

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
18th Legislative Day
Tuesday, March 6, 2018

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

Prayer by Pastor John Walsh, Clifton United Baptist Church.

National Anthem by Candace Marchand, North Berwick.

Pledge of Allegiance.

Doctor of the day, Robert Aranson, M.D., Freeport.

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

SENATE PAPERS

Bill "An Act To Ensure the Safe and Consistent Regulation of Pesticides throughout the State by Providing Exemptions to Municipal Ordinances That Regulate Pesticides"

(S.P. 700) (L.D. 1853)

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

Speaker GIDEON of Freeport moved that the Bill be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **REFER** the Bill to the Committee on **STATE AND LOCAL GOVERNMENT**.

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 to Refer the Bill to the Committee on State and Local Government. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 503

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Fuller, Gattine, Golden, Grant, Grohman, Handy, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCreia, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Campbell, Cebra, Chace, Corey, Craig, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hamann, Hanington, Hanley, Harlow, 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, Turner, Vachon, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, Frey, McLean, Tuell, Wadsworth, Ward.

Yes, 76; No, 66; Absent, 9; Excused, 0.

76 having voted in the affirmative and 66 voted in the negative, with 9 being absent, and accordingly the Bill was **REFERRED** to the Committee on **STATE AND LOCAL**

GOVERNMENT in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act To Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid"

(S.P. 698) (L.D. 1844)

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

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

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

Non-Concurrent Matter

Bill "An Act To Increase the Jurisdictional Limits for Small Claims"

(H.P. 216) (L.D. 283)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on February 15, 2018.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-590)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 451)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 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 Transportation from its review and evaluation of the Maine Pilotage Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Maine Pilotage Commission by letter of its intent to review the bureau on May 23, 2017. The Maine Pilotage Commission submitted its program evaluation report by November 1, 2017 and presented the report to the committee on February 1, 2018. The committee held a work session on February 27, 2018.

The committee unanimously finds that the Maine Pilotage Commission is operating within its statutory authority.

Sincerely,

S/Senator Ronald F. Collins

Senate Chair

S/Representative Andrew J. McLean

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 452)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 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 Transportation from its review and evaluation of the Department of Transportation under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Department of Transportation by letter of its intent to review the bureau on May 23, 2017. The Department of Transportation submitted its program evaluation report by November 1, 2017 and presented the report to the committee on January 23, 2018. The committee held a work session on February 22, 2018. The committee unanimously finds that the Department of Transportation is operating within its statutory authority.

Sincerely,
S/Senator Ronald F. Collins
Senate Chair
S/Representative Andrew J. McLean
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 453)

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

March 6, 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:"

- Health and Human Services
L.D. 566 An Act To Improve Access to High-quality Child Care by Increasing Child Care Rates
- L.D. 765 An Act To Allow In-home Child Care Providers To Care for up to 5 Children without State Certification
- L.D. 999 An Act To Provide a Healthy Learning Environment in Early Care Settings by Requiring Rules Concerning Nutrition and Physical Activity
- L.D. 1374 Resolve, Directing the Department of Health and Human Services To Assess and Improve the Availability of Child Care Services

Insurance and Financial Services
L.D. 1792 An Act To Improve Market Stability for Maine Residents Purchasing Individual Health Insurance Coverage

Taxation
L.D. 1599 An Act To Improve the Maine Tree Growth Tax Law

Sincerely,
S/Robert B. Hunt
Clerk of House
READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.C. 870)

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

March 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, Bruce E. Wagner of Cumberland Foreside for reappointment as the Chief Executive Officer, Finance Authority of Maine; Renee E. Gray of Addison for appointment to the Washington County Development Authority; Julie A. Jordan of Baileyville for appointment to the Washington County Development Authority; Lewis M. Pinkham of Steuben for reappointment to the Washington County Development Authority; Ronald A. McAlpine of Crawford for appointment to the Washington County Development Authority.

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 Fund the Reorganization of the Department of Public Safety, State Bureau of Identification" (EMERGENCY)

(H.P. 1293) (L.D. 1855)

Sponsored by Representative GERRISH of Lebanon. (GOVERNOR'S BILL)

Cosponsored by Senator DIAMOND of Cumberland. 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 Create the Office of the Public Defender and Amend the Duties of the Maine Commission on Indigent Legal Services"

(H.P. 1292) (L.D. 1854)

Sponsored by Representative ESPLING of New Gloucester. (GOVERNOR'S BILL)

Committee on **JUDICIARY** suggested.

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** and later today assigned.

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

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

REPORTS OF COMMITTEE

Refer to the Committee on Labor, Commerce, Research and Economic Development Pursuant to Resolve

Representative FECTEAU for the **Joint Standing Committee on Labor, Commerce, Research and Economic Development** on Bill "An Act To Implement the Recommendations of the Commission To Streamline Veterans' Licensing and Certification Regarding Licensed Practical Nurses"

(H.P. 1294) (L.D. 1857)

Reporting that it be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** pursuant to Resolve 2017, chapter 27.

The Committee Report was **READ**.

Representative FREDETTE of Newport **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous Committee Report.

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

Representative FREDETTE of Newport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

Representative **FREDETTE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, if anyone is like myself today, I'm a little bit off as I'm looking at item (6-1). We're actually on supplement 4 and not (6-1) on the calendar, and so I, myself, sort of catching up to you, just sort of thought maybe there might be one other person in here slightly confused, such as myself. And so, my understanding is is that we are on (6-1) on the supplement, not on the calendar.

The **SPEAKER**: The Chair would answer in the affirmative. We are on supplement No. 4. We took that item out of order, and the item before us is (6-1) on supplement No. 4. The question before us is Accepting the Report -- is will the House Accept the Report.

The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Madam Speaker. I request to withdraw my request for a roll call.

The **SPEAKER**: Though the Member has requested to withdraw his roll call, it's already been accepted by the House, so a roll call is in order at this point. The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker. I just wanted to clarify that this is a bill that the Committee has

not taken a position on, it is just being referenced to Committee for public hearing. So, I guess we can all vote green.

The **SPEAKER**: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker. At this late hour, seeing new bills being referenced, I just wanted to clarify. As a Committee bill, one of the things that this thing will do if we were able to pass it would be allow many of our veterans in certain MOSs to get a job here in Maine a little bit quicker. We would love to have a public hearing on this so that we can help our returning veterans.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Unanimous Committee Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 504

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wallace, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 144; No, 0; Absent, 7; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, with 7 being absent, and accordingly the Unanimous Committee Report was **ACCEPTED**.

The Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent for concurrence.

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

ORDERS

On motion of Representative McCREIGHT of Harpswell, the following Joint Resolution: (H.P. 1290) (Cosponsored by Senator BREEN of Cumberland and Representatives: MADIGAN of Waterville, PERRY of Calais, POULIOT of Augusta, RECKITT of South Portland, TIPPING of Orono, WARREN of Hallowell, Senators: CHIPMAN of Cumberland, VITELLI of Sagadahoc)

JOINT RESOLUTION RECOGNIZING MARCH 2018 AS SOCIAL WORK MONTH

WHEREAS, social workers have paved the way for change by enhancing the well-being of all people, especially the most vulnerable in society; and

WHEREAS, social workers have helped lead America's struggle for social justice and continue to advocate for positive social change and, more than the members of any other profession, social workers recognize that more must be done to address the persistent social problems that plague the State; and

WHEREAS, social workers support diverse families in every community and understand that individuals and communities together can bring about change; and

WHEREAS, social workers advocate for the rights of the disadvantaged; and

WHEREAS, social workers advocate for children's rights to a safe environment and a good education; and

WHEREAS, social workers work to ensure good care is provided to older adults; and

WHEREAS, social workers help provide community support for veterans and their families after their service; and

WHEREAS, social workers strive to improve access to mental health treatment and health care services in order to save lives; and

WHEREAS, social workers effect change and put the ideals of citizenship into action every day through legislative, regulatory and social policy efforts; 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 March 2018 as Social Work Month; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine chapter of the National Association of Social Workers.

READ.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker and Women and Men of the House. I speak in honor of social workers, who are advocates, working with people to achieve their goals. They may work with people directly or they may work on policy, but either way, the work is to improve the lives of individuals and all of us. Tomorrow is Social Work Day in the House. We're not in session tomorrow, but there will be 150 or so social work students and other working social workers, so if you're in the building, please look out for the social workers and say hello, and thank them for their work. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker and Men and Women of the House. I just wanted to take a moment to thank my fellow social workers and to talk a little bit about the profession that I've been involved in for many decades. I'm older than I look. And I thought about what to

say today, and what I thought I'd do was start out with just a story. I continue clinical work. I work as an outpatient therapist in an agency in Waterville. Recently I've had a client who had serious mental illness as a teenager, hospitalized many times, and she just started her first job. And I can't tell you how happy that makes me, because she's decided she doesn't need some services anymore because she's working full time. And to share that with someone and to encourage them and help that happen for them, so they can have a -- the kind of life that they always wanted, is one of the great honors of my life, one of the great joys of my life, and I am so excited to be a part of this profession where I get to do stuff like that every day; and where people who share my profession get to come here and make changes that will make things like that easier to happen. So, thank you, Madam Speaker, thanks to all the social workers, and a big shout-out to them. Thank you.

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

Representative **WARREN**: Thank you, Madam Speaker. I just also rise to thank all the social workers. It's also my chosen profession, and I just want to invite all of you tomorrow. Many of my students from the University of New England School of Social Work will be here tomorrow. I repeatedly tell them how awesome you all are. Next week when we meet, they will say to me, "You were right, they are so amazing." So, please, come and say hello to them. Many of them have never spoken with a Legislator before and, to be honest, they're a little bit afraid to do so. So, if you could make them welcome, I'd sure appreciate it, and thank you so much.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

On motion of Representative POULIOT of Augusta, the following Joint Resolution: (H.P. 1291) (Cosponsored by Senator VOLK of Cumberland and Representatives: BLACK of Wilton, TIMBERLAKE of Turner, WADSWORTH of Hiram)

JOINT RESOLUTION RECOGNIZING THE STATE'S REALTORS

WHEREAS, the Maine Association of REALTORS® has more than 4,700 members actively involved in the business of real estate and it has approximately 500 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit association provides each member with an equal voice and representation in the real estate profession in the State, serving members in all 16 Maine counties and in their communities; and

WHEREAS, real estate transactions stimulate Maine's economy; the components of these transactions include not only the money spent and reinvested in the sale price of a property, but all the services and expenditures that occur in relation to a property transaction; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales and that each home sale contributes about \$58,500 to the economy; and

WHEREAS, the residential real estate market in Maine is strong, as evidenced by the number of home sales increasing by nearly 2% to 20,663 homes sold in 2017, with a total value of \$4,990,000,000; and

WHEREAS, real estate ownership is an investment in the future and one of the best ways to build financial security through equity accumulation, and for many in Maine their home represents their life savings; and

WHEREAS, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and to acknowledge that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and its 13 local association boards and councils.

READ.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Madam Speaker, Men and Women of the House. Today is my favorite day. It is Realtor Rally Day. Hopefully it's all your favorite day as well. To the member who sent me a note that asked if there is any free food in the Hall of Flags, the answer is yes. As soon as we're wrapped up here, hopefully you'll make it down to the Hall of Flags to meet your realtor and have a bite to eat, and learn a little bit about our industry. But those of you who are in here every day don't have to look too far to see evidence of how much the real estate industry affects the Maine economy. Over 20% of Maine's GDP comes from real estate. Economic contributions are derived from such things as home construction, real estate brokerage, mortgage lending, title insurance, rental and leasing, home appraisal, moving services, and more. As it was noted, over \$58,500 added to the economy, and for every two homes sold one job is created. For those of you looking at the number of homes sold in 2017, that adds up to about 10,000 jobs. I think that's pretty good. Look at the magazines that we get on our desk: *Legislative Bulletin*, "Senior Tax Lien Bill Decided," affects the real estate industry; "Maine Goes Pre-Fab, Six Homes We Love" on the cover of *Down East Magazine*, our industry; this drone buzz that's going about, this came out a couple of weeks, this guy right here, Peter, he makes my real estate videos and is a really awesome guy, starting a business in southern Maine and Biddeford; "Location, Location, Co-Location," another *Mainebiz* cover. "Hot Market, Workers and Development Sites are Still in Demand," another cover; the MEREDA Index in the back goes to Porter and Company, commercial real estate. I mean, as we know, it's everywhere, it's vital to our economy, and I hope that you'll take a few minutes to go down and meet with your realtors who are here today to support our industry and talk to each one of you. Thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

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

Representative **PIERCE**: Thank you, Madam Speaker. Men and Women of the House, I rise today to recognize Falmouth's tercentennial. That's our 300th year of being incorporated. First settled by Native Americans along the Presumpscot River, Falmouth was visited by Samuel de Champlain in the early 1600s, and in 1718 Falmouth included

what we now know as Falmouth, Portland, South Portland, Westbrook, and Cape Elizabeth.

Marking milestones are important. They allow us to -- the opportunity to honor our past, celebrate our present, and invest in our future. Our entire community has been involved in organizing our year-long celebration, but today I especially want to recognize and thank the people here who have spent and continue to spend countless hours ensuring a meaningful commemoration of this landmark. The Falmouth 300 planning committee recognized this as a unique occasion, and while the volunteer committee spearheaded this effort, their vision could not have been realized without the countless generosity of our community partners, local businesses, realtors (perfect for today), generous community partnerships like local businesses, restaurants, more civic organizations, our schools, our retirement communities, our garden clubs; all a manner of the town boosters. Together they have packed 2018 with a remarkable variety of ways to honor and celebrate our community that we've become and, most importantly, to plan for the future we hope to build together.

I could neither be more pleased nor more humbled to serve my neighbors in Falmouth. I want to thank the community for all they have done for my family and for me, and I hope that you and the rest of the House will join me in thanking the volunteers, staff, and committee who are here with us today who have worked so hard and so efficiently and effectively in marking this rare and historic occasion. Happy tercentennial, Falmouth, Maine.

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-370)** on Bill "An Act To Clarify and Protect Certain Public Service Retirement Benefits"

(S.P. 212) (L.D. 650)

Signed:

Senators:

BREEN of Cumberland
KATZ of Kennebec

Representatives:

GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
TEPLER of Topsham

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

SEAVEY of Kennebunkport
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-370)**.

READ.

Representative GATTINE of Westbrook moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

ROLL CALL NO. 505

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Cooper, Craig, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pickett, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Cebra, Chace, Corey, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 89; No, 55; Absent, 7; Excused, 0.

89 having voted in the affirmative and 55 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-370)** 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" (S-370)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-359)** on Bill "An Act Regarding Large-scale Community Solar Procurement"

(S.P. 499) (L.D. 1444)

Signed:

Senators:

WOODSOME of York

DION of Cumberland

Representatives:

BERRY of Bowdoinham

COOPER of Yarmouth

DeCHANT of Bath

HARVELL of Farmington

RILEY of Jay

RYKERSON of Kittery

SANBORN of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-360)** on same Bill.

Signed:

Representatives:

HANLEY of Pittston

O'CONNOR of Berwick

WADSWORTH of Hiram

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-359)**.

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

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

ROLL CALL NO. 506

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Guerin, Hamann, Handy, Harlow, Harrington, Harvell, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perry, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Strom, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Craig, Farrin, Fredette, Gerrish, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head,

Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Perkins, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Sirocki, Stetkis, Stewart, Sutton, Theriault, Turner, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 106; No, 38; Absent, 7; Excused, 0.

106 having voted in the affirmative and 38 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-359)** 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" (S-359)** in concurrence.

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-618)** on Bill "An Act To Ensure the Availability of In-person Visitation in County Jails" (H.P. 972) (L.D. 1414)

Signed:

Senators:

ROSEN of Hancock
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
GROHMAN of Biddeford
LONGSTAFF of Waterville
NADEAU of Winslow
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COREY of Windham
GERRISH of Lebanon
HERRICK of Paris
MAREAN of Hollis

READ.

Representative WARREN of Hallowell moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Representative **WARREN**: Thank you, Madam Speaker, Women and Men of the House. Just a little bit of information about this bill. This bill was carried over from last year. The bill has been worked quite sufficiently, and a couple of groups of note that support this bill are the Maine Children's Alliance and also the Maine Sheriffs' Association. Thank you.

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

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

Representative FREDETTE of Newport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise this morning in opposition of the pending motion. This bill does nothing more than micromanage our county sheriffs, and quite frankly, I cannot believe we are even considering putting something like this in statute.

Who knows their jail population or the dangerous issues facing them in county jails better than our county sheriffs or jail administrators? In the county jails and prisons I have toured all over this state, I have heard a consistent message from both the DOC and sheriffs, and that is about illicit drugs coming into the facilities. In my county of York, last year alone we had four inmates who suffered overdoses from drugs that were obtained through contact visits. We are dealing with a level of addiction in this state like never before, and we all in this body know that. Let me give you a real example in quoting testimony from Deputy Chief Robert Young of Piscataquis County. He testified, "We intercepted an inmate with a small balloon containing Suboxone that had been slipped to him by his girlfriend during a regular visit. We do not allow physical contact, but they were able to transfer the balloon through mouth-to-mouth contact. The inmate swallowed the balloon and recovered it from his stool later." In addition to the ongoing, never-ending drug issue, this is also costly to an already overburdened county jail system. Contact visits require staff to conduct searches of the inmates afterwards. I ask this body to allow our sheriffs and jail administrators to do their jobs and oppose this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Talbot Ross.

Representative **TALBOT ROSS**: Thank you, Madam Speaker. Thank you, Ladies and Gentlemen of the House. I just want to point out and make it extremely clear that the Maine Sheriffs' Association has strongly supported this legislation. They would not have done so –

The SPEAKER: The Representative will defer. It's a little bit loud in here. I'm having a hard time hearing people as they speak, myself. The House will please be in order. The Representative may proceed.

Representative **TALBOT ROSS**: I just want to remind this body that the Maine Sheriffs' Association strongly supported this bill. As we were working through the bill, I met with all of the sheriffs at a meeting that they held in northern Maine, to discuss the fact that this absolutely does not take away any of their discretion to determine what level of visitation someone who is incarcerated may receive. This bill only offers a menu of visitation options that they would be able to determine on a

case-by-case basis within their facilities. More than half of the folks who are incarcerated in our state are parents who are being denied access to their children, and they have not even been adjudicated yet. So, this is a bill that is strongly supported by our sheriffs, and I hope that folks will take that into consideration and not question the judgement of those who are running our facilities each and every day. Thank you.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Chace.

Representative **CHACE**: Thank you, Madam Speaker. I'm just reading through the testimony, and I guess a question through the Chair. I'm reading the sheriffs' testimony, and the last line for LD 1414 is "We strongly oppose this measure." So I'm concerned about whether the sheriffs support this or don't support this. Thank you.

The SPEAKER: The Representative from Durham, Representative Chace, has posed a question through the Chair, if there is anyone who is able to answer. The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Madam Speaker. I would just call attention to the date of that testimony. That was last year, at the beginning of this work. As I stated, this has been worked for well over a year. The sheriffs have been at every meeting, and they overwhelmingly support this and have come out to endorse this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Farrin.

Representative **FARRIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. While the Sheriffs' Association may support this bill, I'll just share with my fellow Representatives from Somerset County, our sheriff does not support this. I've been in contact with him. He has concerns about the physical contact piece and the contraband piece. So, while the organization may, not all individual sheriffs do. Thank you, Madam Speaker.

The SPEAKER: The Chair will remind members to please direct their remarks towards the rostrum. The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Chair, or Speaker. The sheriffs can already make this decision on their own. They can already allow these types of visits. They can decide what kind of visits to have based on the facility they're in, so there's really no need for this bill at all, other than trying to tell the sheriffs what to do. Thank you.

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

ROLL CALL NO. 507

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Campbell, Cebra, Chace, Corey, Craig, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, 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, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 79; No, 65; Absent, 7; Excused, 0.

79 having voted in the affirmative and 65 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-618)** 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-618)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-621)** on Resolve, Directing the Department of Education To Adopt Protocols Designed To Prevent Youth Suicide

(H.P. 1174) (L.D. 1694)

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 Resolve.

Signed:

Representative:

TURNER of Burlington

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-621)** was **READ** by the Clerk and **ADOPTED**.

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 as Amended by Committee Amendment "A" (H-621)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-625)** on Bill "An Act To Establish the Maine Coastal Risks and Hazards Commission"

(H.P. 769) (L.D. 1095)

Signed:

Senators:

SAVIELLO of Franklin
GRATWICK of Penobscot

Representatives:

TUCKER of Brunswick
DUCHESNE of Hudson
FAY of Raymond
HARLOW of Portland
MARTIN of Eagle Lake
ZEIGLER of Montville

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

Signed:

Senator:

VOLK of Cumberland

Representatives:

CAMPBELL of Orrington
KINNEY of Limington
PIERCE of Dresden
STROM of Pittsfield

READ.

Representative TUCKER of Brunswick moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative FREDETTE of Newport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from York, Representative Blume.

Representative **BLUME**: Thank you so much, Madam Speaker. We've all seen the increase in powerful storms and the damage they bring along the Maine coast. We need to help our coastal communities prepare for this, as many other states have done. To do that, this bill, as amended, creates a broad-based working group with representatives from municipalities, state agencies, regional authorities, Legislators, experts, and other coastal stakeholders, such as representatives from tourism and fisheries. They will consider the most current science to assess our vulnerabilities, evaluate our existing policies, implement strategies and recommend state legislation that leads to positive actions for adaptation to current and future coastal hazards. And may I remind you, LD 1095 is not a study. Here in Maine, we've had lots of studies and recommendations on many levels concerning the threats

to our coastline. We've also had a few towns and regions actually implement strategies –

The SPEAKER: The Member will defer. The House will be in order. The Member may proceed.

Representative **BLUME**: The problem is that these studies and implementation strategies have not been consolidated or evaluated for use by all of our coastal communities. It is an ad hoc approach and not very efficient. The questions and challenges that threats such as storm surge and sea level rise raise are complex and expensive, and are getting harder to ignore in light of the evidence of more frequent and intense storms. I, in my region of the state, certainly could not ignore it this past weekend. We have 141 towns along the coast, and an enormous stake in the success of our coastal sector; the 45,000 jobs it creates, the taxes it produces, and the lives of the people who live and visit there. We need to protect that coastline, and this bill is a cost-effective way of doing that. I urge you to follow my light. Thank you.

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

ROLL CALL NO. 508

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Campbell, Cebra, Chace, Craig, Espling, Farrin, Fredette, Gerrish, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, 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, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 86; No, 58; Absent, 7; Excused, 0.

86 having voted in the affirmative and 58 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-625)** 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-625)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-624)** on Bill "An Act To Modernize and Improve Maine's Property Tax System"

(H.P. 1018) (L.D. 1479)

Signed:
Senator:
DOW of Lincoln

Representatives:
TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
POULIOT of Augusta
STANLEY of Medway
TEPLER of Topsham
TERRY of Gorham
WARD of Dedham

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

Signed:
Senator:
CHENETTE of York

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-624)** 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-624)** and sent for concurrence.

Seven Members of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** report in Report "A" **Ought Not to Pass** on Bill "An Act To Create Equity for Wine and Spirits Container Deposits"

(H.P. 1183) (L.D. 1703)

Signed:
Senator:
GRATWICK of Penobscot

Representatives:
TUCKER of Brunswick
DUCHESNE of Hudson
FAY of Raymond
HARLOW of Portland
MARTIN of Eagle Lake
ZEIGLER of Montville

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-626)** on same Bill.

Signed:
Senator:
VOLK of Cumberland

Representatives:
KINNEY of Limington
PIERCE of Dresden
STROM of Pittsfield

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-627)** on same Bill.

Signed:
Senator:
SAVIELLO of Franklin

Representative:
CAMPBELL of Orrington

READ.

On motion of Representative TUCKER of Brunswick, Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 684) (L.D. 1816) Bill "An Act Regarding the Penalties for Hunting Deer over Bait" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 1224) (L.D. 1778) Resolve, Regarding Medicaid Reimbursement for Rehabilitation Hospitals (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-622)**

(H.P. 1246) (L.D. 1801) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-623)**

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

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

(H.P. 1063) (L.D. 1542) Bill "An Act To Support Lead Abatement in Older Residential Properties" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-628)**

On motion of Representative GOLDEN of Lewiston, 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.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

ENACTORS

Emergency Measure

An Act To Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases

(H.P. 1187) (L.D. 1707)
(C. "A" H-604)

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. 94 voted in favor of the same and 50 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED**.

On motion of Representative HERBIG of Belfast, the House **RECONSIDERED** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

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

Acts

An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee

(H.P. 935) (L.D. 1345)
(C. "A" H-610)

An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers

(S.P. 610) (L.D. 1653)
(C. "A" S-366)

An Act To Maintain Mental Health Staffing at the Dorothea Dix Psychiatric Center and Support Statewide Forensic Services

(H.P. 1150) (L.D. 1665)
(C. "A" H-602)

An Act Authorizing the Deorganization of Codyville Plantation

(H.P. 1160) (L.D. 1673)
(C. "A" H-609)

An Act To Protect Persons Who Provide Assistance to Law Enforcement Dogs, Search and Rescue Dogs and Service Dogs

(H.P. 1196) (L.D. 1716)
(C. "A" H-579; H. "A" H-612)

An Act To Implement Recommendations Resulting from a State Government Evaluation Act Review of the Department of Environmental Protection by the Joint Standing Committee on Environment and Natural Resources

(H.P. 1254) (L.D. 1808)
(C. "A" H-608)

An Act To Amend the Charter of the Lisbon Water Department

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

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

Resolves

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell, Lease or Convey the Interests of the State in Certain Real Property Located in Augusta, Bucksport, Limestone, Brookton Township and Rockwood Strip Township

(S.P. 673) (L.D. 1804)
(C. "A" S-367)

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

UNFINISHED BUSINESS

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

An Act To Fund the Downeast Correctional Facility (EMERGENCY)

(H.P. 1184) (L.D. 1704)
(C. "A" H-593)

TABLED - February 20, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - PASSAGE TO BE ENACTED.

Representative TUELL of East Machias moved that the rules be **SUSPENDED** for the purpose of **RECONSIDERATION**.

Representative FREDETTE of Newport **OBJECTED** to **SUSPENDING** the rules for the purpose of **RECONSIDERATION**.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **SUSPEND** the rules for the purpose of **RECONSIDERATION**.

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

The **SPEAKER**: The Chair will just clarify for members that, at this point, a roll call is in order for a vote on suspending the rules, in order for -- this requires a two-thirds vote, rather than a simple majority vote, so I just want people to be aware of that before we begin voting.

A roll call has been ordered. The pending question before the House is Suspension of the rules for the purpose of Reconsideration. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 509

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Guerin, Hamann, Handy, Harlow, Herbig, Herrick, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Cebra, Chace, Craig, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Higgins, Hilliard, Johansen, Kinney J, Kinney M,

Lockman, Lyford, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 89; No, 55; Absent, 7; Excused, 0.

89 having voted in the affirmative and 55 voted in the negative, with 7 being absent, and accordingly the motion to **SUSPEND** the rules for the purpose of **RECONSIDERATION FAILED**.

Subsequently, on motion of Representative HERBIG of Belfast, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (H-611)** - Committee on **MARINE RESOURCES** on Bill "An Act To Define the Intertidal Zone for the Management and Enforcement of Shellfish Conservation Ordinances"

(H.P. 1043) (L.D. 1519)

TABLED - March 1, 2018 (Till Later Today) by Representative KUMIEGA of Deer Isle.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Casás.

Representative **CASÁS**: Thank you, Madam Speaker. I've looked over this bill and talked with some folks about it, but I'm still a little bit confused about this bill specifically, so if there is a member of the Committee that could give a kind of quick overview, I would really appreciate it. Thank you.

The SPEAKER: The Representative from Rockport, Representative Casás, has requested more information from a member of the Committee, if there is anyone still willing to answer. The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Madam Speaker. Madam Speaker, Men and Women of the House, it was recently discovered that, in terms of shellfish fishery management, that the intertidal zone is not defined. This should have been defined well over a hundred years ago. It has slipped through. It has recently been discovered that there is no definition for the intertidal zone in terms of shellfish harvesting. So, what we're doing here is just giving a definition so that the municipalities know where they can manage their shellfish harvests in their municipality. And what we've done is given the municipalities the broadest, the broadest control over their tidal flats, down to the low water mark. So, essentially, when a clammer goes out to dig clams they can -- as long as they are not standing in water, that the tide has gone out, they are legal under their municipality to harvest clams. The subtidal zone, which is never submerged, is governed or controlled by the State through the DMR. This is the way the municipalities have actually already been operating, we're just putting it in statute so that there's no question. Thank you very much.

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

Representative **TUELL**: Thank you, Madam Speaker. I don't want to muddy the waters. This is a really complicated, highly technical bill. It has seen more lives than a cat over the course of its lifespan. I know several municipalities down my way, Addison, Lubec, others -- Penobscot, which is not down my way, but -- have grave concerns about whether this bill and this language is in fact encroaching upon local management. The state has a long tradition of a joint partnership with municipalities. We also, on a somewhat related note, have a case involving seaweed, which is currently in litigation. I will not get into that too much, but I would suggest that if we proceed with this, we do so very cautiously, and that is why I will not be voting for the pending motion. At the work session of this bill, the more we dug into it, the more confusing and convoluted it became, so much so that we had bipartisan support for disposing of this piece of legislation. So I would ask that you all join me in voting no on the present motion so that we might move on to another. Thank you.

The SPEAKER: The Chair recognizes the Representative from Deer Isle, Representative Kumiega.

Representative **KUMIEGA**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I just wanted to clarify that shellfish management and seaweed harvesting are governed by completely different sections of harvesting -- of law, and this legislation would have no effect on seaweed harvesting or on the case that's in the courts right now. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **MC CREIGHT**: Thank you, Madam Speaker. I'm not serving on the Marine Resources Committee, but very concerned about this bill because I'm from Harpswell, with the longest coastline in the state. I checked with my harbor master and experts in the marine resources area in my district, and they are very pleased about this bill. They want to see it passed. It will clarify things. Just to reiterate, it doesn't affect seaweed, but it will make things much clearer for towns and the state. So, I'm supporting this bill and ask that others do as well.

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

Representative **PIERCE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'll be supporting this bill. It's a good bill, because what it does is it defines what mean low water is. Nobody owns the water. The state owns the water. It's not about local control, it's about definitions. So, I hope you follow my light and vote for this piece.

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

ROLL CALL NO. 510

YEA - Ackley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff,

Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Turner, Vachon, Warren, Winsor, Wood, Zeigler.

NAY - Alley, Picchiotti, Reed, Riley, Seavey, Strom, Tuell, Wallace, White, Madam Speaker.

ABSENT - Bickford, Bradstreet, Collings, Dillingham, McLean, Wadsworth, Ward.

Yes, 134; No, 10; Absent, 7; Excused, 0.

134 having voted in the affirmative and 10 voted in the negative, with 7 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-611)** 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-611)** and sent for concurrence.

SENATE PAPERS

Bill "An Act Regarding Permits for Burial of Cremated Remains" (EMERGENCY)

(S.P. 701) (L.D. 1856)

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.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative DENNO of Cumberland, the House adjourned at 12:32 p.m., until 10:00 a.m., Thursday, March 8, 2018.