

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Ninth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

beginning at Page 1

NAYS 0
ABSENT 2 Sen. Bellows, S. of
Kennebec, Rep. Curtis, P. of
Madison

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Kevin Hancock of Casco, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter S/Donna Bailey
Senate Chair House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 129th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#321)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kevin Hancock** of Casco for appointment to the Maine Indian Tribal-State Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen the Maine Uniform Building and Energy Code"

H.P. 629 L.D. 855

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-619).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-619).**

Report **READ.**

On motion by Senator **DOW** of Lincoln, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Deschambault.

Senator **DESCHAMBAULT:** Thank you, Mr. President. I'd just like to take a moment and explain this. There are so many bills about building codes. This one, basically, is transferring, it's returning, the administration of code enforcement officer training from the Department of Economic and Community Development's Office of Community Development to the Department of Public Safety under the Office of the Fire Marshall, which it was before. It also increases the municipal permit surcharge from \$3 to \$5 and specifies that the surcharge only applies to permits for new construction or renovations that are subject to the Maine Uniform Building and Energy Code. It's a very long bill but what it is it just changes the titles from Community Development to Public Safety. This was supported by our Commissioner of Public Safety.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#322)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GUERIN, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, Report **ACCEPTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

Bill **READ ONCE**.

ENACTORS

Committee Amendment "A" (H-619) **READ** and **ADOPTED**, in concurrence.

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

**Pursuant to Constitution
Public Land**

The Committee on **TAXATION** on Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development"

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps
H.P. 107 L.D. 125
(S "A" S-288 to C "A" H-303)

H.P. 732 L.D. 977

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-621)**.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Carson.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-621)**.

Senator **CARSON:** Thank you, Mr. President. This amendment has some extremely unusual language in it and I move to table until later in today's session.

Report **READ** and **ACCEPTED**, in concurrence.

On motion by Senator **CARSON** of Cumberland, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-621) **READ** and **ADOPTED**, in concurrence.

**Pursuant to Constitution
Public Land**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash

S.P. 594 L.D. 1762
(C "A" S-301)

The Committee on **TAXATION** on Bill "An Act To Amend the Laws Governing the Maine Capital Investment Credit To Ensure Fairness for Maine Businesses"

H.P. 1198 L.D. 1671

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-623)**.

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 35 Senators having voted in the affirmative and no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623)**.

Report **READ** and **ACCEPTED**, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-623) **READ** and **ADOPTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following: