

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 5, 2018

pages 1 -

ONE HUNDRED TWENTY-NINTH LEGISLATURE
SECOND REGULAR SESSION
8th Legislative Day
Tuesday, February 4, 2020

Representative COOPER of Yarmouth assumed the Chair.

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

Prayer by Reverend Shane Stoops, First United Pentecostal Church of Augusta.

National Anthem by Reverend Shane Stoops, First United Pentecostal Church of Augusta.

Pledge of Allegiance.

Doctor of the day, John Garrett, D.O., West Gardiner.

The Journal of Thursday, January 30, 2020 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 305)

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

February 4, 2020

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Janice E. Cooper of Yarmouth to serve as Speaker Pro Tem to convene the House on Tuesday, February 4, 2020.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 306)

**MAINE STATE HOUSING AUTHORITY
353 WATER STREET
AUGUSTA, MAINE 04330-4633**

January 30, 2020

Honorable Troy D. Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Maine State Housing Authority due by February 1, 2020.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Peter Merrill

Deputy Director

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 307)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS
January 30, 2020**

The Honorable Troy D. Jackson

President of the Senate

The Honorable Sara Gideon

Speaker of the House of Representatives

129th Legislature

State House

Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Health and Higher Educational Facilities Authority under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Maine Health and Higher Educational Facilities Authority by letter dated April 29, 2019 of its intent to conduct a review. The Maine Health and Higher Educational Facilities Authority submitted its report in October of 2019 and presented the report to the committee on January 27, 2020. The committee has reviewed the report and finds that the Maine Health and Higher Educational Facilities Authority is operating within its statutory authority.

Sincerely,

S/Senator Rebecca J. Millett

Senate Chair

S/Representative Victoria P. Kornfield

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 308)

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

February 4, 2020

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Criminal Justice and Public Safety has approved the request by the sponsor, Senator Deschambault of York, to report the following "Leave to Withdraw":

L.D. 1982

Resolve, Directing the Department of Public Safety To Conduct a Study To Develop Best Practices for Improving the Security of Municipal Properties

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Representative Doudera of Camden, to report the following "Leave to Withdraw":

L.D. 380

An Act To Revise the Calculation of Tolls Established for the Maine State Ferry Service

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Senator Herbig of Waldo, to report the following "Leave to Withdraw":

L.D. 599 An Act To Ensure Fair Access and Pricing for Residents Who Use the Maine State Ferry Service

Sincerely,
S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (H.C. 309)
EFFICIENCY MAINE

January 30, 2020
Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333-0003
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Jackson and Speaker Gideon:
Pursuant to 5 MRSA, Section §12023, I am pleased to deliver this the letter of transmittal for the required report from Efficiency Maine Trust due by February 1, 2020.
Please contact me if you have any questions or need additional information.

Thank you.
Sincerely,
S/Michael D. Stoddard
Executive Director

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

The Following Communication: (H.C. 310)
**NORTHERN NEW ENGLAND
PASSENGER RAIL AUTHORITY
75 W. COMMERCIAL STREET, SUITE 104
PORTLAND, MAINE 04101**

January 27, 2020
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Gideon:

Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Northern New England Passenger Rail Authority (NNEPRA) due by February 1, 2020.

Please contact me if you have any questions or need additional information.
Thank you.

Sincerely,
S/Mr. John Melrose
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.**

The Following Communication: (H.C. 311)
**MAINE MARITIME ACADEMY
CASTINE, MAINE 04420**

January 29, 2020
Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:
Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Maine Maritime Academy due by February 1, 2020.
Please contact me if you have any questions or need additional information.

Thank you.
Sincerely,
S/ Alice Herrick
Director of Fiscal Operations for Maine Maritime Academy

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

The Following Communication: (H.C. 312)
**MAINE MUNICIPAL BOND BANK
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 30, 2020
Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:
Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Maine Municipal Bond Bank due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at Terry@mmbb.com.

Thank you.
Sincerely,
S/Terry Hayes
Executive Director

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

The Following Communication: (H.C. 313)
**MAINE HEALTH AND HIGHER
EDUCATIONAL FACILITIES AUTHORITY
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 30, 2020
Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:
Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Maine Health and Higher Educational Facilities Authority due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-1958 or by email at Terry@mhhefa.com.

Thank you.

Sincerely,
S/Terry Hayes
Executive Director

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

The Following Communication: (H.C. 314)
**MAINE GOVERNMENTAL FACILITIES AUTHORITY
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 30, 2020
Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:
Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Maine Governmental Facilities Authority due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at Terry@mgfa.com.

Thank you.

Sincerely,
S/Terry Hayes
Executive Director

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

The Following Communication: (H.C. 315)
**MAINE PERS
PUBLIC EMPLOYEES RETIREMENT SYSTEM
139 CAPITOL STREET
AUGUSTA, MAINE 04332**

January 30, 2020
Honorable Sara Gideon

Speaker of the Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

The Maine Public Employees Retirement System (MainePERS) is submitting the enclosed report pursuant to 5 M.R.S. §12023 to provide information on procurement, contributions, and changes to relevant policies and procedures by MainePERS during Fiscal Year 2019.

We would be pleased to respond to any questions you might have about the report.

Sincerely,
S/Sandra J. Matheson
Executive Director

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

The Following Communication: (H.C. 316)
**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

February 4, 2020
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:

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

Taxation

L.D. 133 An Act To Fully Restore State-Municipal Revenue Sharing for Fiscal Year 2018-19 (EMERGENCY)

L.D. 564 An Act To Encourage the Installation of Solar Panels on Residential Property

L.D. 1076 An Act To Account for Market Change in the Adult Use Marijuana Excise Tax

L.D. 1163 An Act Regarding Energy, Utilities and Technology

Transportation

L.D. 83 An Act To Amend the Law Regarding Resale by a Motor Vehicle Dealer To Permit the Dealer To Use a Copy of a Certificate of Title

L.D. 778 An Act To Create the Fund for Municipalities To Improve Pedestrian Safety

L.D. 1390 An Act To Fund Saco Area Traffic Improvements

L.D. 1533 An Act To Eliminate Registration Plate Decals

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (H.C. 317)
MAINE TURNPIKE AUTHORITY
2360 CONGRESS STREET
PORTLAND, ME 04102

January 29, 2020

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Re: *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 Gideon,

Enclosed are the reports required under 5 MRSA §12023, due February 1, 2020. The reports include: a list of all procurements in 2019 exceeding \$10,000 for which competitive procurement was waived; a list of contributions made in 2019 that exceed \$1,000. Section 12023(2c) requires a description of changes to the written policies and procedures required by Section 12022. There were no changes to the policies and procedures required by this section in 2019, therefore, there is nothing to report.

In 2019, the Maine Turnpike Authority made \$147 million in payments to approximately 700 vendors. The vast majority of these payments, approximately \$134 million, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$12 million in 2019. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Respectfully,
S/Peter Mills

Executive Director

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

The Following Communication: (S.C. 870)

MAINE SENATE
129th LEGISLATURE

January 30, 2020

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear Speaker Gideon:

In accordance with 3 MRSA §158 and Joint Rule 506 of the 129th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Judiciary,

- Stephen D. Nelson of Houlton for appointment as a Superior Court Justice.
- Thomas R. McKeon, Esq. of Falmouth for appointment as a Superior Court Justice.
- Roland A. Cole of Wells for appointment as an Active Retired Justice of the Superior Court.

Best Regards,
S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Save Lives by Capping the Out-of-pocket Cost of Certain Medications"

(H.P. 1493) (L.D. 2096)

Sponsored by Speaker GIDEON of Freeport.

Cosponsored by President JACKSON of Aroostook and Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, AUSTIN of Gray, BABINE of Scarborough, BAILEY of Saco, BICKFORD of Auburn, BRADSTREET of Vassalboro, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CARDONE of Bangor, CARNEY of Cape Elizabeth, CLOUTIER of Lewiston, COLLINGS of Portland, COOPER of Yarmouth, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, DAUGHTRY of Brunswick, DENK of Kennebunk, DILLINGHAM of Oxford, DODGE of Belfast, DOLLOFF of Runkford, DOORE of Augusta, DOUDERA of Camden, DRINKWATER of Milford, DUNPHY of Old Town, EVANGELOS of Friendship, FARNSWORTH of Portland, FAY of Raymond, FECTEAU of Augusta, FECTEAU of Biddeford, GATTINE of Westbrook, GRAMLICH of Old Orchard Beach, GROHOSKI of Ellsworth, HANDY of Lewiston, HANINGTON of Lincoln, HARNETT of Gardiner, HEAD of Bethel, HEPLER of Woolwich, HICKMAN of Winthrop, HOBBS of Wells, HUBBELL of Bar Harbor, HYMANSON of York, INGWERSEN of Arundel, JORGENSEN of Portland, KESCHL of Belgrade, KORNFELD of Bangor, LANDRY of Farmington, MADIGAN of Waterville, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, MATLACK of St. George, MAXMIN of Nobleboro, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, McLEAN of Gorham, MELARAGNO of Auburn, MEYER of Eliot, MILLETT of Waterford, MOONEN of Portland, MORALES of South Portland, MORIARTY of Cumberland, NADEAU of Winslow, NEWELL of the Passamaquoddy Tribe, O'CONNOR of Berwick, O'NEIL of Saco, PAULHUS of Bath, PEBWORTH of Blue Hill, PERRY of Calais, PERRY of Bangor, PICKETT of Dixfield, PIERCE of Falmouth, PLUECKER of Warren, PRESCOTT of Waterboro, RECKITT of South Portland, RILEY of Jay, RISEMAN of Harrison, ROBERTS of South Berwick, RYKERSON of Kittery, SAMPSON of Alfred, SCHNECK of Bangor, SHEATS of Auburn, STANLEY of Medway, STEARNS of Guilford, STEWART of Presque Isle, STOVER of Boothbay, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, WARREN of Hallowell, WHITE of Waterville, ZEIGLER of Montville, Senators: BELLOWS of Kennebec, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CLAXTON of Androskoggin, CYRWAY of Kennebec, DESCHAMBAULT of York, DILL of Penobscot, DOW of Lincoln, GRATWICK of Penobscot, HERBIG of Waldo, LUCHINI of Hancock, MILLETT of Cumberland, SANBORN, L. of Cumberland, VITELLI of Sagadahoc.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

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

The following items were taken up out of order by unanimous consent:

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Bates Outing Club, at Bates College in Lewiston, on its 100th Anniversary. The Bates Outing Club is one of the oldest collegiate outing clubs in the country and was the first at a private college to include both men and women as members. All members of the college community, and all alumni, are members, and it is one of the few remaining completely student-run organizations of its kind. The club provides outdoor opportunities and access to necessary equipment to all its participants, introducing generations to core outdoor activities, and provides inspiration to Bates students to pursue careers in the fields of outdoor and experiential education and exploration and the natural and environmental sciences. We extend our congratulations and best wishes;

(SLS 1023)

On **OBJECTION** of Representative BAILEY of Saco, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Saco, Representative Bailey.

Representative **BAILEY**: Thank you, Madam Speaker, Men and Women of the House. I rise to offer my congratulations to my alma mater, Bates College, and its Outing Club on its 100th anniversary.

When I was attending Bates from '79 to '83, on campus, like I think probably in many school campuses even nowadays and back then, there were those students who played competitive sports really well, there were those students who were really smart and brilliant and, you know, finding new discoveries in the chemistry lab, there were those campus leaders who were RAs and leading causes and marches and student government. I was none of those, so, I joined the Outing Club, which was a wonderful, eclectic mix of students who the only thing we had in common was the love of the outdoors. And we went hiking and we went canoeing and kayaking and rock climbing and just, it was a wonderful way to explore Maine and New Hampshire and its outdoors and I just want to offer my congratulations to the Outing Club and wish them another 100 years. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** in concurrence.

Recognizing:

Makenzie Mayo, of Oakland, a senior at Messalonskee High School, who is a recipient of a 2020 Principal's Award for outstanding academic achievement and citizenship, sponsored by the Maine Principals' Association. We extend our congratulations and best wishes;

(HLS 817)

Presented by Representative PERKINS of Oakland. Cosponsored by Senator POULIOT of Kennebec, Representative MADIGAN of Waterville.

On **OBJECTION** of Representative PERKINS of Oakland, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Madam Speaker, Ladies and Gentlemen of the House, it gives me great pleasure and honor to rise today in recognition of Makenzie Mayo for outstanding achievement academically and being a great citizen of Oakland. She's on a number of clubs. She started a Volleyball Club at the high school, Messalonskee High School, she's on the Key Club, was president of her class, just an outstanding young lady and congratulations to her and her parents for raising an outstanding child. Thank you.

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

Recognizing:

the Monmouth Academy Cheerleading Team, which won the Class C South Championship. We extend our congratulations and best wishes;

(HLS 819)

Presented by Representative ACKLEY of Monmouth.

Cosponsored by Senator BELLOWES of Kennebec, Representative HICKMAN of Winthrop.

On **OBJECTION** of Representative ACKLEY of Monmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Town of Winter Harbor, which is celebrating the 125th Anniversary of its incorporation on February 21, 2020. Winter Harbor was originally settled in 1762 as a plantation known as "Musquito Harbor" and was renamed in 1854. Its schooners transported lumber and laths back and forth to Boston and the Canadian provinces in the 1830s; for much of the 1800s, most workers were employed in the cod ground fishery. As an outcome of the development of the summer colony on Grindstone Neck, the town incorporated in 1895. We extend our congratulations and best wishes;

(HLS 820)

Presented by Representative FAULKINGHAM of Winter Harbor.

Cosponsored by Senator MOORE of Washington.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker. I request unanimous consent to address the House on record.

The SPEAKER PRO TEM: The Representative has requested unanimous consent to address the House on the

record. Hearing no objection, the Representative may proceed on the record.

Representative **MORRIS**: Thank you, Madam Speaker. I rise today to recognize some students from my local high school. My alma mater, Leavitt Area High School, we have some special students here today; a couple young ladies that were co-champions of the girls' high school golf. When I was in high school back, I graduated in 2001 from Leavitt, there was a teacher there named Harry Haylock and today his daughter is one of the, he must be especially proud, he's here today as well with his daughter, Ruby, who worked hard. He's coached her for many years at golf and she was one of the co-champions for girls' high school golf.

I also want to recognize Morghan Dutil from Turner, who also worked hard and was her co-champion and all the hard work, she grew up on the golf course in Turner, all the hard work that goes into that, it's a very special accomplishment.

I also want to recognize the Leavitt football team. They won the Class C State Championship last fall. It's the third championship for Mike Hathaway. We refer to him in town as Maine's Bill Belichick. This one also is a very, but this one has to be very special among the championships that he has won as his son, Wyatt, was the quarterback this year, who really led the team well to victory and he was also recognized as being the All-Region Football Player of the Year by the *Sun Journal*.

So, very pleased to have them here today and recognize them for all their hard work and all the accomplishments that they have put in and I'm very pleased to have them recognized in here today. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Greene, Representative Martin, who wishes to address the House on the record.

Representative **MARTIN**: Thank you, Madam Speaker Pro Tem. I stand to recognize all the Leavitt athletes and congratulate them on their success and wish them well in their future endeavors.

I would also like to recognize Jonathan Schomaker, who is the first cross-country wheelchair champion in Maine and, as far as we know, in the U.S. I want to recognize the Schomaker family for bringing an issue to our attention last year. Jonathan had competed for four years in track throughout his high school career but never was able to compete at the championship level. So, at their request, with the good work of the Senator from Turner and Representative from Turner, we lobbied the MPA to allow him to compete in the State Championship and so, they have a wheelchair class, which he was first place in. So, we are hoping that this will spread across the U.S. and be a real competitive class and, as we all say, as Maine goes, so goes the Nation. Thank you.

The Speaker resumed the Chair.
The House was called to order by the Speaker.

ORDERS

On motion of Representative **WHITE** of Washburn, the following Joint Resolution: (H.P. 1491) (Cosponsored by Senator **FARRIN** of Somerset and Representatives: **DILLINGHAM** of Oxford, **FECTEAU** of Augusta, **HANINGTON** of Lincoln, **HARRINGTON** of Sanford, **JOHANSEN** of Monticello, **ORDWAY** of Standish, Senators: **CYRWAY** of Kennebec, **TIMBERLAKE** of Androscoggin)

JOINT RESOLUTION DESIGNATING JUNE 27, 2020 AS POST-TRAUMATIC STRESS INJURY AWARENESS DAY

WHEREAS, all veterans of the United States Armed Forces possess the basic human right to the preservation of personal dignity and deserve the investment of every possible resource to ensure their lasting physical, mental and emotional well-being; and

WHEREAS, the diagnosis known as post-traumatic stress disorder, or PTSD, was initially formulated in 1980 by the American Psychiatric Association to more accurately assess and assist veterans who had endured severe combat stress in Vietnam; and

WHEREAS, combat stress is an invisible wound that has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and the word "disorder" carries a stigma that perpetuates this misconception; and

WHEREAS, it has been shown through electromagnetic imaging that these invisible wounds can cause physical changes to the brain that more accurately indicate an injury than a disorder; and

WHEREAS, referring to invisible wounds as a disorder may discourage the injured from seeking proper and timely medical treatment; and

WHEREAS, referring to invisible wounds as post-traumatic stress injury, or PTSI, is less stigmatizing and viewed as more honorable, and this designation can favorably influence those affected and encourage them to seek treatment without fear of retribution or shame; and

WHEREAS, post-traumatic stress injury can occur following exposure to extremely traumatic events other than combat such as, but not exclusive to, interpersonal violence, life-threatening accidents and natural disasters; and

WHEREAS, post-traumatic stress injury satisfying the criteria for a diagnosis of post-traumatic stress disorder in the Diagnostic and Statistical Manual of Mental Disorders deserves disability compensation equal to that allowed for PTSD under the law; and

WHEREAS, while all citizens suffering post-traumatic stress injuries deserve our compassion and consideration, those brave men and women of the United States Armed Forces who have received these wounds in operational action against an enemy of the United States further deserve our clear and obvious recognition; and

WHEREAS, timely and appropriate treatment of post-traumatic stress injury can diminish complications and avert suicides; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to designate June 27, 2020 as Post-Traumatic Stress Injury Awareness Day and respectfully urge the Department of Health and Human Services and the Department of Defense, Veterans and Emergency Management to continue working to educate victims of interpersonal violence, combat, life-threatening accidents or natural disasters and their families, as well as the general public, about the causes, symptoms and treatment of post-traumatic stress injury.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative **DILLINGHAM** of Oxford, the following Joint Resolution: (H.P. 1490) (Cosponsored by Representatives: **ANDREWS** of Paris, **AUSTIN** of Gray, **DOLLOFF** of Rumford, **FECTEAU** of Augusta, **KESCHL** of

Belgrade, KINNEY of Knox, MILLETT of Waterford, SKOLFELD of Weld)

(H.P. 145) (L.D. 182)

JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE A BALANCED BUDGET AMENDMENT

RESOLVED: That the Legislature of Maine hereby applies to the Congress of the United States, under the provisions of the United States Constitution, Article V, for the calling of a convention of the states limited exclusively to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal appropriations made by the Congress of the United States for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

RESOLVED: That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including but not limited to previously adopted applications, and this application must be aggregated with those applications for the purpose of reaching the two-thirds of the several states necessary to require the calling of a convention, but may not be aggregated with any applications on any other subject; and be it further

RESOLVED: That this application constitutes a continuing application in accordance with the United States Constitution, Article V until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this Legislature on the same subject; and be it further

RESOLVED: That the Secretary of State shall transmit copies of this application to the President of the United States Senate and the Secretary of the United States Senate and to the Speaker of the United States House of Representatives and the Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives of this State and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

READ.

On motion of Representative DILLINGHAM of Oxford, **TABLED** pending **ADOPTION** and later today assigned.

Reporting that it be **REFERRED** to the Committee on **JUDICIARY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1341) (L.D. 1875) Bill "An Act Regarding the Naming of Bridges and Designating Bridge 5818 as the Specialist Wade A. Slack Memorial Bridge" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1349) (L.D. 1883) Bill "An Act Regarding the Recommendations of the Federal Traumatic Brain Injury State Partnership Program Concerning the Membership of the Acquired Brain Injury Advisory Council" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 190) (L.D. 227) Bill "An Act To Strengthen Maine's Public Health Infrastructure" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-667)**

(H.P. 777) (L.D. 1054) Bill "An Act To Clarify the Use of Burying Grounds and Family Burying Grounds" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-669)**

(H.P. 1346) (L.D. 1880) Bill "An Act To Repeal and Replace the Canton Water District Charter" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-670)**

(H.P. 1362) (L.D. 1908) Bill "An Act To Establish First Responders Day as a State Holiday on September 11th" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-668)**

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

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

REPORTS OF COMMITTEE

Refer to the Committee on Judiciary

Pursuant to Joint Order

Representative BAILEY for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act"

(H.P. 1492) (L.D. 2094)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Joint Order 2019, H.P. 1307.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

ENACTORS

Emergency Measure

An Act To Address Student Hunger with a "Breakfast after the Bell" Program

(S.P. 99) (L.D. 359)

(S. "B" S-373 to C. "A" S-78)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Create Affordable Workforce and Senior Housing and Preserve Affordable Rural Housing

(H.P. 1180) (L.D. 1645)

(S. "A" S-374)

Change of Committee

Representative WARREN from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Maine Bail Code Regarding the Financial Capacity of a Defendant To Post Bond"

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative MOONEN of Portland, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment, Thursday, January 30, 2020, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues

(H.P. 937) (L.D. 1294)

TABLED - January 14, 2020 (Till Later Today) by Representative TALBOT ROSS of Portland.

PENDING - Motion of same Representative to **SUSPEND THE RULES** for the purpose of **RECONSIDERATION**.

Subsequently, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On motion of Representative TALBOT ROSS of Portland, the House **RECONSIDERED** its action whereby the Resolve was **FINALLY PASSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED** House Amendment "A" (H-666) which was **READ** by the Clerk and **ADOPTED**.

Subsequently, the Resolve was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-666)** in **NON-CONCURRENCE** and sent for concurrence.

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

SENATE PAPERS

Bill "An Act Regarding Net Energy Billing Limits"

(S.P. 744) (L.D. 2093)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Require Appropriate Coverage of and Cost-sharing for Generic Drugs and Biosimilars"

(S.P. 745) (L.D. 2095)

Came from the Senate, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

Resolve, To Establish the Maine Spaceport Complex Leadership Council

(S.P. 743) (L.D. 2092)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

The **SPEAKER**: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Madam Speaker. I request permission to speak on the record.

The **SPEAKER**: The Representative from East Machias, Representative Tuell, has requested unanimous consent to speak on the record. Seeing no objection, the Representative may proceed on the record.

Representative **TUELL**: Thank you, Madam Speaker. Yesterday, as you know, in the Machias area we had a triple homicide that has rocked our community in many respects. I want to begin by thanking you personally for calling me last night and reaching out on that. You didn't have to do it, I know you had a lot on your plate, and I really appreciate that. And, with that, I also appreciate everyone in the building who has asked for details about what happened and why. I know many in our area are asking the same things. But, with that, last night the Police Department, the State Police, the Sheriff's Office, some folks I have a great deal of respect for, gave some very basic details about this triple homicide in our community.

We don't know why. We can all speculate, and I know a lot of people are, but a lot of people are going through grief right now and struggling with this and I would just ask that everyone in this Chamber pray or reflect, if you are so led to do for this, for our area. It isn't every day the Machias area is in the news for things like this and certainly this is the biggest incident we've had in 30 years or more of this kind. So, it really does hit everybody, whether you know the people involved or not.

So, I would extend my condolences to the families but also extend my thanks to our Sheriff, our State Police, all of those law enforcement, the Forest Rangers, Game Wardens, all hands on deck who responded to this and stopped it from being a lot worse, and it could've been a lot worse because you never know. So, thank you to all of the law enforcement and to all who called in and I assure you, Washington County will stay strong and will do what we have to do to get through this. Thank you, Madam Speaker.

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

On motion of Representative BLUME of York, the House adjourned at 11:25 a.m., until 10:00 a.m., Thursday, February 6, 2020.