

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
10th Legislative Day
Tuesday, February 6, 2018

Representative ESPLING of New Gloucester assumed the Chair.

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

Prayer by Doctor Alan L. Andraeas, Rector, Holy Trinity Chapel at St. Brendon's Church (ACNA), Dennysville.

National Anthem by Anne Marsh, Bath.

Pledge of Allegiance.

Doctor of the day, Constance A. Adler, M.D., Chesterville.

The Journal of Thursday, February 1, 2018 was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 680)

JOINT RESOLUTION RECOGNIZING FEBRUARY AS 2-1-1 MONTH

WHEREAS, 2-1-1 Maine is a comprehensive statewide directory of more than 8,000 health and human services available in the State; and

WHEREAS, in order to promote the 2-1-1 Maine health and human services and emergency preparedness helpline, which provides Maine citizens free and confidential referrals to needed resources, we recognize February 2018 as 2-1-1 Month; and

WHEREAS, 2-1-1 Maine helps to identify existing gaps in health and human services; and

WHEREAS, throughout the State, 2-1-1 Maine provides around-the-clock service through efficient and effective responses to questions arising from the growing complexities and needs in health, financial and human services; and

WHEREAS, 2-1-1 Maine provides emergency operations during times of natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, as evidenced by its role in supporting the Maine Emergency Management Agency during the agency's responses to the 2016 drought and the October 2017 wind storm; and

WHEREAS, during this past year, 2-1-1 Maine has directed nearly 6,500 Maine citizens to heating and utility assistance services, which may have prevented people from contacting the wrong agency for a federal Low-Income Home Energy Assistance Program benefit, prevented utility shutoffs and saved people from spending winter nights without fuel; and

WHEREAS, since 2006, 2-1-1 Maine call specialists have assisted with more than 700,000 requests to locate health and human services information; and

WHEREAS, 2-1-1 Maine handles a number of specialized services, including the opiate helpline and the gambling helpline, and is also a resource for finding information about such needs as tax preparation and mental health services; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize February 2018 as 2-1-1 Month.

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

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Presque Isle, Representative Stewart.

Representative **STEWART**: Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, I just wanted to take a brief moment to stand and recognize this Joint Resolution recognizing February as 2-1-1 Month. Some of you may be familiar with the organization. I think we've had some information about them distributed in this chamber before, but I got to work up close and personal with some of their organization in my work on the Opioid Task Force in the past year. There's new leadership in the organization, and I'm very optimistic at the vision which the organization has and its upcoming role that it will be playing in our state. I think, personally, I view this organization as an ally for folks in need of help, and whether that's talking about homelessness, drug addiction, or some other issue that government may be able to assist with, and help folks across the state with those battles that they're facing. So, in that, I would request that you join me in thanking, and recognizing, and helping to spread the word about 2-1-1 and all they do for our state. Thank you.

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

The following Joint Resolution: (S.P. 683)

JOINT RESOLUTION SUPPORTING MAINE CEMENT MANUFACTURING AND OPPOSING SUBSIDIZED FOREIGN CEMENT IMPORTS

WHEREAS, the Dragon Products Company cement plant in Thomaston is the only cement manufacturer in Maine and in all of New England; and

WHEREAS, Dragon Products Company directly employs over 100 citizens of the State in the process of manufacturing cement from limestone and Dragon Products Company's manufacturing operations directly or indirectly support over 500 Maine jobs; and

WHEREAS, the Canadian Province of Quebec has subsidized the construction of McInnis Cement's new 2,000,000-ton per year capacity cement manufacturing plant in Port-Daniel-Gascons, Quebec; and

WHEREAS, both McInnis Cement executives and Quebec officials have stated publicly that there is no Canadian market for the new plant's cement production and that over 90% of the new plant's production will be exported to the United States to compete directly with Dragon Products Company and other domestic cement manufacturers; and

WHEREAS, McInnis Cement has completed construction of a deep-water cement import terminal in Providence, Rhode Island to serve the Boston, Massachusetts and southern New England cement markets and is building a 2nd deep-water cement import terminal in the Bronx, New York City to serve the New York and New Jersey cement markets; and

WHEREAS, McInnis Cement started manufacturing cement in July 2017 and shipped its first vessel of subsidized Canadian cement to its Providence terminal in August 2017; and

WHEREAS, the subsidized Canadian cement being exported by McInnis Cement to the United States poses a threat to the continued operations of the Dragon Products Company cement plant in Thomaston and the hundreds of Maine jobs directly or indirectly supported by the plant; now, therefore, be it

RESOLVED: that We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to:

1. Condemn any violation of international trade laws and treaties between the United States and Canada;
2. Express our full support for the efforts that may be undertaken by domestic cement manufacturers to bring countervailing duty and antidumping petitions against McInnis Cement before the United States Department of Commerce and the United States International Trade Commission;
3. Support international trade litigation against McInnis Cement through all appropriate means to preserve Maine cement manufacturing jobs and to enforce the international rule of law against subsidizing exports and dumping products into the United States; and
4. Support the efforts of Maine businesses and local governments to purchase, to the maximum extent possible, Maine-manufactured and other domestically manufactured cement for use in all public and private construction projects across the State.

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

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Madam Speaker Pro Tem. Actually, I may have jumped the gun just slightly here. I wanted to speak to this matter; is this the appropriate time to do so? Thank you. The Joint Resolution before us provides the opinion of the Legislature, communicating it outward, and the Legislature does so in many forms and many ways for many reasons. I'm a little concerned that the resolution before us makes specific reference to a specific company, at this -- in support and a specific company in a denigrating fashion. This is a little unusual and might seem unseemly. On the other hand, the thing that really bothers me about the Joint Resolution before us is that it asks for -- I mean, it expresses a support for litigation and, in fact, takes an opinion on which side of the litigants should prevail in a judicial matter. And the thing that is of concern to me is that every member of the -- of this body has sworn an oath or made an affirmation to support the Constitution, the structure of which calls for a clear division of separation of the branches of government that are separate and equal; and this, in my mind, is treading on the part of the business of the judicial branch, rather than the legislative branch. And, further, Madam Speaker Pro Tem, I think that the matter of the oaths of office to which we are all subject are counter -- are symmetric with the constitutional provisions for impeachment to which all elected officials are subject, and it seems to me that I would feel that if I were to vote in favor of this, which asks to do something that is in the judicial branch rather than the legislative branch, I would feel that I was violating my affirmation of office and would therefore be committing an impeachable offense. So, for that reason, I'm going to ask for a roll call on this matter so that I can register my disapproval. Thank you, Madam Speaker.

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

Fewer than one-fifth of the members present expressed a desire for a roll call which was not ordered.

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 oftentimes don't find myself on the same side of an issue as Representative Chapman. I am concerned with some of the language in this particular bill and some of the items that it specifically lays out. I guess I'm -- in reading this, I think about

the blueberry industry in Maine which, by and large, had been the only real player in the blueberry market for some time, and now, today my understanding is that a lot of Eastern Canada now is very aggressive in the blueberry market, which is changing the role in what Downeast Maine, for example, has to deal with with blueberries. And, so, as I read this, I find some concern, along with the good Representative from Blue Hill, and I'm going to ask that this item be Tabled to later in today's session.

The same Representative moved that the Joint Resolution be **TABLED** until later in today's session pending **ADOPTION**.

The SPEAKER PRO TEM: That motion is not in order at this time. A Tabling motion is not debatable. You can't make the debate and then move the Tabling motion.

Subsequently, the Chair **RULED** that the motion was **OUT OF ORDER**.

On motion of Representative SANDERSON of Chelsea, **TABLED** pending **ADOPTION** and later today assigned.

The following Joint Order: (S.P. 685)

ORDERED, the House concurring, that the Joint Standing Committee on State and Local Government shall report out, to the Senate, a bill requiring Legislators, legislative staff and lobbyists to personally attend and complete a course of education and training regarding harassment, including sexual harassment, at the beginning of every legislative session.

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

READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 686)

ORDERED, the House concurring, that the Joint Standing Committee on Veterans and Legal Affairs shall report out, to the Senate, a bill regarding the use of funds by political campaigns and political action committees and clarifying the process for reporting contributions and expenditures. In developing the bill, the joint standing committee shall invite input from the Commission on Governmental Ethics and Election Practices.

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

READ and **PASSED** in concurrence.

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

COMMUNICATIONS

The Following Communication: (H.C. 423)

STATE OF MAINE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

COMMITTEE ON LABOR, COMMERCE,

RESEARCH AND ECONOMIC DEVELOPMENT

February 1, 2018

Honorable Sara Gideon

Speaker of the House

Honorable Michael D. Thibodeau

President of the Senate

128th Legislature

State House

Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Labor, Commerce, Research and Economic Development from its review and evaluation of the Finance Authority of Maine under the State Government

Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.
The committee finds that the Finance Authority of Maine is operating effectively and efficiently within its statutory authority.
Sincerely,
S/Senator Amy F. Volk
Senate Chair
S/Representative Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 424)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

February 1, 2018
Honorable Sara Gideon
Speaker of the House
Honorable Michael D. Thibodeau
President of the Senate
128th Legislature
State House
Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:
Please accept this letter as the report of the findings of the Joint Standing Committee on Labor, Commerce, Research and Economic Development from its review and evaluation of the Maine Labor Relations Board under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The committee finds that the Maine Labor Relations Board is operating effectively and efficiently within its statutory authority.
Sincerely,
S/Senator Amy F. Volk
Senate Chair
S/Representative Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 425)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

February 1, 2018
Honorable Sara Gideon
Speaker of the House
Honorable Michael D. Thibodeau
President of the Senate
128th Legislature
State House
Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:
Please accept this letter as the report of the findings of the Joint Standing Committee on Labor, Commerce, Research and Economic Development from its review and evaluation of the Workers' Compensation Board under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The committee finds that the Workers' Compensation Board is operating effectively and efficiently within its statutory authority.
Sincerely,
S/Senator Amy F. Volk
Senate Chair
S/Representative Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 427)

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

February 6, 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 Ellie Espling of New Gloucester to serve as Speaker Pro Tem to convene the House on February 6, 2018.

Sincerely,
S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 417)

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

February 6, 2018

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 January 31, 2018

David M. MacMahon of Poland for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

On February 1, 2018

George C. Gervais of North Yarmouth for appointment as the Director of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

John G. Gallagher of Brunswick for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,
S/Sara Gideon
Speaker of the House

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

The Following Communication: (H.C. 418)

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

January 31, 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 MRSA, §12023, please consider this the letter of transmittal for the required report from the ConnectME Authority due by February 1, 2018.

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

Thank you.

Sincerely,
S/David W. Maxwell
Program Director

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

The Following Communication: (H.C. 419)

**MAINE TECHNOLOGY INSTITUTE
8 VENTURE AVENUE
BRUNSWICK LANDING
BRUNSWICK, MAINE 04011**

January 24, 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., Section 12023, please consider this the letter of transmittal for the required report from the Maine Technology Institute (MTI) due by February 1, 2018.

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

Thank you.

Sincerely,
S/Brian Whitney
President

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

The Following Communication: (H.C. 420)

**EFFICIENCY MAINE
168 CAPITOL STREET, SUITE 1
AUGUSTA, MAINE 04330**

January 31, 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 Efficiency Maine Trust due by February 1, 2018.

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

Thank you.

Sincerely,
S/Michael D. Stoddard
Executive Director

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

The Following Communication: (H.C. 421)

**FINANCE AUTHORITY OF MAINE
94 STATE HOUSE STATION
AUGUSTA, MAINE 04332**

January 30, 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 Finance Authority of Maine due February 1, 2018.

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

Thank you.

Sincerely,
S/Bruce Wagner
Chief Executive Officer

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

The Following Communication: (H.C. 422)
**MAINE COMMUNITY COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330-7131**

January 26, 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:

I am pleased to submit on behalf of the Board of Trustees of the Maine Community College System (MCCS) the attached report on certain procurements, contributions, and policy changes for the period July 1, 2016 through June 30, 2017 as required by 5 M.R.S.A. §12023.

To report the information required by §12023, MCCS developed a customized reporting feature in the business management module of our information systems for each of the seven colleges and the System Office, and then fed that module with data from the purchase order, cash disbursement, and credit card systems. Combined, the seven colleges and the MCCS System Office make tens of thousands of purchases and expenditures each year. While the task of reporting on these transactions is complex, our review indicates that the colleges' compliance with existing policies is extremely high, and expenditures are consistently mission related. In those few areas where we have identified need for improvement, refinements have been made or are under way. MCCS will continue to use its internal controls and annual outside audit to adapt its systems to changing needs, and our Board of Trustees will continue its own ongoing attention to these matters at its regular meetings.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely yours,
S/Derek P. Langhauser
President

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

The Following Communication: (H.C. 426)
**SUNRISE COUNTY ECONOMIC COUNCIL
7 AMES WAY
MACHIAS, MAINE 04654**

January 23, 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, ME 04333

Dear Speaker Gideon and President Thibodeau:

Pursuant to MRSA Title 5, section 12023, the Sunrise County Economic Council (SCEC) is pleased to submit the Quasi-independent State Entity Report to the Legislature on behalf of the Washington County Development Authority (WCDA).

SCEC is a private, nonprofit, federally recognized economic development organization which works to create jobs and wealth in Washington County. We provide staff support for the WCDA and are partnering with the Authority in its effort to redevelop the former U.S. Navy base in Cutler.

As indicated in the enclosed report, the WCDA did not make any significant procurements, contributions or changes to policies and procedures in the past year. In March 2015, the Authority was given the commercial side of the former base by Cutler North, LLC, a private developer that had failed in its redevelopment effort. The WCDA now owns roughly 20 acres and five commercial buildings comprising 75,000 square feet. The Authority is working to bring these facilities back into productive use.

Please contact me with any questions or concerns. Thank you.

Sincerely,
S/Charles J. Rudelitch, Esq.
Executive Director

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

The Following Communication: (S.C. 821)
**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

February 1, 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 Labor, Commerce, Research and Economic Development,
Miles R. Williams of Caribou for reappointment to the Loring Development Authority of Maine;

Steven H. Levesque of Farmingdale for reappointment to the Loring Development Authority of Maine;

Dana A. Saucier, Sr. of Eagle Lake for reappointment to the Loring Development Authority of Maine;

Upon the recommendation of the Committee on State and Local Government,

David R. Ciullo of Springvale for reappointment to the State Civil Service Appeals Board;

Susan H. Wasserott of Woolwich for appointment to the State Civil Service Appeals Board.

Best Regards,
S/Heather J.R. Priest
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

At this point, the Speaker recognized the Representative from Hampden, Representative HAGGAN, and he was added to the roll call of the Second Regular Session of the 128th Legislature.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act Prohibiting Female Genital Mutilation"

(H.P. 1261) (L.D. 1819)

Sponsored by Representative SIROCKI of Scarborough.
(GOVERNOR'S BILL)

Cosponsored by Senator MASON of Androscoggin.

Bill "An Act To Amend the Laws Governing Offenses
against the Person"

(H.P. 1264) (L.D. 1822)

Sponsored by Representative CARDONE of Bangor.

Cosponsored by Senator HILL of York and Representatives:
BAILEY of Saco, NADEAU of Winslow, TALBOT ROSS of
Portland, WARREN of Hallowell.

Approved for introduction by a majority of the Legislative
Council pursuant to Joint Rule 203.

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, Regarding Increases in Reimbursement Rates for
Certain Children's Habilitative Services under MaineCare
(EMERGENCY)

(H.P. 1262) (L.D. 1820)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Representative: PERRY of Calais.

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

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.

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 item:

Recognizing:

Luis Ayala, of Dover-Foxcroft, a teacher at Foxcroft
Academy and a longtime wrestling and soccer coach, who was
named the U.S. Cellular 2017 Most Valuable Coach of the
Year. Mr. Ayala's wrestling teams have won over four hundred
matches resulting in regional and state championships. We
extend to Mr. Ayala our appreciation for his service to the
youth of the State and our congratulations on his receiving this
recognition;

(HLS 876)

Presented by Representative HIGGINS of Dover-Foxcroft.

Cosponsored by Senator DAVIS of Piscataquis.

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

READ.

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

Representative **HIGGINS**: Thank you, Madam Speaker
Pro Tem. Ladies and Gentlemen of the House, it's an honor

and a privilege for me today to stand and recognize my friend,
fellow community member from Dover-Foxcroft, Luis Ayala.

I'd like to tell you a little bit about Luis. It's not just the 400
wins, it's about his life experience. Luis came to this country
when he was nine years old. When he was old enough, he
joined the United States Army and served honorably on behalf
of our country, and to his good fortune, met his wife there. She
brought him back to Dover-Foxcroft. After he suffered through
a bit of cultural shock here in Maine, during his first winter, I
think he settled in very nicely. He has with him today his
wrestling team. As you heard, he's won over 400 contests and
his wrestling team this past weekend won the Penobscot
Valley Conference wrestling championship. He's won 12 out of
the last 20 championships in that league.

This past year his name was put forth for the U.S. Cellular
National Coach of the Year award. Luis is a very humble man.
He said, "Thank you very much," and I think that he would've
preferred at the moment to leave it right there; but not his
community. So, his community rallied around him, and through
online voting, Luis became one of 15 finalists. U.S. Cellular
came to Foxcroft Academy, big celebration, awarded a \$5,000
check, and I think probably Luis thought that was the end of it;
but it wasn't. Signs went up on lawns like it was a political
campaign in town. The community rallied around him, his
former players, parents; and, at the end of the day, with 15
finalists, Luis finished first. But you have to do more than just
win the online contest, if you will. He submitted a resume, if
you will, of his accomplishments. It was viewed by several
national prominent names, Kurt Warner being one of them,
looking at what kind of an impact did you have on your school?
What kind of an impact did you have on your community?

Luis is well-known as one who coaches multiple -- multiple
soccer teams, multiple wrestling teams. In fact, I think we
need to add another finger to each hand so he can keep track
of the number that he's coaching at any given time. He's an
outstanding, outstanding coach. But I think, more importantly,
the testimonies I hear from people in the community and his
former players, is Luis has a special knack for reaching out to
those students who really don't have an advocate, who do not
have a role model. His living room is oftentimes filled with
pizza and laughter and support for young men that lack that in
other places in their lives. So, it is with great pride that I stand
today on behalf of the Dover-Foxcroft community, as a
member of the Board of Trustees at Foxcroft Academy, where
Luis works. We're all very proud of Luis Ayala and his athletes
on behalf of our area. Thank you, Madam Speaker.

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

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The SPEAKER: The Chair would like to ask members to
please recognize and thank Representative Espling for her
great work as Speaker Pro Tem today.

**REPORTS OF COMMITTEE
Ought to Pass Pursuant to Statute**

Representative FECTEAU for the **Joint Standing Committee on Labor, Commerce, Research and Economic Development** on Bill "An Act To Repeal the Sunset Date on the Laws Governing Licensure of Appraisal Management Companies" (EMERGENCY)

(H.P. 1268) (L.D. 1826)

Reporting **Ought to Pass** pursuant to the Maine Revised Statutes, Title 32, section 14049-K, subsection 2.

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

The Bill was **READ ONCE**.

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

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

**Refer to the Committee on Judiciary
Pursuant to Statute**

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Freedom of Access Training for Public Officials"

(H.P. 1263) (L.D. 1821)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

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

Sent for concurrence.

**Refer to the Committee on Inland Fisheries and Wildlife
Pursuant to Joint Order**

Representative DUCHESNE for the **Joint Standing Committee on Inland Fisheries and Wildlife** on Bill "An Act Regarding the Repeal of a Provision of Law Allowing Certain Nonresidents To Hunt Deer before the Open Season on Deer"

(H.P. 1265) (L.D. 1823)

Reporting that it be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** pursuant to Joint Order 2017, H.P. 1249.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

Sent for concurrence.

**Refer to the Committee on Inland Fisheries and Wildlife
Pursuant to Joint Order**

Representative DUCHESNE for the **Joint Standing Committee on Inland Fisheries and Wildlife** on Bill "An Act Regarding the Termination of the Authority To Issue a Permit for a Noise Suppression Device on a Firearm for Hunting"

(H.P. 1266) (L.D. 1824)

Reporting that it be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** pursuant to Joint Order 2017, H.P. 1250.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

Sent for concurrence.

**Refer to the Committee on Labor, Commerce, Research
and Economic Development
Pursuant to Public Law**

Representative FECTEAU for the **Joint Standing Committee on Labor, Commerce, Research and Economic Development** on Bill "An Act To Implement the Recommendations of the Board of Dental Practice"

(H.P. 1267) (L.D. 1825)

Reporting that it be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** pursuant to Public Law 2015, chapter 429, section 25.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-577)** on Bill "An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities" (EMERGENCY)

(H.P. 1209) (L.D. 1756)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle

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

Signed:

Representative:

TURNER of Burlington

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-577)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-577)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-578)** on Resolve, To Provide Meals to Homebound Individuals

(H.P. 483) (L.D. 692)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York

DENNO of Cumberland

MADIGAN of Waterville

MALABY of Hancock

McCREIGHT of Harpswell

PARKER of South Berwick

PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin

HAMPER of Oxford

Representatives:

CHACE of Durham

HEAD of Bethel

SANDERSON of Chelsea

READ.

On motion of Representative HERBIG of Belfast, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

CONSENT CALENDAR

First Day

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

(H.P. 921) (L.D. 1327) Bill "An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-581)**

(H.P. 1172) (L.D. 1692) Bill "An Act To Amend the Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-580)**

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

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

(H.P. 1196) (L.D. 1716) Bill "An Act To Protect Persons Who Provide Assistance to Law Enforcement Dogs, Search and Rescue Dogs and Service Dogs" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-579)**

On motion of Representative HERBIG of Belfast, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

SENATE PAPERS

The following Joint Order: (S.P. 677)

ORDERED, the House concurring, that the Joint Rules be amended by adding Joint Rule 108 to read:

Rule 108. Annual Harassment Training.

Each member must attend in-person training on harassment at the beginning of each regular session. The Presiding Officers must arrange sufficient opportunities for each member to attend this in-person training on harassment. Each member must sign an affidavit stating that the member has attended the in-person training on harassment and must file that form with the office of the Executive Director of the Legislative Council. The Executive Director of the Legislative Council shall provide a report to the Presiding Officers listing the members who have not attended the required training and submitted the affidavit.

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

READ.

Representative HERBIG of Belfast **REQUESTED** a roll call on **PASSAGE**.

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

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

Pursuant to Joint Rule 102, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE**.

ROLL CALL NO. 481

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Hawke, Herbig, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pickett, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Dillingham, Hanley, Head, Herrick, Johansen, Kinney J, Lockman, Lyford, Malaby, O'Connor, Ordway, Perkins, Picchiotti, Prescott, Reed, Sampson, Sanderson, Sherman, Skolfield, Stetkis, Strom, Sutton, Turner.

ABSENT - Frey, Parry, Pierce J, Simmons, Sirocki, Timberlake, Winsor.

Yes, 120; No, 24; Absent, 7; Excused, 0.

120 having voted in the affirmative and 24 voted in the negative, with 7 being absent, and accordingly the Joint Order was **PASSED** in concurrence.

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 1, 2018, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Authorize a General Fund Bond Issue To Assist in the Commercialization of Maine Products and Services"

(S.P. 568) (L.D. 1613)

(H. "A" H-565 to C. "A" S-335)

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-335) AS AMENDED BY SENATE AMENDMENT "A" (S-339)** thereto.

- **CARRIED OVER** to any special or regular session, or both, of the 128th Legislature, pursuant to Joint Order H.P. 1138 on August 2, 2017.

TABLED - July 20, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **PASSAGE TO BE ENGROSSED.**

Subsequently, on motion of Representative HERBIG of Belfast, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Provide Funding for a Program of Student Debt Cancellation and Refinancing"

(S.P. 384) (L.D. 1163)

(C. "A" S-336)

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-336).**

- **CARRIED OVER** to any special or regular session, or both, of the 128th Legislature, pursuant to Joint Order H.P. 1138 on August 2, 2017.

TABLED - July 20, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **PASSAGE TO BE ENGROSSED.**

Subsequently, on motion of Representative HERBIG of Belfast, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act To Amend the Laws Governing Expedited Permitting for Wind Energy Development" (EMERGENCY)

(H.P. 1255) (L.D. 1810)

(Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested)

TABLED - January 30, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **REFERENCE.**

Subsequently, on motion of Representative HERBIG of Belfast, the Bill was **REFERRED** to the Committee on

ENERGY, UTILITIES AND TECHNOLOGY, ordered printed and sent for concurrence.

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

On motion of Representative FAY of Raymond, the House adjourned at 11:34 a.m., until 10:00 a.m., Thursday, February 8, 2018.