

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 8, 2014

beginning page H-1301

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
28th Legislative Day
Tuesday, March 25, 2014

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

Prayer by Reverend Matthew McDonald, West Gorham Union Church, Gorham.

National Anthem by Wagner Middle School Clipper Band, Samuel L. Wagner Middle School, Winterport.

Pledge of Allegiance.

Doctor of the day, Patrick Keaney, M.D., Yarmouth.

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 745)

**JOINT RESOLUTION RECOGNIZING THE 25TH
ANNIVERSARY OF THE KENNEBEC LAND TRUST**

WHEREAS, the Kennebec Land Trust was established 25 years ago and it has worked with private landowners, towns, lake associations and other partners to conserve working forests, farmland, ecologically important lands and properties that provide public access for outdoor recreation and hunting; and

WHEREAS, during these years, the Kennebec Land Trust has worked to permanently conserve 59 properties that encompass 4,860 acres in 21 towns in central Maine; and

WHEREAS, the trust connects more people with more places in the natural world in Kennebec County than any other private organization, which benefits hunters and hikers, birders and boaters and foresters and farmers; and

WHEREAS, since 1988, volunteers from Kennebec County, as well as college interns from across the country, have helped care for and monitor these lands by building trails, offering hikes for the public, presenting educational programs for schoolchildren, offering sustainable forestry demonstrations for adults and children, holding a summer nature camp and sponsoring an annual lecture series about the natural world; and

WHEREAS, in 2012, the trust's proactive and collaborative approach to conservation was recognized by the Land Trust Alliance, a national organization, as part of its Excellence Program; and

WHEREAS, in 2009, the Kennebec Land Trust and the Maine Forest Service founded the Kennebec Woodland Partnership, a project of 13 organizations working together to advance woodland conservation, and in 2013, with the support of 5 conservation partners, the trust launched the Local Wood Initiative; and

WHEREAS, the Kennebec Land Trust is working to acquire Howard Hill, the scenic forested backdrop to the State House, which the trust intends to permanently protect with a conservation easement for the preservation of its natural, historical and recreational resources; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, pause in our deliberations to celebrate the 25th anniversary of the Kennebec Land Trust and we send our appreciation to the trust's members, past and present, for their commitment to steward in perpetuity the land the trust conserves; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Kennebec Land Trust with our best wishes for continued success.

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

Non-Concurrent Matter

Bill "An Act To Allow for the Equalization of Truck Weights between Maine and Canada for Limited Use at the Border Crossings"

(H.P. 769) (L.D. 1076)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642) in the House on March 4, 2014.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642) AS AMENDED BY SENATE AMENDMENT "B" (S-444)** thereto in **NON-CONCURRENCE**.

On motion of Representative McCABE of Skowhegan, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.P. 1328)

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

March 18, 2014

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 126th Legislature of the citizen initiative petition entitled "An Act To Prohibit the Use of Dogs, Bait or Traps When Hunting Bears except under Certain Circumstances."

Sincerely,

S/Matthew Dunlap

Secretary of State

**STATE OF MAINE
SECRETARY OF STATE**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing valid signatures of 63,626 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on February 3, 2014, requesting that the Legislature consider an act entitled, "An Act To Prohibit the Use of Dogs, Bait or Traps When Hunting Bears except under Certain Circumstances."

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 57,277.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the eighteenth day of March in the year two thousand and fourteen.

S/Matthew Dunlap
Secretary of State

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

Sent for concurrence.

Representative BERRY of Bowdoinham moved that the Bill "An Act To Prohibit the Use of Dogs, Bait or Traps When Hunting Bears Except under Certain Circumstances"

(I.B. 1) (L.D. 1845)

and all accompanying papers be **INDEFINITELY POSTPONED.**

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative BERRY: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I make this motion to Indefinitely Postpone this item out of respect for the process that Maine has of direct democracy and specifically the citizen initiated referendum. The proponents of this proposal have stated from the beginning that they want the people to have the ability to vote on this item, so by this body Indefinitely Postponing the bill, there is no statement of whether we support or oppose the proposed referendum. It is simply a means for us to send this item out to the people and, in the grand Maine tradition, let the people decide. Thank you, Mr. Speaker.

Subsequently, the Bill and all accompanying papers were **INDEFINITELY POSTPONED.**

The Following Communication: (H.C. 383)

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

March 25, 2014

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised that pursuant to Title 3, MRSA, §154, Governor Paul R. LePage has withdrawn his nomination of the following:

On March 24, 2014

Dana A. Saucier of Wallagrass for appointment as a member of the Loring Development Authority.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

The Following Communication: (H.C. 384)

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

March 25, 2014

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

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

Criminal Justice and Public Safety

L.D. 1814

An Act To Create a Secure, Therapeutic Mental Health Unit

Energy, Utilities and Technology

L.D. 1628

An Act To Require a Timely Response by a Gas Company to a Municipal Request for Service Expansion

Labor, Commerce, Research and Economic Development

L.D. 1650

An Act To Create a Program To Provide Training for Unemployed Workers

Transportation

L.D. 1804

Resolve, To Require the Installation of a Fence on the Penobscot Narrows Bridge (EMERGENCY)

Veterans and Legal Affairs

L.D. 1775

An Act To Assist Military Service Members with Access to the Federal Uniformed Services Employment and Reemployment Rights Act of 1994

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,

S/Millicent M. MacFarland

Clerk of House

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Bailee Jiang Carol Bartash, of Lincoln, who has received the Girl Scout Gold Award. This is the highest award in Senior Girl Scouting and is given for excellence in skills development, leadership, personal growth and community service. For her Gold Award project, Bailee planned, developed and completed a project called "Jewels for Survivors." She taught the members of the Cancer Support Group at Penobscot Valley Hospital to make jewelry to sell. They used the money raised to help other cancer patients. We send our congratulations to Bailee on this accomplishment;

(HLS 789)

Presented by Representative GIFFORD of Lincoln.

Cosponsored by Senator CAIN of Penobscot.

On **OBJECTION** of Representative GIFFORD of Lincoln, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Gifford.

Representative GIFFORD: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In my eight years here. I've given out numerous Eagle Scout awards and I'm going to give out another one here today, but this is a special award because this young lady has attained a Girl Scout Gold Award. I've done some research on it and what I've found is it's evolved since 1919. The Girl Scout Gold Award was first introduced in 1980, but it had been known as a Golden Eaglet, the Curve Bow, the First Class Award, throughout Girl Scout history. The Girl Scout Gold Award is the highest award a Girl Scout between 14 and 18 can earn. Currently, between 5 and 6 percent of eligible Girl Scouts earn the Girl Scout award annually. The Gold Award