of House

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

The Following Communication: (S.C. 808)

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

January 30, 2018

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 Education and Cultural Affairs,

- David M. Coit of Cape Elizabeth for appointment to the Maine School of Science and Mathematics, Board of Trustees;
- Wilson G. Hess, Ph.D. of Freedom for reappointment to the State Board of Education.

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 Establish as a Class D Crime the Intentional Photographing of a Minor without Consent of the Minor's Parent or Guardian by an Individual Required To Register as a Sex Offender"

(H.P. 1258) (L.D. 1813)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator KATZ of Kennebec and Representatives: BEEBE-CENTER of Rockland, DOORE of Augusta, GROHMAN of Biddeford, LONGSTAFF of Waterville, MAREAN of Hollis, NADEAU of Winslow, RECKITT of South Portland, Senator: DIAMOND of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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.

Resolve, To Designate a Bridge in Gorham the Corporal Joshua P. Barron Memorial Bridge

(H.P. 1260) (L.D. 1818)

Sponsored by Representative SHEATS of Auburn.

Cosponsored by Representatives: PERKINS of Oakland, SCHNECK of Bangor.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

Sent for concurrence.

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

**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 55)

**ORDERED**, that Representative Richard M. Cebra of Naples be excused January 18 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Matthew Dana II of the Passamaquoddy Tribe be excused July 20, August 2, October 23 and November 6, 2017 and January 3, 9, 11, 16, 23 and 25, 2018 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Michael G. Devin of Newcastle be excused January 23 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Donna R. Doore of Augusta be excused January 23 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative David G. Haggan of Hampden be excused January 3, 9, 11, 16, 18, 23, 25 and 30 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Norman E. Higgins of Dover-Foxcroft be excused January 23 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative MaryAnne Kinney of Knox be excused January 16 and 18 for personal reasons and January 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Andrew J. McLean of Gorham be excused January 3, 23 and 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Lester S. Ordway of Standish be excused January 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative H. Stedman Seavey of Kennebunkport be excused January 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative John Alden Spear of South Thomaston be excused January 9, 11, 16, 18 and 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Nathan J. Wadsworth of Hiram be excused January 23 for personal reasons.

**READ and PASSED.**

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**REPORTS OF COMMITTEE**  
**Refer to the Committee on Judiciary**  
**Pursuant to Public Law**

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Working Group To Improve the Provision of Indigent Legal Services Concerning the Membership of the Maine Commission on Indigent Legal Services" (EMERGENCY)

(H.P. 1259) (L.D. 1817)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Public Law 2017, chapter 284, Part UUUU, section 17.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

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**Divided Report**

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Resolve, Directing the Secretary of State To Study the Revised Uniform Law on Notarial Acts

(H.P. 1171) (L.D. 1691)

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland

BABBIDGE of Kennebunk

BAILEY of Saco

CARDONE of Bangor

JOHANSEN of Monticello

McCREIGHT of Harpswell

RECKITT of South Portland

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

Signed:

Senators:

KEIM of Oxford

WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro

GUERIN of Glenburn

SHERMAN of Hodgdon

**READ.**

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **GUERIN**: Thank you, Madam Speaker. I would just like to say that I will be voting against the pending motion. The good Secretary of State is able to study this and bring forth laws anyway, and I would encourage him to do so without the necessity of having a formal study.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise in support of the pending motion, and to respond to my colleague and friend from Glenburn, she's absolutely right. The Secretary of State's office can study any issue that they'd like without a resolve telling them to do so. However, there are reasons why we pass resolves telling people to study things, one of those being that, for a Department, the cloture deadline is generally much earlier than it is for us. So, for example, in the first year of the session it's typically early December. This resolve would authorize the report to come to us on January 15th, so this gives the Department more time to properly complete their study, issue a full written report and bring it to our Committee for us to take action on it. Another thing that -- a reason that we pass resolves is that it notifies people who would be affected that their laws are under review. So there's a lot of notaries in this state, it's really important that they be aware that there's a comprehensive study of every law that affects them going on, so that they can participate in that study.

Finally, this is a proposal to study the uniform law, which is a law proposed nationally by commissioners from all across the country, and when we get a report back on this, we actually want a written report that explains why the Secretary of State's office recommends that we do adopt certain portions of the uniform law, and why they recommend that we don't adopt other portions of the uniform law. Otherwise, we're going to be kind of flying blind in terms of having a written record of why they think we should do certain things or why they think we shouldn't, and it's really important that our notaries in Maine have an explanation for why we're changing that. So, the value of a written report is really important and, of course, the resolve provides more time, so that's why we'd like to pass this, but, at the end of the day, we'll get a study either way. Thank you, Madam Speaker.

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

**ROLL CALL NO. 479**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiaga, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J,

Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Warren, Zeigler.

NAY - Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Corey, Craig, Dillingham, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Campbell, Espling, Grignon, Haggan, Tucker, Madam Speaker.

Yes, 79; No, 66; Absent, 6; Excused, 0.

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence.

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## CONSENT CALENDAR

### First Day

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

(H.P. 1173) (L.D. 1693) Bill "An Act To Clarify the Law Governing the Separation of a Class A Restaurant and an Off-premises Retail Licensee Located on the Same Premises" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1213) (L.D. 1759) Bill "An Act To Rename the Coast of Maine Wildlife Management Area as the Alan E. Hutchinson Wildlife Management Area" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 1142) (L.D. 1657) Bill "An Act To Update the Allowance Budget for the Regional Greenhouse Gas Initiative" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-575)**

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

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

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## ENACTORS

### Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 502: Direct Watersheds of Lakes Most at Risk from New Development, Urban Impaired Streams, a Major Substantive Rule of the Department of Environmental Protection

(H.P. 1162) (L.D. 1674)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a

two-thirds vote of all the members elected to the House being necessary, a total was taken. 126 voted in favor of the same and 8 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

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

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## Acts

An Act To Amend the Laws Governing Temporary Sign Usage

(H.P. 165) (L.D. 209)

(C. "B" H-573)

An Act To Amend Maine's Marine Resources Laws Regarding Certain License Fees and Surcharges That Were Amended by Recently Enacted Legislation

(H.P. 1144) (L.D. 1659)

An Act To Improve the Regulation of Debt Collectors

(S.P. 613) (L.D. 1663)

An Act Regarding the Information Required of Debt Buyers for Debt Collection

(H.P. 1165) (L.D. 1677)

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

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## Resolves

Resolve, To Designate a Bridge in Surry the Old Surry Schoolhouse Bridge

(S.P. 626) (L.D. 1727)

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

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

## SENATE PAPERS

The following Joint Order: (S.P. 679)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 6, 2018 at 10:00 in the morning.

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

**READ** and **PASSED** in concurrence.

---

Bill "An Act To Authorize a General Fund Bond Issue To Improve Multimodal Facilities, Highways and Bridges"

(S.P. 682) (L.D. 1815)

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.

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Bill "An Act To Amend the Charter of the Lisbon Water Department"

(S.P. 681) (L.D. 1814)

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 Regarding the Penalties for Hunting Deer over Bait"

(S.P. 684) (L.D. 1816)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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

## CONSENT CALENDAR

### First Day

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

(S.P. 660) (L.D. 1775) Bill "An Act To Further Delay the Implementation of Certain Provisions of the Marijuana Legalization Act" (EMERGENCY) Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-346)**

On motion of Representative FREDETTE of Newport, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ**.

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

Representative **FREDETTE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I'd like to start off by requesting a roll call on this item, and I would start off by recognizing that in the work of the --

The SPEAKER PRO TEM: The Member will defer.

The same Representative **REQUESTED** a roll call on **ACCEPTANCE** of the **Unanimous Ought to Pass as Amended Report**.

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

The SPEAKER PRO TEM: The member may proceed.

Representative **FREDETTE**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, first of all I'd like to thank the work of the Marijuana Implementation Committee for their hard work on this. As people know and recognize, this is a very complicated issue. You are essentially taking something that has been illegal, and is still federally illegal, and trying to create a whole new system for planting, growing, distribution, testing, retail, and whatnot. And so, to recognize that this is difficult work in and of itself, and has taken time, I don't believe reflects poorly upon either the Committee or the Legislature, because this is tough stuff. I also want to recognize a bill that we previously passed in the last Legislature, whereby the Chief Executive in negotiations with leadership, a bill was passed whereby the Chief Executive had requested, and a bill was passed, that we set aside a certain sum of money, I believe it was about \$1.4 million, so that the Chief Executive, upon the

passage of a bill, could hire professionals to do required rulemaking. Now, I am certainly open to a suggestion from anyone in this body that thinks that rulemaking can happen in 30 or 60 or 90 days. If anyone thinks that that's possible, I'm certainly open to having someone discuss that before this body. The Chief Executive has called me and he's indicated to me he believes that rulemaking will take at least nine months. So, in regards to this issue, in regards to the passage of this bill --

The SPEAKER PRO TEM: The Member will defer. The Chair will remind members that you cannot refer to the Chief Executive during debate and his actions during debate. Thank you.

The Chair reminded all Members that it was inappropriate to question the motives of the Chief Executive.

Representative **FREDETTE**: Thank you. And, so, as we look at this bill, we do know that we need to pass a law in order for rulemaking to happen. That's essentially how this process works. I understand from our members on the Committee that they have been working diligently since we came back into session, and I would point out that today is February 1, 2018, which is the date for the expiration of the prior moratorium that was passed by this body, the other body, and signed by the Chief Executive; and so, as we speak, there is no moratorium in effect. It is also my understanding, and I can stand to be corrected, that to a certain extent, licenses cannot be issued by anyone because we don't have any rules yet. And so, part of this is a little bit bureaucratic stuff that we need to do, and whatnot. And so, my point is this: I believe that the work of the Committee is going to continue to be ongoing. I think we can speculate whether or not -- today we know that we do not have a moratorium in effect, and we know that they can't issue licenses because there is no rulemaking. I think we need to let the Committee go back to work. I suspect that when we ultimately see a bill come forward, it probably will have some language in it regarding extension of a moratorium. I suspect we'll have some lively debate on it at that point in time, but until that happens, I am not going to support an extension of this moratorium bill until April 18, 2018. I feel as though it puts us in a little bit of a box in order to pass another bill, so I think we can continue to rely upon the Committee to continue to do its due diligence and its hard work, and so I will not be voting in favor of this bill, and I ask you to follow my light. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Falmouth, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker Pro Tem. I stand in support of LD 1775 and want to speak to my remarks on that. Thank you. The Joint Select Committee is back to work after the failure of 1650 to pass last session in the fall, in our Special Session, and we've been considering many of the objections that were -- that came about on the opposition to this bill. We've been meeting with the executive branch, stakeholders, members of this esteemed body and the esteemed body down the hall in order to find compromise and consensus to move forward, to get something passed for the people of Maine. We unanimously voted this short-term moratorium out of Committee for the mere fact that we are working hard, we anticipate a bill coming back soon; but if we don't have a short-term moratorium in place, we are unable to really protect our municipalities, and municipalities are confused, they're wondering what's going on, they're asking us to lead, we haven't passed a bill, and the short-term gives them some comfort that while we're doing our work that they -- that we have that in place. I think what's most important here is that we will be bringing a bill back that will work to provide

public health safety for our kids and our communities, and this short-term moratorium offers the opportunity for us to do that work, do it diligently, bring it back to this body, while also making sure that our communities feel that they're cared for in this interim time. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER PRO TEM: The Member may proceed.

Representative **FREDETTE**: Thank you, Madam Speaker. My understanding is that this is an emergency bill, and therefore would require a two-thirds vote of those voting and present; is that correct?

The SPEAKER PRO TEM: Upon Enactment, the member is correct. A roll call has been ordered. The pending question before the House is Acceptance of the Unanimous Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Topsham, Representative Tepler, and inquires as to why the Member rises.

Representative **TEPLER**: Madam Speaker, I would appreciate, and I suspect many other members of the body would appreciate, clarity about a yes or a no vote.

The SPEAKER PRO TEM: The Chair will clarify. A vote of yes is in favor of the House Accepting the Unanimous Committee Report. A vote of no will be in opposition to the Unanimous Committee Report.

**ROLL CALL NO. 480**

YEA - Ackley, Alley, Austin B, Babbidge, Bates, Battle, Berry, Bickford, Blume, Brooks, Casas, Cebra, Cooper, Corey, Daughtry, DeChant, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harrington, Herbig, Herrick, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Monaghan, Nadeau, Perry, Pierce T, Riley, Rykerson, Sampson, Schneck, Stanley, Tepler, Terry, Tipping, Tuell, Vachon, Zeigler, Madam Speaker.

NAY - Austin S, Bailey, Beebe-Center, Black, Bradstreet, Bryant, Cardone, Chace, Chapman, Collings, Craig, Denno, Devin, Dillingham, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grohman, Guerin, Hanington, Hanley, Harlow, Harvell, Hawke, Head, Hickman, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Madigan C, Malaby, Mason, McElwee, Melaragno, Moonen, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reckitt, Reed, Sanborn, Sanderson, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood.

ABSENT - Campbell, Espling, Grignon, Haggan, Tucker.

Yes, 65; No, 81; Absent, 5; Excused, 0.

65 having voted in the affirmative and 81 voted in the negative, with 5 being absent, and accordingly the **Unanimous Ought to Pass as Amended Report** was **NOT ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 416)

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

February 1, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Erin D. Herbig of Belfast to serve as Speaker Pro Tem to convene the House on February 1, 2018.

Sincerely,

S/Sara Gideon

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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

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On motion of Representative PIERCE of Dresden, the House adjourned at 11:30 a.m., until 10:00 a.m., Tuesday, February 6, 2018, pursuant to the Joint Order (S.P. 679) and in honor and lasting tribute to Keith M. Doak, of Brewer.