

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 6, 2016

beginning at page H-1188

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
SECOND REGULAR SESSION  
10th Legislative Day  
Thursday, February 4, 2016

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

Prayer by The Reverend John A. Balicki, St. Mark's Episcopal Church, Waterville.

National Anthem by Auburn Middle School Select Choir.

Pledge of Allegiance.

Doctor of the day, Richard Swett, M.D., Dover-Foxcroft.

The Journal of Tuesday, February 2, 2016 was read and approved.

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 629)

**JOINT RESOLUTION RECOGNIZING FEBRUARY AS  
TURNER SYNDROME AWARENESS MONTH**

WHEREAS, Turner syndrome is a chromosomal disorder that involves the lack of all or part of a second X chromosome and that affects one in 2,500 live female births and is characterized by a cluster of symptoms ranging from mild to life-threatening; and

WHEREAS, the cause of Turner syndrome is not presently known but appears to be the result of random error during the formation of either the sperm or the egg; and

WHEREAS, Turner syndrome can be diagnosed early during pregnancy through prenatal testing methods such as amniocentesis; and

WHEREAS, early diagnosis facilitates prevention or remediation of growth failure, hearing problems and learning difficulties; and

WHEREAS, there is presently no cure for Turner syndrome but there are treatment options and support groups available that can help a woman with Turner syndrome to live a happy and healthy life; and

WHEREAS, women with Turner syndrome have a high risk of aortic dissection; and

WHEREAS, Turner syndrome carries an increased risk of nonverbal learning disorders and these impairments can cause problems with math, visual-spatial skills, executive function skills and job retention; and

WHEREAS, a disproportionately small amount of funding is available for Turner syndrome research and support; and

WHEREAS, increased awareness of Turner syndrome among health care professionals and the public will help to encourage affected girls and women to seek treatment and utilize support groups, to promote early diagnosis and to raise support for organizations that are dedicated to improving the lives of people with Turner syndrome; and

WHEREAS, the establishment of Turner Syndrome Awareness Month will provide the opportunity to share experiences and information with the public and the media and raise public awareness about Turner syndrome; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize February as Turner Syndrome Awareness Month.

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

**READ** and **ADOPTED** in concurrence.

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**COMMUNICATIONS**

The Following Communication: (H.C. 431)

**MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL**

January 29, 2016

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Hancock County Commissioners on January 12, 2016:

Millard A. Billings of Franklin

The County asks that this nomination be considered to fill both the remainder of the term that ends July 9, 2016 which was recently vacated and the four-year term that begins on July 10, 2016 which is scheduled to be filled by Hancock County.

Pursuant to 12 MRSA §683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/Grant T. Pennoyer

Executive Director

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 434)

**SENATE OF MAINE  
127TH LEGISLATURE  
OFFICE OF THE PRESIDENT**

February 1, 2016

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Senate Rule 201.3,1 have appointed Senator Stan Gerzofsky to serve on the Joint Standing Committee on Inland Fisheries and Wildlife, replacing former member, the Honorable David E. Dutremble.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 432)

**MAINE TECHNOLOGY INSTITUTE  
8 VENTURE AVENUE  
BRUNSWICK LANDING  
BRUNSWICK, MAINE 04011**

February 1, 2016

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:  
Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Maine Technology Institute (MTI) due by February 1, 2016.  
Please contact me if you have any questions or need additional information. Thank you.

Sincerely,  
S/Brian Whitney  
President

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

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The Following Communication: (H.C. 433)  
**CHILD DEVELOPMENT SERVICES  
STATE INTERMEDIATE EDUCATIONAL UNIT  
146 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

February 1, 2016  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Honorable Michael D. Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:  
Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Child Development Services State IEU due by February 1, 2016.  
Please contact me if you have any questions or need additional information. Thank you.

Sincerely,  
S/Cindy L. Husson Brown  
CDS State Director

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

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The Following Communication: (H.C. 435)  
**NORTHERN NEW ENGLAND PASSENGER RAIL AUTHORITY  
75 WEST COMMERCIAL STREET, SUITE 104  
PORTLAND, MAINE 04101-4631**

January 25, 2016  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

RE: Statutory Citation P.L. 2011 c. 616: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear Speaker Eves:  
Please find enclosed the Northern New England Passenger Rail Authority's annual report as required under section 12023 (2) "Ongoing Reports" of the Statutory Citation referenced above.  
Required Reports:

- 2A. A list of all procurements exceeding \$10,000 in the preceding year (NNEPRA Fiscal Year 2015) for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3 - Attached.

- 2B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each - Attached.

- 2C. Changes made to the written policies and procedures required by section 12022 are as follows:

Procurement Policy Added Language:

- a. Small purchases are relatively simple and informal purchases involving the acquisition of services, supplies or other property that cost at least \$3,000 but less than the federal simplified acquisition threshold, currently fixed at \$150,000.
- b. Revenue contracts are third party contracts whose primary purpose is to generate revenues. Advertising, concession stands, use of right-of-ways, licenses and land leasing are some examples of revenue contracts.

A competitive process (i.e.; Request for Proposals, Request for Quotes) usually will be followed. NNEPRA will consider each proposed revenue contract on an individual basis for the appropriate competitive selection procedures. The consideration process will be documented. All necessary steps will be taken to ensure that DBEs have maximum opportunity to compete for revenue contracts.

- c. Advance Payments: NNEPRA will not issue advance payments to contractors without prior concurrence from FTA by submitting a written request to the FTA Region 1 Deputy Administrator.
- d. References:

OMB Uniform Administrative Requirements-Super Circular (12/2014) 2 CFR part 200 and 2 CFR part 1201

There were no changes to the procedures used by the governing body to monitor compliance with those policies and procedures.

Sincerely,  
S/Mr. Martin Eisenstein  
Chairman  
Northern New England Passenger Rail Authority  
S/Ms. Patricia Quinn  
Executive Director  
Northern New England Passenger Rail Authority

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

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The Following Communication: (H.C. 436)  
**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

February 4, 2016  
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. 1387 An Act Regarding the State Board of Corrections

Judiciary  
L.D. 267 An Act To Implement the Recommendations of the Truth and Reconciliation Commission

Sincerely,  
S/Robert B. Hunt  
Clerk of House

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, To Name the Naples Bay Bridge on U.S. Route 302 in the Town of Naples the Robert Neault Memorial Bridge (H.P. 1074) (L.D. 1582)

Sponsored by Representative POWERS of Naples. Cosponsored by Senator DIAMOND of Cumberland. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

Sent for concurrence.

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

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**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 37)

**ORDERED**, that Representative Paul Chace of Durham be excused February 2 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused January 12 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Gary E. Sukeforth of Appleton be excused January 28 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Stephen J. Wood of Greene be excused January 28 for personal reasons.

**READ** and **PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

The Town of Weld on the occasion of its 200th Anniversary. The town was incorporated in 1816 and named for Benjamin Weld of Boston, one of the area's first proprietors. Set beside magnificent Webb Lake and surrounded by majestic peaks, including Mount Blue and Tumbledown Mountain, Weld is famous for its recreational opportunities and scenic beauty. It is the host community of Mount Blue State Park and has been the home and inspiration of artists throughout its history. The Weld Bicentennial Committee has scheduled a full year of events to celebrate this milestone, from New Year's fireworks through fishing derbies, parades, concerts, hikes, picnics, a street dance, a Lake Day celebration full of activities on, over and around Webb Lake, a craft fair, seasonal garden tours, a cider pressing, historic home and camp tours, a harvest supper and a community tree lighting and carol sing. We extend to the citizens of Weld our congratulations on this bicentennial and best wishes for the future;

(HLS 997)

Presented by Representative SKOLFIELD of Weld.

Cosponsored by Senator SAVIELLO of Franklin.

On **OBJECTION** of Representative SKOLFIELD of Weld, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise today to recognize my hometown of Weld and the year-long celebration of its 200th anniversary of its incorporation. I am a seventh generation Mainer and a 5th generation Weld native. It is with great pride that I represent the people of Weld, a gateway to the High Peaks Region of Maine. I consider it a very special privilege, indeed, to represent them in this chamber during this year of their Bicentennial celebration.

On February 8th, 1816, the Legislature of the Commonwealth of Massachusetts passed and the Governor approved the incorporation of Number 5 Township, in the Province of Maine, as the Town of Weld. Little did those early settlers realize that they were about to enter into a time of great struggle and difficulty. You see, the year 1816 was known as the year without a summer, or "eighteen hundred and froze to death." Below freezing temperatures were reported to have occurred each and every month of that year. Crops planted in the spring did not grow that summer. There was no harvest that fall. In the days of self-sufficiency, the next winter was disastrous. Old cemetery stones provide testimony to their ultimate struggle.

Those stalwart men and women and children who survived, persevered. Their courage, tenacity, hard work, ingenuity, and perhaps most importantly, their faith carried them through and kept them alive. Those of us here today cannot attempt to comprehend what hardships those folks endured. Those who managed to survive that year, along with all the years that followed, went on to build and grow the Town of Weld, along with other towns all across our state and nation.

For the past two hundred years the good people of Weld have been born, become adults, raised families, worked hard, and passed to their great reward. Many of the current inhabitants of Weld can be traced to those early pioneers; yours truly among them. We remember and pay tribute to those countless souls who, over the past two centuries, have made us the people and the community we are today.

The preparations and arrangements of this year-long celebration have been in the making for a number of years—a couple of decades, in fact. Accomplishing all of this has taken hours and hours of commitment by a number of people. I want to recognize the dedication, the talent, and the hard work of the Weld Bicentennial Committee. I thank the members of that committee for all they have done and all they will continue to do, as the monthly celebratory events unfold throughout 2016. Thank you, Mr. Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

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**Recognizing:**

Kelli Kennedy, of Milbridge, a senior at Narraguagus High School, who scored her 1,000th career point in basketball on January 4, 2016. Kelli has been selected to the All-State Academic First Team for volleyball. She has been named a Downeast Athletic Conference All-Star 3 times for basketball, twice for volleyball and once for softball. Her aspiration is to

continue her education and spend her life in service to others. We extend our congratulations and best wishes to Kelli on her achievements;

(HLS 998)

Presented by Representative ALLEY of Beals.  
Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative ALLEY of Beals, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Beals, Representative Alley.

Representative **ALLEY**: Thank you, Mr. Speaker and distinguished guests and people in the House, I stand today before you to tell you a little bit about Kelli. My wife and I have attended a lot of the basketball games. Our granddaughter plays on the same team. She is an inspiration to us all, to say that. An athlete, she has high honors, as you can tell, she's athletic all the way. And she has been, there's been a couple of schools, colleges, that kind of liked what she does and that's Bates and Colby. I think that's pretty good test right there. And the team that she beat—well, she didn't beat, but the team beat, Narraguagus beat—that night was my hometown team, Jonesport and Beals. So, I thought that was pretty good to score 1,000 points against them and I appreciate the parents coming today and being with us. Her parents are as dedicated as she is to sports and academics. And I'd like to hope that she always does well wherever she goes and she makes us all proud. Thank you.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

**Recognizing:**

Kaci Alley, of Jonesport, a student at Jonesport Elementary School, who is Maine's winner in the Veterans of Foreign Wars Patriot's Pen essay contest. Kaci is automatically eligible to enter at the national level. We extend our congratulations and best wishes to her on this achievement;

(HLS 999)

Presented by Representative ALLEY of Beals.  
Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative ALLEY of Beals, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

**CONSENT CALENDAR**

**First Day**

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

(S.P. 572) (L.D. 1474) Bill "An Act To Provide for the 2016 and 2017 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-348)**

(H.P. 704) (L.D. 1021) Bill "An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-511)**

(H.P. 967) (L.D. 1421) Bill "An Act To Establish a Tax-free Savings Program for Individuals with Disabilities" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-509)**

(H.P. 1029) (L.D. 1506) Bill "An Act To Make Additional Technical Changes to Recently Enacted Tax Legislation Concerning Pension Income" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-510)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

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

(H.P. 1020) (L.D. 1497) Bill "An Act To Align the Child and Family Services and Child Protection Act with the Federal Preventing Sex Trafficking and Strengthening Families Act" (EMERGENCY)

No objections having been noted at the end of the Second Legislative Day, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 2, 2016, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Camden Hills Regional High School Mountain Bike Team

(HLS 961)

**TABLED** - January 21, 2016 (Till Later Today) by Representative WELSH of Rockport.

**PENDING - PASSAGE.**

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

The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 632)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 9, 2016 at 10:00 in the morning.

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 SANDERSON of Chelsea, the House adjourned at 11:18 a.m., until 10:00 a.m., Tuesday, February 9, 2016, pursuant to the Joint Order (S.P. 632) and in honor and lasting tribute to Ronald Dolloff, of Waldoboro.