

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

Daily Edition

First Regular Session
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
3rd Legislative Day
Wednesday, January 9, 2019

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

Prayer by Pastor Glenn Peterson, Hope Baptist Church, Manchester.

National Anthem by Marcia Gallagher, Hallowell.

Pledge of Allegiance.

Doctor of the day, Robert Chagrasulis, M.D., Casco.

The Journal of Wednesday, January 2, 2019 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 29)

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

January 3, 2019

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 (l) (a), I have appointed Representative Bruce A. Bickford of Auburn as the Republican Lead on the Taxation Committee.

Please do not hesitate to contact me should you have any questions regarding this appointment.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 27)

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

December 30, 2018

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to 5 MRSA §12009, I am submitting to you the report of Board and Commission appointments or reappointments for calendar year 2019. Additionally, I am providing a report that lists appointments or re-appointments that have not been made from previous years through December 31, 2018, and where vacancies actually exist on a board or commission that need a new appointment. If you need a breakdown by your appointments only, we can provide this for you as well.

If you have any questions concerning these reports or need additional information, please contact me or Cathy Beaudoin at the Bureau of Corporations, Elections and Commissions at 624-7748.

Sincerely,

S/Matthew Dunlap

Secretary of State

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 28)

**CHILD WELFARE OMBUDSMAN
P.O. BOX 2057
HOPE, MAINE 04847**

December 31, 2018

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

I am pleased to present the sixteenth annual report of the Maine Child Welfare Ombudsman. Our office reports to the Governor, the Department, and the Legislature each year pursuant to 22 MRSA §4087-A. This report reflects the Fiscal Year from October 1, 2017 through September 30, 2018. I respectfully request that you distribute this report to the members of the Maine Senate.

The Child Welfare Services Ombudsman provides information to callers about Child Welfare Services and referrals to other resources and sources of information. Each year we open between 110 and 120 cases for review. Additionally, we make recommendations to the Department, Governor and Legislature.

Please let me know if you have any questions about the report or our program and I would be happy to meet and discuss those or any other issues with you.

Respectfully submitted,

S/Christine Alberi

Ombudsman

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 30)

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

January 7, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Governor Mills has set Tuesday, March 12, 2019, as the date for the Special Election to be held in District 124.

Please find enclosed a certified copy of the Governor's Proclamation. Please contact the Division of Elections at 624-7650 if you have any questions regarding this election.

Sincerely,

S/Matthew Dunlap

Secretary of State

READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Change the Composition of the Board of Pesticides Control"

(H.P. 37) (L.D. 36)

Sponsored by Representative PLUECKER of Warren.
Cosponsored by Representatives: BERRY of Bowdoinham, DUNPHY of Old Town, HALL of Wilton, HICKMAN of Winthrop, INGWERSEN of Arundel, MAXMIN of Nobleboro, O'NEIL of Saco, Senator: BLACK of Franklin.

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

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

Sent for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Fire Stations"

(H.P. 48) (L.D. 47)

Sponsored by Representative BRENNAN of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and Representatives: BERRY of Bowdoinham, CAMPBELL of Orrington, DeCHANT of Bath, GRAMLICH of Old Orchard Beach, JORGENSEN of Portland, MARTIN of Eagle Lake, MOONEN of Portland, PERRY of Calais.

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless"

(H.P. 49) (L.D. 48)

Sponsored by Representative BRENNAN of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and Representatives: BERRY of Bowdoinham, CRAVEN of Lewiston, DeCHANT of Bath, GATTINE of Westbrook, GRAMLICH of Old Orchard Beach, JORGENSEN of Portland, MOONEN of Portland, PERRY of Calais.

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

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

Sent for concurrence.

Resolve, To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State by Establishing a Work Group To Develop Educational Programming for Prevention of Substance Use and Substance Use Disorders among Youth and Adolescents (EMERGENCY)

(H.P. 30) (L.D. 29)

Sponsored by Representative McCREIGHT of Harpswell.
Cosponsored by Senator GRATWICK of Penobscot and Representatives: BEEBE-CENTER of Rockland, BRENNAN of Portland, FARNSWORTH of Portland, HYMANSON of York, KORNFIELD of Bangor, STEARNS of Guilford, STOVER of Boothbay, Senator: CYRWAY of Kennebec.

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

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

Sent for concurrence.

Bill "An Act Regarding Rules Adopted by the ConnectME Authority"

(H.P. 32) (L.D. 31)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Senator WOODSOME of York and Representatives: CAIAZZO of Scarborough, COLLINGS of

Portland, DeCHANT of Bath, EVANGELOS of Friendship, HIGGINS of Dover-Foxcroft, NEWELL of the Passamaquoddy Tribe, PLUECKER of Warren, Senator: DESCHAMBAULT of York.

Bill "An Act To Replace Net Energy Billing with a Market-based Mechanism"

(H.P. 42) (L.D. 41)

Sponsored by Representative O'CONNOR of Berwick.
Cosponsored by Senator TIMBERLAKE of Androscoggin and Representatives: BICKFORD of Auburn, GRIGNON of Athens, HANLEY of Pittston, SAMPSON of Alfred, STETKIS of Canaan, STEWART of Presque Isle, WADSWORTH of Hiram.

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

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

Sent for concurrence.

Resolve, To Establish the Commission To Study Children's Mental Health (EMERGENCY)

(H.P. 41) (L.D. 40)

Sponsored by Representative MADIGAN of Waterville.
Cosponsored by Senator BELLOWS of Kennebec and Representatives: AUSTIN of Skowhegan, COLLINGS of Portland, DENNO of Cumberland, DOORE of Augusta, HYMANSON of York, MEYER of Eliot.

Bill "An Act To Amend the Law Regarding Maine's Background Check Center"

(H.P. 46) (L.D. 45)

Sponsored by Representative HYMANSON of York.
Cosponsored by Representatives: BAILEY of Saco, INGWERSEN of Arundel, JOHANSEN of Monticello, MADIGAN of Waterville, McCREIGHT of Harpswell, PERRY of Calais, Senator: GRATWICK of Penobscot.

Bill "An Act To Establish a Substance Use Disorder Clinic at the Cumberland County Jail"

(H.P. 47) (L.D. 46)

Sponsored by Representative BRENNAN of Portland.
Cosponsored by Senator CHENETTE of York and Representatives: BERRY of Bowdoinham, CROCKETT of Portland, FARNSWORTH of Portland, GATTINE of Westbrook, GRAMLICH of Old Orchard Beach, HYMANSON of York, MOONEN of Portland, Senator: CHIPMAN of Cumberland.

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

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

Sent for concurrence.

Bill "An Act To Improve Health Care Data Analysis"

(H.P. 31) (L.D. 30)

Sponsored by Representative PERRY of Calais.
Cosponsored by Senator SANBORN, H. of Cumberland and Representatives: BRENNAN of Portland, FARNSWORTH of Portland, HYMANSON of York, McCREIGHT of Harpswell.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative HYMANSON of York, the Bill was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**, ordered printed and sent for concurrence.

Bill "An Act To Require Insurance Coverage for Hearing Aids for Adults"

(H.P. 39) (L.D. 38)

Sponsored by Representative HANDY of Lewiston.

Cosponsored by Senator HERBIG of Waldo and Representatives: BROOKS of Lewiston, FAY of Raymond, FOLEY of Biddeford, MELARAGNO of Auburn, SHEATS of Auburn, ZEIGLER of Montville, Senators: CARPENTER of Aroostook, CARSON of Cumberland.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Provide Complimentary Lifetime Hunting and Fishing Licenses to Retired Game Wardens with 25 Years of Service"

(H.P. 27) (L.D. 26)

Sponsored by Representative THERIAULT of China.

Cosponsored by Senator CYRWAY of Kennebec and Representatives: HANLEY of Pittston, LYFORD of Eddington, MASON of Lisbon, NADEAU of Winslow, REED of Carmel, SKOLFIELD of Weld, Senator: DAVIS of Piscataquis.

Bill "An Act To Allow the Use of Crossbows during the Archery Season on Deer"

(H.P. 28) (L.D. 27)

Sponsored by Representative THERIAULT of China.

Cosponsored by Senator CYRWAY of Kennebec and Representatives: HANLEY of Pittston, LYFORD of Eddington, MASON of Lisbon, NADEAU of Winslow, REED of Carmel, SKOLFIELD of Weld, Senator: DAVIS of Piscataquis.

Bill "An Act To Establish a Thanksgiving Youth Turkey Hunting Season"

(H.P. 34) (L.D. 33)

Sponsored by Representative TUELL of East Machias.

Cosponsored by Senator MOORE of Washington and Representatives: CAMPBELL of Orrington, HANINGTON of Lincoln, KINNEY of Knox, NADEAU of Winslow, SKOLFIELD of Weld, STEARNS of Guilford.

Bill "An Act To Ban the Use of Personal Watercraft on Lower Wilson Pond and Upper Wilson Pond"

(H.P. 53) (L.D. 56)

Sponsored by Representative STEARNS of Guilford.

Cosponsored by Representative: LYFORD of Eddington.

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

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

Sent for concurrence.

Bill "An Act To Allow for the Sale of Nonprescription Drugs through Vending Machines"

(H.P. 38) (L.D. 37)

Sponsored by Representative TERRY of Gorham.

Cosponsored by Senator SANBORN, L. of Cumberland and Representatives: McCREIGHT of Harpswell, TALBOT ROSS of Portland, TEPLER of Topsham.

Bill "An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Development of a Long-range Strategic Plan for Economic Improvement in the State"

(H.P. 51) (L.D. 50)

Sponsored by Representative MASTRACCIO of Sanford. Cosponsored by Senator HERBIG of Waldo and Representatives: AUSTIN of Gray, DAUGHTRY of Brunswick, DENNO of Cumberland, HARRINGTON of Sanford.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND COMMERCE** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND COMMERCE** and ordered printed.

Sent for concurrence.

Bill "An Act To Return the Normal Cost of Teacher Retirement to the State"

(H.P. 52) (L.D. 55)

Sponsored by Representative STEARNS of Guilford.

Cosponsored by President JACKSON of Aroostook and Representatives: BICKFORD of Auburn, CAMPBELL of Orrington, FOSTER of Dexter, HAGGAN of Hampden, TUELL of East Machias.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent for concurrence.

Bill "An Act Regarding Access to Lobster Licenses"

(H.P. 29) (L.D. 28)

Sponsored by Representative McCREIGHT of Harpswell.

Cosponsored by Senator MIRAMANT of Knox and Representatives: ALLEY of Beals, BEEBE-CENTER of Rockland, BLUME of York, FAULKINGHAM of Winter Harbor, HEPLER of Woolwich, McDONALD of Stonington, RECKITT of South Portland, TUELL of East Machias.

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

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

Sent for concurrence.

Bill "An Act To Exempt All Disabled Veterans in Maine from All Income Tax and To Increase Their Homestead Exemption to \$50,000"

(H.P. 36) (L.D. 35)

Sponsored by Representative O'CONNOR of Berwick.

Cosponsored by Senator FOLEY of York and Representatives: DRINKWATER of Milford, HAGGAN of Hampden, SAMPSON of Alfred, STETKIS of Canaan, STROM of Pittsfield, WADSWORTH of Hiram, Senators: BLACK of Franklin, DAVIS of Piscataquis.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements

(H.P. 44) (L.D. 43)

Sponsored by Representative CEBRA of Naples.

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

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

Sent for concurrence.

Resolve, Naming a Highway and Renaming a Bridge in the Town of Whiting

(H.P. 33) (L.D. 32)

Sponsored by Representative TUELL of East Machias.
Cosponsored by Senator MOORE of Washington.

Resolve, To Designate a Bridge in Waterville as the Specialist Wade A. Slack Memorial Bridge

(H.P. 40) (L.D. 39)

Sponsored by Representative MADIGAN of Waterville.
Cosponsored by Senator CYRWAY of Kennebec and Representatives: NADEAU of Winslow, PERKINS of Oakland, WHITE of Waterville.

Bill "An Act Regarding the Designation of Traumatic Brain Injury on Driver's Licenses and Nondriver Identification Cards"

(H.P. 50) (L.D. 49)

Sponsored by Representative ORDWAY of Standish.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: BICKFORD of Auburn, GATTINE of Westbrook, GRIGNON of Athens, O'CONNOR of Berwick, PRESCOTT of Waterboro, TIPPING of Orono, WADSWORTH of Hiram, WARREN of Hallowell.

Bill "An Act To Require the Maine Turnpike Authority To Accept E-Z Pass Payments of Any Amount by Telephone"

(H.P. 54) (L.D. 57)

Sponsored by Representative ACKLEY of Monmouth. (BY REQUEST)

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

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

Sent for concurrence.

Bill "An Act To Exempt Fraternal and Veterans' Organizations from Cribbage Tournament Licensing Requirements"

(H.P. 35) (L.D. 34)

Sponsored by Representative TUELL of East Machias.
Cosponsored by Senator MOORE of Washington and Representatives: CAMPBELL of Orrington, HANINGTON of Lincoln, KINNEY of Knox, SKOLFIELD of Weld, Senator: DESCHAMBAULT of York.

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

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

Sent for concurrence.

Bill "An Act To Provide for Nonpartisan Elections for the Office of District Attorney"

(H.P. 43) (L.D. 42)

Sponsored by Representative CEBRA of Naples.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested.

On motion of Representative SCHNECK of Bangor, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

**Pursuant to Statute
Criminal Law Advisory Commission**

Representative WARREN for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act Regarding the Maine Criminal Code"

(H.P. 45) (L.D. 44)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for 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:

SENATE PAPERS

The following Joint Order: (S.P. 13)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 15, 2019 at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Implement the Recommendations of the Task Force on Health Care Coverage for All of Maine"

(S.P. 14) (L.D. 51)

Bill "An Act To Provide an Affordable and Accessible Health Care System for all Residents of Maine"

(S.P. 15) (L.D. 52)

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

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

Bill "An Act To Clarify Local Referendum Ballots"

(S.P. 17) (L.D. 53)

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

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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

(S.P. 18) (L.D. 54)

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

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

The following Joint Order: (S.P. 16)

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 301, last indented paragraph to read:

There are established 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
 - Appropriations and financial affairs
 - Criminal justice and public safety
 - Education and cultural affairs
 - Energy, utilities and technology
 - Environment and natural resources
 - Health and human services
 - Health coverage, insurance and financial services
 - Inland fisheries and wildlife
 - Innovation, development, economic advancement and ~~commerce~~ business
 - Judiciary
 - Labor and housing
 - Marine resources
 - State and local government
 - Taxation
 - Transportation
 - Veterans and legal affairs
- Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

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

On motion of Representative STEWART of Presque Isle, the House adjourned at 10:43 a.m., until 10:00 a.m., Tuesday, January 15th, 2019, pursuant to the Joint Order (S.P. 13).