# MAINE STATE LEGISLATURE

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# Legislative Record

## House of Representatives

## One Hundred and Thirty-First Legislature

## State of Maine

## Daily Edition

## First Special Session

Beginning April 5, 2023

Beginning with Page H-277

**In Memory of:**

Robert Lawrence Davee, of Camden. Mr. Davee worked for a number of years in Ohio and Massachusetts before moving to Camden. In 1968, he joined L and M Construction, later renamed Maine Coast Construction, and served as president for 54 years. Active in community service and the Town of Camden, he served as a selectman and Planning Board chairman. He wrote the first Zoning Board ordinance, reorganized the Camden Snow Bowl, applied to the United States Federal Parks and Recreation Commission to obtain Curtis Island, designed and installed a dewatering system at the sewerage treatment plant and also worked on the development of the Camden Opera House building. He founded Mid-Coast Children's Services, served on the board for Coastal Opportunities for 24 years and was a former president of Coastal Workshop. He also served as the President of the Camden Community Health Care Center, Vice-president of Northeast Health and President of Health Connections and was a member of and was named a Paul Harris Fellow by the Camden Rotary. In 2007, he served as the lead project manager in the reconstruction of the Camden Arch. The Town of Camden proclaimed March 13, 1984 to be Robert L. Davee Day in recognition of his extensive community service. In 2019, University of Maine presented him and the Davee family with the Legacy Fogler Award. Mr. Davee will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 220)

Presented by Representative DOUDERA of Camden.
Cosponsored by Senator BEEBE-CENTER of Knox.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

**READ**.

The SPEAKER: The Chair is pleased to recognize the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the good thing about living in a small Maine town for close to 40 years is that you get to know some great people. The bad thing about living in a small Maine town for close to 40 years is that it hits you really hard when these people pass away. For me, there's no better example of this than the recent loss to our community of Bob Davee. Bob was a builder, not just of fine homes but of community. You've heard how he served our town in so many roles, how his efforts touched so many of the places that are landmarks in Camden; Curtis Island, the Snow Bowl, the Opera House and our iconic arch, the same one featured decades ago in the movie Peyton Place. But I think Bob was probably most proud to co-found Mid-Coast Children's Services. It's an organization that provides early intervention and training for the very young handicapped. Because quality health care and creating a dignified life for everybody was something that he truly believed in. Bob built infrastructure and community with kindness. He liked to dance, he had a wonderful, almost mischievous smile, he had a twinkle in his eye. I loved running into him around town and working with him professionally as a Realtor. I could call him up and he'd come and help me out with a client who needed building advice. Not only was he skilled and competent, devoted to his community and his family, but he loved to laugh and share a joke. Bob Davee's legacy lives on in Camden and in our hearts and I am really honored that I called him a friend. Thank you.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

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**REPORTS OF COMMITTEE**
**Divided Report**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Prevent a Conflict of Interest in State Elections by Requiring the Secretary of State to Resign Before Running for Elected Office" (H.P. 301) (L.D. 484)

Signed:
Senators:
NANGLE of Cumberland
BALDACCI of Penobscot
Representatives:
STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
PAULHUS of Bath
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:
Senator:
BRAKEY of Androscoggin
Representatives:
ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

**READ**.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative ANDREWS of Paris **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** 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 Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. We've seen situations in other states where individuals are running for office, big offices like Governor, while they are still Secretary of State. This is less than optimal and far from a best practice for elections. Now, we've seen it in Georgia with a Republican and we recently saw it in Arizona with a Democrat. This is a bipartisan problem that needs a bipartisan solution. Overseeing your own election for another office creates an obvious conflict of interest. This is not a best practice for safe and secure elections and it is my hope that this bill would preemptively avoid a similar situation in Maine. We can avoid facing this embarrassing situation by passing LD 484, a bill that was endorsed by the League of Women Voters. LD 484 is pretty straightforward. It simply requires the sitting Secretary of State of Maine to resign from their office before being allowed to seek another elected office. This is not an undue burden. If anything, it establishes a best practice going forward. As we have seen with the recent news of the Attorney General's sex scandal, our constitutional officers are not infallible people. They are human. We must pass this bill to protect against human nature and its inclination to do what's best for oneself instead of what's right. The sanctity and security of our elections is extremely important to me, as it should be to all of you. The Secretary of State oversees our elections here in Maine and I feel that it is a conflict of interest for the Secretary of State to be overseeing the ballots for their own election to another office in government. The

Legislative Branch has an opportunity to fix this and I would urge you to please follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Underwood.

Representative **UNDERWOOD**: Thank you, Madam Speaker. I'd like to pose a question to the Chamber.

The SPEAKER: The Member will proceed.

Representative **UNDERWOOD**: Thank you, Madam Speaker. And I'd like to pose a question to the Speaker and that is do we want the current Secretary of State to run her own election for Governor? Thank you, Madam Speaker.

The SPEAKER: The Member has posed a question to anyone who cares to answer.

A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 28**

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Murphy, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Collings, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Libby, Lookner, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Russell, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Boyer, Bridgeo, Dhalac, Eaton, Galletta, Lajoie, Lanigan, Lemelin, Moriarty, O'Connell, Sheehan.

Yes, 73; No, 66; Absent, 11; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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**CONSENT CALENDAR**
**First Day**

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

(S.P. 19) (L.D. 27) Bill "An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(S.P. 53) (L.D. 114) Bill "An Act to Make Technical Amendments to Banking Laws" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)**

(S.P. 239) (L.D. 568) Bill "An Act to Provide Funding for the Fund to Address Food Insecurity and Provide Nutrition Incentives" (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)**

(S.P. 240) (L.D. 569) Bill "An Act to Allow the Adjutant General to Sell the Houlton Armory" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-10)**

(H.P. 139) (L.D. 218) Bill "An Act to Clarify Maine Law Regarding Background Checks for the Office of Child and Family Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 328) (L.D. 523) Resolve, Regarding Legislative Review of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed Personal Assistance Services, Major Substantive Rules of the Department of Health and Human Services, Office of Aging and Disability Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** and sent for concurrence.

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

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**ENACTORS**
**Acts**

An Act to Provide Free Admission to State Parks and Historic Sites for the Immediate Family Members of Veterans and Active Military Personnel

(H.P. 31) (L.D. 56)
(C. "A" H-9)

An Act to Improve Family Economic Security Under the Temporary Assistance for Needy Families Program

(H.P. 50) (L.D. 80)

An Act to Expand the List of Persons Exempt from the Real Estate Transfer Tax

(H.P. 131) (L.D. 210)
(C. "A" H-10)

An Act to Allow the Department of Health and Human Services to Authorize Standing Orders

(H.P. 180) (L.D. 282)

An Act to Amend the Law Regarding Foreign Subpoenas

(H.P. 264) (L.D. 431)

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.

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