

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

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Madam Speaker, I'd like to make a statement for the record. I would like to rise in order to say something profound or inspiring, but it's actually precisely the opposite.

The SPEAKER: The Representative from Kennebunk has requested unanimous consent to speak on the record. Hearing no objection, the Representative may proceed.

Representative **BABBIDGE**: Thank you, Madam Speaker. While we're having debate and the Speaker was asking if all had voted and was about to close the vote, I looked up and saw no light behind my name, and leapt for the button and touched it and beat your closing of the vote, only to discover that I had hit the wrong button. So, regarding Roll Call No. 633, had I voted as I had intended on LD 1904, I would have voted nay. Thank you, Madam Speaker.

The SPEAKER: The record shall so reflect.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

An Act To Correct Errors and Inconsistencies in the Laws of Maine (EMERGENCY)

(H.P. 1327) (L.D. 1894)
(C. "A" H-782)

Which was **TABLED** by Representative HERBIG of Belfast pending **PASSAGE TO BE ENACTED** and later today assigned.

Representative ESPLING of New Gloucester inquired if a Quorum was present.

The Chair declared a Quorum present by observation.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker. Permission to ask a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **ESPLING**: There has been some questions about whether this involves Clean Election funding or some changing of a date, and so I'm just looking for someone who could clarify if that's in this bill and what that means. Thank you.

The SPEAKER: The Representative from New Gloucester, Representative Espling, has posed a question through the Chair if there is anyone who is willing and able to answer. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Madam Speaker. It's a good -- the question that the good Representative from New Gloucester asked, in regards to what I believe is a language in this particular bill which is for a \$3.9 million transfer to the Maine Clean Election Fund, is of importance to our side of the aisle, and so if somebody can provide us some guidance on whether or not that's in there, that would be helpful; and I will also ask the Speaker to be recused from this vote. Thank you.

Representative **FREDETTE** of Newport asked leave of the House to be excused from voting on L.D. 1894 pursuant to House Rule 401.12.

The SPEAKER: The Member's request has been denied.

The Chair denied the request.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Luchini.

Representative **LUCHINI**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise just to

try to answer the question that was posed a moment ago. In this errors bill, we do have a correction from the biennial budget. As part of the budget deal, we did make a transfer to move money forward; however, there was an error in how it was drafted, in that it created a negative allocation in the fiscal year 2019, so this does not transfer any new money, it just gives them the authority to spend the money that's already in their account.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 83 voted in favor of the same and 61 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

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

SENATE PAPERS

The following Joint Order: (S.P. 748)

ORDERED, the House concurring, that all matters not finally disposed of when the Legislature adjourns sine die in the Second Regular Session of the 128th Legislature be carried over to the next special session of the 128th Legislature.

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

READ.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on **PASSAGE**.

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

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

Representative **FREDETTE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, as I read the order, and I'm literally reading it in real time because I haven't had a chance to see it nor had a moment to figure it out, as I read this, it says "Ordered, the House concurring, that all matters not finally disposed of when the Legislature adjourns sine die in the Second Regular Session of the 128th Legislature be carried over to the next special session of the 128th Legislature." It presupposes that there is going to be a next special session of the Legislature, and so I would like some clarification on the Order in regards to the implications of what it is implying, as I would ask the Chair: we did just have a vote, which I understood to be a final vote, on the question of whether or not the Second Regular Session of the Maine Legislature was going to adjourn. My understanding is, is that vote did not receive the requisite two-thirds, and therefore, the body would be adjourned only for the purpose of dealing with vetoes of the Chief Executive.

And, so, first of all, what I'm sort of seeing this, sort of in the last hour of the last minute, I'm trying to digest all these words, because, as we've learned in this body, all words have meanings. The word and, or a comma. And, so, I'm going to object to it, first and foremost, for the purpose of preserving my objection on the record, and state that it's not properly before the body; and I'm questioning if the Speaker found something funny in that?

The SPEAKER: The Chair would ask the Representative, are you posing a question to the Chair formally?

Representative **FREDETTE**: Yes.

The SPEAKER: I do find it funny. The Representative may proceed.