

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
9th Legislative Day
Thursday, February 6, 2020

Representative MOONEN of Portland assumed the Chair.
The House met according to adjournment and was called
to order by the Speaker Pro Tem.

Prayer by Pastor Travis Armstrong, Hope Baptist Church,
Manchester.

National Anthem by Honorable Betty A. Austin,
Skowhegan.

Pledge of Allegiance.

The Journal of Tuesday, February 4, 2020 was read and
approved.

COMMUNICATIONS

The Following Communication: (H.C. 318)

**SUNRISE COUNTY ECONOMIC COUNCIL
7 AMES WAY
MACHIAS, MAINE 04654**

January 27, 2020

Honorable Troy 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 Senator Jackson and Speaker Gideon:

Pursuant to MRSA Title 5, section 12023, the Sunrise County
Economic Council (SCEC) is pleased to submit the 2019-2020
Quasi-Independent State Entities Report to the Legislature on
behalf of the Washington County Development Authority
(WCDA).

SCEC is a private, nonprofit, federally recognized economic
development organization which works to create jobs and
wealth in Washington County. We provide staff support for the
WCDA and are partnering with the Authority in its effort to
redevelop the former U.S. Navy base in Cutler.

As indicated in the enclosed report, the WCDA did not make
any significant procurements, contributions or changes to
policies and procedures in the past year. In March 2015, the
Authority was given the commercial side of the former base by
Cutler North, LLC, a private developer that had failed in its
redevelopment effort. The WCDA now owns roughly 20 acres
and five commercial buildings comprising 75,000 square feet.
The Authority is working to bring these facilities back into
productive use.

Please contact me with any questions or concerns. Thank you.

Sincerely,

S/Charles J. Rudelitch, Esq.

Executive Director

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

The Following Communication: (H.C. 319)

**MAINE PORT AUTHORITY
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016**

January 31, 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

Copy sent via email to:
quasiagencyreports@legislature.maine.gov

In Re: Maine Port Authority Legislative Report

Dear Senator Jackson and Representative Gideon:

Pursuant to 5 MRSA, Section 12023, the Maine Port Authority
is pleased to submit the following report to the Legislature, due
by February 1, 2020.

Please contact me directly at (207) 557-0923 if you have any
questions or need additional information.

Sincerely,

S/Jonathan Nass, CEO

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

The Following Communication: (H.C. 320)

**STATE OF MAINE
WORKERS' COMPENSATION BOARD
OFFICE OF EXECUTIVE DIRECTOR/CHAIR
442 CIVIC CENTER DRIVE, SUITE 100
AUGUSTA, MAINE 04333-0027**

January 30, 2020

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

RE: Annual Report of the Workers' Compensation Board
Pursuant to 5 MRSA §12023(2)

Dear Speaker Gideon and President Jackson:

Pursuant to 5 MRSA, §12023, please consider this the
transmittal letter for the required report from the Workers'
Compensation Board due by February 1, 2020.

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

Sincerely,

S/John C. Rohde

Executive Director

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

The Following Communication: (H.C. 321)
**MAINE MUNICIPAL AND RURAL ELECTRIFICATION
COOPERATIVE AGENCY**

January 31, 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 and Rural Electrification Cooperative Agency due by February 1, 2020.

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

Thank you.

Sincerely,
S/Scott M. Hallowell
MMRECA

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

The Following Communication: (H.C. 322)

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

February 6, 2020
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:
on February 4, 2020

Michael Wiers of St. Albans and Colon Durrell of Farmington for reappointment to the Maine Milk Commission.

Pursuant to Title 7, M.R.S.A §2952, these reappointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

John Jemison of Orono for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, M.R.S.A §1471-B, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,
S/Sara Gideon
Speaker of the House

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

The Following Communication: (H.C. 323)
**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

February 6, 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:"

Criminal Justice and Public Safety

L.D. 700 An Act To Prevent Internet Theft

Education and Cultural Affairs

L.D. 1521 An Act To Expand Skill Development Opportunities for Maine Youth

L.D. 1607 An Act To Create the Department of Early Care and Learning

L.D. 1715 An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age (EMERGENCY)

Energy, Utilities and Technology

L.D. 790 An Act To Eliminate the Cap on the Number of Accounts or Meters Designated for Net Energy Billing

L.D. 1127 An Act To Expand Community-based Solar Energy in Maine

Health and Human Services

L.D. 231 An Act To Improve Public Health by Maximizing Federal Funding Opportunities
L.D. 508 Resolve, To Study the Protection of Youth and Young Adults from Addiction and Premature Death by Restricting Marketing of Tobacco Products

L.D. 653 Resolve, To Establish the Task Force To Study Opportunities for Improving Home and Community-based Services

L.D. 1146 An Act To Ensure the Provision of Housing Navigation Services to Older Adults and Persons with Disabilities

L.D. 1429 An Act To Fund Opioid Use Disorder Prevention and Treatment

L.D. 1630 Resolve, To Ensure Access to Opiate Addiction Treatment

Inland Fisheries and Wildlife

L.D. 1117 An Act To Encourage Turkey Hunting

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (S.C. 890)

**MAINE SENATE
129th LEGISLATURE**

February 4, 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:

- Andrew M. Horton of Falmouth for appointment, as a Supreme Judicial Court Justice.
- Catherine R. Connors, Esq. of Kennebunk for appointment, as a Supreme Judicial Court Justice.
- Jeffrey L. Hjelm of Camden for appointment, as an Active Retired Justice of the Supreme Judicial Court.
- Nancy D. Mills of Cornville 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 Establish Requirements for the Construction of Elective Transmission Lines by Transmission and Distribution Utilities"

(H.P. 1494) (L.D. 2097)

Sponsored by Representative GROHOSKI of Ellsworth.

Cosponsored by Senator LAWRENCE of York and Representatives: BERRY of Bowdoinham, Speaker GIDEON of Freeport, GRIGNON of Athens, KESCHL of Belgrade, RILEY of Jay, Senators: CYRWAY of Kennebec, President JACKSON of Aroostook, VITELLI of Sagadahoc.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

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

Sent for concurrence.

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

ORDERS

On motion of Representative FARNSWORTH of Portland, the following House Order: (H.O. 42)

ORDERED, that Representative Richard H. Campbell of Orrington be excused January 14 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Scott W. Cuddy of Winterport be excused January 28 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Michelle Ann Dunphy of Old Town be excused January 30 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Billy Bob Faulkingham of Winter Harbor be excused January 14 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ryan M. Fecteau of Biddeford be excused January 23, 28 and 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffery P. Hanley of Pittston be excused January 28 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Matthew A. Harrington of Sanford be excused January 23 and 28 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Allison Hepler of Woolwich be excused January 30 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Roland Danny Martin of Sinclair be excused January 8 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Rena D. Newell of the Passamaquoddy Tribe be excused January 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Christina Riley of Jay be excused January 28 and 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Braden Sharpe of Durham be excused January 14, 23 and 28 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stanley Paige Zeigler, Jr. of Montville be excused January 30 for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Peter Murray, of Dexter, coach of the Dexter Regional High School boys basketball team, who has achieved his 300th coaching victory. We extend our congratulations and best wishes;

(HLS 823)

Presented by Representative FOSTER of Dexter.

Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative FOSTER of Dexter, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you. Mr. Speaker, Ladies and Gentlemen of the House, on December 19th, Mr. Peter Murray recorded his 300th win as the Dexter Regional High School Boys Varsity Basketball coach. Passing this milestone is a great accomplishment in itself but it does not begin to convey the impact he has had on the district's students and athletes since he was hired as a teacher and coach in 1983.

Peter started coaching boys' freshmen basketball, then JV, working with varsity coach, Ed Gursky, who he replaced when he retired in 1993. While on his way to 300 wins, his tourney teams won several MPA sportsmanship awards. In 2005, with his son, Matt, on the team, the Tigers won the Eastern Maine Class C Championship. Peter was named PVC Coach of the Year. Last year, he was named the Maine Association of Basketball Coaches' Coach of the Year. Peter

has served as president of the MABC for several years, organizing the annual Maine McDonald's All-Star Weekend. In 2016, he was the first New England representative named to a two-year term on the executive board of the National Association of High School Basketball Coaches. For 30 years, Peter coached boys' or girls' soccer at the middle school, JV, and varsity levels. The last several years, he's been the Lady Tigers' head coach. Peter has also coached Dexter's boys' and girls' varsity tennis for 36 years. Besides multiple MPA sportsmanship awards, those teams accounted for two Eastern Maine Championships, one with his daughter, Sarah, as a team member.

Mr. Murray's most important professional accomplishments occur in the classrooms and hallways of Dexter Regional High School, where he interacts with the many students that he doesn't coach. As a high school English teacher, he instills many of the same virtues in the classroom as he does on the courts. A man for all seasons, last summer, Mr. Murray was recognized by the Boston Red Sox at Fenway Park as a Most Inspirational Teacher. This year's Tigers are currently undefeated. Peter and his wife, Karen, also a teacher, are looking forward to spending another February vacation at the Bangor Cross Insurance Center. Thank you, Mr. Speaker.

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

Recognizing:

Connie Brown, of Bucksport, who is retiring as Town Clerk of Orland after 29 years of public service. We extend our appreciation and best wishes;

(HLS 824)

Presented by Representative HUTCHINS of Penobscot. Cosponsored by Senator ROSEN of Hancock, Representative CAMPBELL of Orrington.

On **OBJECTION** of Representative HUTCHINS of Penobscot, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Mr. Speaker. I rise to recognize a friend of mine, Connie Brown, as Clerk in the Town of Orland for 29 years. For the last 23 of those years, I've been the moderator at that town meeting, like several of the other towns in the areas that I deal with, and I bring up her name as much as anything else. Any one of us here that deals with our towns, knows just how important the Clerks are, and she epitomizes the value of a Town Clerk. She is just absolutely invaluable in that town and she's going to be hard to replace, but I'm sure they will do that. Thank you.

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

In Memory of:

Claude Thomas, of Unity. Mr. Thomas was a veteran of the United States Army, who after his service returned to work on the family farm. He continued farming until 1975, when he joined Local 320 Carpenter Millwright Union in Waterville. Upon retiring, he started growing and peddling potatoes, which he pursued for 30 years, becoming known as "The Traveling Man." Mr. Thomas will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 825)

Presented by Representative KINNEY of Knox.

Cosponsored by Senator HERBIG of Waldo.

On **OBJECTION** of Representative KINNEY of Knox, was **REMOVED** from the Special Sentiment Calendar.

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

In Memory of:

Thomas Perkins, of Dedham. Mr. Perkins will be long remembered and sadly missed by his family and friends;

(HLS 826)

Presented by Representative HUTCHINS of Penobscot. Cosponsored by Senator ROSEN of Hancock, Representative PERKINS of Oakland.

On **OBJECTION** of Representative HUTCHINS of Penobscot, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Mr. Speaker. Again, I rise, this time for Tom Perkins, who happens to be a relative of mine and Representative Perkins. I got to know him through his dad who served in this body and in the other body and his name was Tom Perkins. Some of you perhaps have heard of him. And his dad, Tom, served for many years, I think 16 or 18. But Tom in the Town of Dedham, which is another town that I moderate the town meetings in, Tom was a big help as a member of the school board in that particular town but also in the Town of Brooksville, which is a local town, he was active as a member of the Historical Society and those types of things in the Town of Brooksville. And he will be sadly missed. He was just a great gentleman.

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

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Resolve

Representative McCREIGHT for the **Joint Standing Committee on Marine Resources** on Bill "An Act To Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy"

(H.P. 1495) (L.D. 2098)

Reporting **Ought to Pass** pursuant to Resolve 2019, chapter 23, section 2.

Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Change of Committee

Representative WARREN from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Maine Bail Code"

(H.P. 1034) (L.D. 1421)

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.

Divided Report

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-671)** on Bill "An Act To Include Student Absences for Mental Health or Behavioral Health Needs as Excusable Absences"

(H.P. 1326) (L.D. 1855)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
FECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

DRINKWATER of Milford
RUDNICKI of Fairfield

READ.

On motion of Representative KORNFELD of Bangor, the the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (H-671)** was **READ** by the Clerk and **ADOPTED.**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-671)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 691) (L.D. 1989) Bill "An Act To Amend the Laws Governing Recounts in Municipal Elections" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-375)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

ENACTORS

Emergency Measure

An Act To Amend the Laws Governing Dangerous Buildings

(H.P. 299) (L.D. 390)
(C. "A" H-662)

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. 109 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Amend the Laws Governing Dual Liquor Licenses

(H.P. 1350) (L.D. 1884)
(C. "A" H-664)

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. 109 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

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:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 4, 2020, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013

(H.P. 571) (L.D. 766)
(H. "A" H-655 to C. "A" H-648)

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.**

On motion of Representative FECTEAU of Biddeford, the Bill and all accompanying papers were **COMMITTED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE** and sent for concurrence.

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

(H.P. 1180) (L.D. 1645)
(S. "A" S-374)

TABLED - February 4, 2020 (Till Later Today) by Representative MOONEN of Portland.

PENDING - PASSAGE TO BE ENACTED.

Subsequently, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

SENATE PAPERS

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

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 11, 2020, at 10:00 in the Morning.

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

COMMUNICATIONS

The Following Communication: (H.C. 324)

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

February 6, 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 Matthew W. Moonen of Portland to serve as Speaker Pro Tem to convene the House on Thursday, February 6, 2020.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

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

SENATE PAPERS

Bill "An Act To Amend Provisions of the Maine Medical Use of Marijuana Act"

(S.P. 747) (L.D. 2099)

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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

On motion of Representative BABINE of Scarborough, the House adjourned at 11:13 a.m., until 10:00 a.m., Tuesday, February 11, 2020, pursuant to the Joint Order (S.P. 748) and in honor and lasting tribute to Claude Thomas of Unity and Thomas Perkins of Dedham.