

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION  
25th Legislative Day  
Wednesday, March 28, 2018

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

Prayer by Father Kevin J. Martin, St. Kateri Tekakwitha Parish, Calais.

National Anthem by Yarmony, Yarmouth High School.

Pledge of Allegiance.

Doctor of the day, Honorable Patricia Hymanson, M.D., York.

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Under suspension of the rules, members were allowed to remove their jackets.

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The Journal of yesterday was read and approved.

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**SENATE PAPERS**  
**Non-Concurrent Matter**

An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine

(S.P. 383) (L.D. 1162)

(C. "A" S-380)

**PASSED TO BE ENACTED** in the House on March 22, 2018.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-380) AS AMENDED BY SENATE AMENDMENT "A" (S-420)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Increase Safety for Maine Citizens by Amending the Definition of 'Likelihood of Serious Harm' in the Laws Governing Mental Health and Hospitalization To Include Consideration of a Person's Potential for Future Serious Harm"

(H.P. 1321) (L.D. 1889)

Sponsored by Representative MALABY of Hancock.

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

Committee on **HEALTH AND HUMAN SERVICES** suggested.

Speaker GIDEON of Freeport moved that the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

The SPEAKER: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative MALABY: Madam Speaker, I rise in opposition to the referral to Health and Human Services.

The SPEAKER: The Representative may proceed.

Representative MALABY: Thank you, Madam Speaker. Madam Speaker, this bill addresses something called blue papering, in which a law enforcement individual may encounter someone who they perceive as suffering from a mental illness; and there are two essential aspects of blue papering that are of concern to a Legislature. A, is the process. We addressed the process in Maine two years ago, in LD 1145. This bill seeks to address the criteria under which a law enforcement individual

can deem someone in need of an evaluation, and perhaps blue papering and subsequent treatment. It is my understanding that these bills have always gone to Judiciary. LD 1145, which addressed the process, went to Judiciary. I suspect also this should go to Judiciary, because it addresses the legal standard under which law enforcement can deem someone in need of treatment. Thank you, Madam Speaker.

Subsequently, Speaker GIDEON of Freeport **WITHDREW** her motion to **REFER** the Bill to the Committee on **HEALTH AND HUMAN SERVICES**.

On motion of Representative HERBIG of Belfast, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

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Bill "An Act To Create Fairness in Maine's Unemployment Insurance System by Increasing the Amount Paid in Unemployment Tax by Certain Employers"

(H.P. 1319) (L.D. 1887)

Sponsored by Representative VACHON of Scarborough. (GOVERNOR'S BILL)

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

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Bill "An Act To Streamline the Management of Maine's Transportation Infrastructure by Initiating the Process of Terminating the Maine Turnpike Authority"

(H.P. 1322) (L.D. 1890)

Sponsored by Representative ESPLING of New Gloucester. (GOVERNOR'S BILL)

Committee on **TRANSPORTATION** suggested.

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** and later today assigned.

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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 BERRY of Bowdoinham, the following Joint Order: (H.P. 1320)

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Task Force To Study Rising Transmission and Distribution Costs is established as follows.

**1. Task Force To Study the Rising Transmission and Distribution Costs established.** The Task Force to Study Rising Transmission and Distribution Costs, referred to in this order as "the task force," is established.

**2. Membership.** The task force consists of 13 members appointed as follows:

A. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

B. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

C. Five members appointed by the President of the Senate as follows:

- (1) A representative from each of the 2 investor-owned transmission and distribution utilities in the State;
- (2) A representative of a consumer-owned transmission and distribution utility;
- (3) A representative of a small energy consumer; and
- (4) A representative of an industrial energy consumer; and

D. Four members appointed by the Speaker of the House as follows:

- (1) A representative of a conservation organization;
- (2) A representative of an energy generator located in the State;
- (3) A representative of an organization with expertise in elder and aging advocacy; and
- (4) A representative of an economic development organization in the State.

**3. Task force chairs.** The first-named Senator is the Senate chair of the task force and the first-named member of the House of the Representatives is the House chair of the task force.

**4. Appointments; convening of task force.** All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

**5. Duties.** The task force shall:

A. Review of transmission and distribution costs for both residential and industrial consumers since 2000 for:

- (1) Consumer-owned transmission and distribution utilities;
- (2) Small investor-owned transmission and distribution utilities; and
- (3) Large investor-owned transmission and distribution utilities;

B. Compare the costs of transmission and distribution in the ISO-NE region, as defined in the Maine Revised Statutes, Title 35-A, section 1902, subsection 3, to other regions in the United States in which the bulk power system is operated by a system operator;

C. Review and evaluate the cost differences between transmission and distribution;

D. Review and evaluate the legislative and regulatory policies affecting distribution costs;

E. Review and evaluate the cost containment provisions of law designed to prevent overbuilt transmission and distribution lines;

F. Review and evaluate different compensation models for transmission and distribution utilities in other regions in the United States in which the bulk power system is operated by a system operator;

G. Review current transmission and distribution rate structures in the State and evaluate the effectiveness of lower rates in promoting economic development;

H. Determine if the costs of advocacy before the Legislature and administrative bodies on behalf of transmission and distribution utilities are borne by ratepayers;

I. Develop recommendations for changing current regulatory policies and determine the costs of implementing those recommendations versus the cost of leaving current policies in place;

J. Review and evaluate wheeling charges;

K. Review and evaluate time-of-use billing; and

L. Examine any other issues to further the purposes of the task force.

In conducting the duties under this subsection, the task force shall seek public input and shall consult and collaborate with stakeholders and experts in the fields of energy policy and economic development.

**6. Meetings.** The task force shall hold at least 4 meetings.

**7. Staff assistance.** The Legislative Council shall provide staffing services to the task force, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**8. Report.** No later than November 7, 2018, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Energy, Utilities and Technology.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. If you actually take an opportunity to look at this Order, it does address and look at a legislative perspective at rising transmission and distribution costs here in the State of Maine, otherwise known as T&D.

As people are well aware, over the last several months there have been ongoing confusion, concern, and issues related to people's electric bills being either higher or lower; at the end of the day, basically, some real issues that have gone to the PUC in regards to some concerns with issues in people's electric bills. I think that this is a timely issue, as we know that the Chief Executive has been an ardent proponent of trying to drive down the cost of electricity, both as it pertains to the elderly and our industrial customers. It's important to our economy, safety, and our resilience issues. And so, I see this as an opportunity for the Legislature to have some -- look at this in a timely way, before we come back into the next legislative session, and I urge its passage. Thank you, Madam Speaker.

Subsequently, the Joint Order was **PASSED**.

Sent for concurrence.

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#### SPECIAL SENTIMENT CALENDAR

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

##### Recognizing:

Shelby Cowin, of Harfords Point Township, a student at Greenville Consolidated School, who won the Class B State Championships in the Girls Slalom and Giant Slalom. Shelby also won the Eastern High School Championship Shootout. We extend to Shelby our congratulations and best wishes;

(HLS 997)

Presented by Representative STEARNS of Guilford.

Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative STEARNS of Guilford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Madam Speaker. I'm very pleased to have Shelby make the trip down from Greenville, from Harfords Point today. Greenville, as we know, is a very small school with a very big heart, big aspirations, and much success.

I had the opportunity to ski Squaw Mountain back in the early 70s because a friend had a condo up there, and one day I was skiing, watched this fellow ski down across the rocks of the lift line and I said, "Who the heck is that guy? He's crazy!" And that -- that person is with us today, too. His name is Rocky Rockwell and he is synonymous with Squaw Mountain and Greenville skiing, and he's Shelby's coach, and he has kept that dream alive in Greenville for athletes like Shelby for years and years and years, and we really appreciate them being down here today.

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

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**Recognizing:**

the Greenville Consolidated School Varsity Boys Basketball Team, of Greenville, which won the Class D State Championship. Members of the team include Nick Foley, Noah Pratt, Devin Boone, Connor DiAngelo, Evan Bjork, Anthony Mason, Nate Pierce, Nick Caiazzo, Chris Caiazzo, Noah Bilodeau, Law Hinkley and Jack Morehouse; managers Reilly Pawnell and Emily Vraux; and coaches Bill Foley and Joe Pelletier. We extend to all the members of the team our congratulations and best wishes;

(HLS 998)

Presented by Representative STEARNS of Guilford.

Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative STEARNS of Guilford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Madam Speaker. As you may recall, this group, or many members of this group, were with us last year when they were, oddly enough, southern Maine champions from Greenville. And after I left that group last year, after they left the chamber I said, "Well, we kind of botched that up because I think I said you were northern Maine, I wasn't aware." And they said, "We'll fix that next year, Mr. Stearns, we'll just win the whole thing." Well, they were not kidding. Again, Coach Foley is back with the Greenville Lakers. It's the first state championship that that school has won since 1954, and the people in Greenville have not hit the ground yet from that victory. So, I'm very pleased to have them visit us today.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Madam Speaker. I take great pride in these young folks' accomplishment, having been a teacher at Greenville High School for eight years. I had none of these folks in my classes, it was long ago, but I did not have Representative Martin in my class. I did have, however, the grandparent, the grandmother of one of these champions in the balcony. I do want you to know that she and I were pretty close to the same age at the time. But, having lived in Greenville and taught in that amazing edifice of a school, built by Louis Oakes during the heart of the depression, and experienced that wonderful community, and everybody that

has ever had that experience has that small town close to their heart. And, although I couldn't be there for the state championship game, I was in Massachusetts, I was checking in to find the scores; and I just want to congratulate Shelby and this wonderful basketball team, who I have seen play, and know that not only is there small-town pride involved, but there are folks in other places that are also cheering them on. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Having been born and brought up in Greenville, lived there my first 25 years of my life, and having played in sports as a Greenville High School Laker, I would be remiss not to stand up and congratulate these boys in doing something that, unfortunately, my team in high school was never able to do, and I certainly am very proud of them, I'm proud of the school, and I'm proud of the fact that I spent my time there and graduated from such a great school. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. After all that, I need to rise and say that I started my school days in Greenville in 1947; and I congratulate the students here from Greenville that are here today.

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

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**Recognizing:**

Ryan Fredette, of Winslow, a student at Winslow High School and a member of the wrestling team, who won the 182-pound division at the New England High School Wrestling Championships. We extend to Ryan our congratulations and best wishes;

(HLS 1001)

Presented by Representative NADEAU of Winslow.

Cosponsored by Senator CYRWAY of Kennebec, Representative THERIAULT of China.

On **OBJECTION** of Representative NADEAU of Winslow, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the story of a young man named Ryan Fredette, also known to his friends as "the ginger ninja," because of his red hair and his wrestling abilities. He has achieved, at his young age, seven state championships. Four of those were in wrestling, with a record of more than 200 wins and more than 100 pins. This season only, he had 49 wins, zero losses, and 22 pins. Two state championships in football, one state championship in track. In wrestling, he is a two-time KVAC champion, four-time northern regional champion, two-time all-state champion, and two-time New England finalist. This year, he was named New England Champion and voted by the coaches at the New England championship as outstanding wrestler. This is quite an achievement, as it has happened only five times since 1959, and only two people in these five were from Winslow: Ryan, and Tommy Smith.

We, as the Maine State Legislature, would like to thank Ryan and his family, along with the coach, for being here today. If, as Olympic wrestler Dan Gable said, "Everything

else in life is easy once you've wrestled," then Ryan indeed has a bright future ahead of him. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from China, Representative Theriault.

Representative **THERIAULT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I want to recognize the success of this young man from Winslow and what he's accomplished in his wrestling career at Winslow High School. His career record is 200 wins, 17 losses, and 106 pins. This year he was 49 and 0, with 44 of those wins coming in the State of Maine. He won the state championship at the 182 pounds and became the New England champion. He was runner up last year, with a record of 50-1, losing his last match, and participated in the New England tournament three years in a row. On top of that, he was named the outstanding wrestler for the New England tournament, out of 177 schools represented at the tournament.

I followed Ryan through the whole tournament and watched all of his matches on Facebook, thanks to the dedication of his father, who videoed all of them. I know Ryan through his father, Kevin, who is a career firefighter for 29 years for the Town of Winslow. I reached out to him to help the China Fire Department, and he joined and helped us -- he joined my fire department for five years to help with our training program, and he has since left the department, but we certainly appreciate everything he did to help us and keep the -- and I have kept in touch with him ever since. I want to wish Ryan the best of luck in his future endeavors, and I know whatever he puts his mind to, he will be very successful. Thank you very much.

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

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The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Madam Speaker, and I ask permission to speak on the record.

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed.

Representative **COOPER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is certainly a day for honoring the young people of our state, these wonderful athletes who, in many cases, are extraordinary scholars as well. It does our state very proud. And I'd just like to take a minute to recognize the young women who appeared before you this morning to sing the National Anthem for us. They are all members of the Yarmouth swim team, and they've been singing the anthem before every meet all this year. Their names -- the young women who are here today are Emilie Hardel, Anna Ruprecht, Lauren Orser, Izabel Cox-Faxon, Zoe Siegel, and Isabelle Dow. And, finally, I would just say don't be fooled by their melodic harmony, they are tough as nails. They are members of the Never Again generation, and made Yarmouth proud by their actions. They are accompanied today by their principal, Eric Klein, who is here today as well, and I thank them for their hard work and the -- oh, and I should also add that they've had an enormously successful year. They've won every meet in their division this year, so they do us proud. Thank you.

## REPORTS OF COMMITTEE

### Refer to the Committee on Appropriations and Financial Affairs

#### Pursuant to Joint Rule

Report of the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State Regarding Increased Access to Drug Courts"

(S.P. 720) (L.D. 1885)

Reporting that it be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** pursuant to Joint Rule 353.

Came from the Senate with the Report **READ** and the Bill **COMMITTED** to the Committee on **JUDICIARY**.

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

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#### Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-413)** on Bill "An Act Forbidding Food Shaming, Food Denial and the Use of Food as Discipline Involving Any Child in Maine's Public Schools"

(S.P. 620) (L.D. 1684)

Signed:

Senators:

LANGLEY of Hancock  
MAKER of Washington  
MILLETT of Cumberland

Representatives:

KORNFELD of Bangor  
FARNSWORTH of Portland  
FULLER of Lewiston  
McCREA of Fort Fairfield  
PIERCE of Falmouth

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

Signed:

Representatives:

GINZLER of Bridgton  
SAMPSON of Alfred  
TURNER of Burlington

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-413)**.

**READ.**

Representative KORNFELD of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Madam Speaker, Members of the Body. I rise in objection to the motion Ought to Pass. This bill, 1684, is a state mandate on local districts. It is well-meaning, but wrong-headed. Most, if not all the districts

provide school lunches to all students one way or another. Furthermore, this bill, the way it is written, restricts districts' ability to address the mounting debt, nearing \$400,000, that is incurred by unpaid lunch bills. And, lastly, and I think very much most importantly, I believe that it seeks to shelter high school students from the reality that there is no free lunch, that someone is on the hook for it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker. I'd like to just address a couple of points to this bill, to keep in mind that this is not dealing with children who are free and reduced lunch. These are children whose parents have signed them up for lunches and can afford it. These are the same parents that will take them to piano and ballet and soccer and all those things, and pay those bills. But these are bills that are not being paid. And the other question I'd like to pose is: what are we actually defining as "shaming?" Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 540**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Stanley, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Ward, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Spear, Stearns, Stetkis, Stewart, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Black, Hamann, Head, Sherman.

Yes, 83; No, 64; Absent, 4; Excused, 0.

83 having voted in the affirmative and 64 voted in the negative, with 4 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-413)** 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" (S-413)** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-411)** on Bill "An Act To Ensure the Quality of and Increase Access to Recovery Residences"

(S.P. 618) (L.D. 1682)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
DENNO of Cumberland  
MADIGAN of Waterville  
McCREIGHT of Harpswell  
PARKER of South Berwick  
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin  
HAMPER of Oxford

Representatives:

CHACE of Durham  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-411)**.  
**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-411)** 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" (S-411)** in concurrence.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Allow Credit and Debit Card Surcharges"

(S.P. 222) (L.D. 660)

Signed:

Senators:

WHITTEMORE of Somerset  
CARSON of Cumberland  
DOW of Lincoln

Representatives:

LAWRENCE of Eliot  
BROOKS of Lewiston  
COLLINGS of Portland  
CRAIG of Brewer  
FOLEY of Wells

MELARAGNO of Auburn  
PICCHIOTTI of Fairfield  
SANBORN of Portland  
WALLACE of Dexter

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-403)** on same Bill.

Signed:  
Representative:  
PRESCOTT of Waterboro

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.  
**READ.**

On motion of Representative LAWRENCE of Eliot, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Conform the Laws Regarding a Salaried Employee Who Is Exempt from Overtime and Minimum Wage Requirements to Federal Law"

(S.P. 656) (L.D. 1769)

Signed:  
Senator:  
BELLOWS of Kennebec

Representatives:  
FECTEAU of Biddeford  
BATES of Westbrook  
DOORE of Augusta  
HANDY of Lewiston  
MASTRACCIO of Sanford  
SYLVESTER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-404)** on same Bill.

Signed:  
Senators:  
VOLK of Cumberland  
LANGLEY of Hancock

Representatives:  
AUSTIN of Gray  
LOCKMAN of Amherst  
STETKIS of Canaan  
VACHON of Scarborough

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-404)**.  
**READ.**

Representative FECTEAU of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE of Newport **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: 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. 541**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Esping, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Black, Hamann, Head, McLean, Sherman.  
Yes, 76; No, 70; Absent, 5; Excused, 0.

76 having voted in the affirmative and 70 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Seven Members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-414)** on Bill "An Act To Repeal Certain Provisions Regarding the System Administration Allocation Affecting Maine School Districts in the 2018-2019 Biennial Budget"

(S.P. 625) (L.D. 1689)

Signed:  
Senator:  
MILLETT of Cumberland

Representatives:  
KORNFIELD of Bangor  
DAUGHTRY of Brunswick  
FARNSWORTH of Portland  
FULLER of Lewiston  
McCREA of Fort Fairfield  
PIERCE of Falmouth

Five Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:  
Senator:  
LANGLEY of Hancock

Representatives:  
GINZLER of Bridgton  
SAMPSON of Alfred  
STEWART of Presque Isle  
TURNER of Burlington

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-415)** on same Bill.

Signed:

Senator:

MAKER of Washington

Came from the Senate with Report "C" **OUGHT TO PASS AS AMENDED READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-415)**.

**READ.**

Representative KORNFIELD of Bangor moved that the House **ACCEPT** Report "C" **Ought to Pass as Amended**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** Report "C" **Ought to Pass as Amended**.

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 East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. When this bill was put forward, I was involved with the group that originally put it forward, of local schools and local communities in my area back in early September. Through the generosity of a member of the other body, we got that bill submitted, got it through Leg. Council with bipartisan support, have come and testified for the bill in Committee; and along the way, there were some things that were brought to light about some of the issues around the previous budget and what happened with school funding. Now, one of the things you may hear is that we put \$162 million into schools, and we did that so as to -- but we put some reforms in at the same time. One of the things that we omit out of that discussion, or don't quite mention, is that we had a -- there was an agreement to reduce property -- reduce taxes on businesses. However, some of these reforms got stuffed in at the end of the discussion period. One of these reforms is to create new mega school districts, which many of us fought against ten years ago when that whole thing was created, consolidation was proposed ten years ago, there were many of us opposed then. And after that, consolidation happened, schools got together, some got together, some couldn't get together, and actually made the tough decisions and did what they had to do. This new iteration, this bill, takes penalties away from some of those who are already consolidated, who have already made the commitment to consolidate and find efficiencies locally. This isn't a stick, it isn't a carrot, it's a sledgehammer. It's a sledgehammer. And local schools are under siege each and every day. I know there's others in the -- others here who will -- can tell you a lot more about it and how this is -- how these penalties are back door consolidation, and these new school management leadership centers are a whole new layer of bureaucracy. I know during the public hearing on this bill, we had some folks from my caucus who also attended and spoke, who expressed concern that there is no way out of a school management leadership center once you get in. So, think the bill that we had last week, where we had the big whole issue as to how people get out and all of the heartburn that that caused. That's only going to magnify as time goes on. There's no way out of these management leadership centers.

The other issue that was brought to light was, as others have mentioned --

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Ginzler, and inquires as to what her Point of Order is.

Representative **GINZLER**: Thank you very much, Madam Speaker. I guess what I am asking is that it seems to me we are straying way beyond the specific amendment here, which has to do with school funding for one line item in the budget, and I believe we are getting onto other issues. Thank you.

On **POINT OF ORDER**, Representative **GINZLER** of Bridgton asked the Chair if the remarks of Representative **TUELL** of East Machias were germane to the pending question.

The **SPEAKER**: The Chair would advise the member from East Machias to please be sure to keep his comments relevant to Report C.

The Chair reminded Representative **TUELL** of East Machias to confine his debate to the question before the House.

The **SPEAKER**: The member may proceed.

Representative **TUELL**: Thank you, Madam Speaker, and I apologize for getting a little bit afield. I will say that this: the concerns that were echoed in the public hearing is that schools are already consolidating, and should not be penalized. And some have documented that they're already consolidating and are being penalized. So, not -- so, passing this bill would give some schools that are already doing what we have asked of them, time and time and time again, some relief. I would encourage you to support the pending motion. Thank you.

The **SPEAKER**: The question before the House is acceptance of Report "C." The Chair recognizes the Representative from Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Madam Speaker. Last year, Representatives and leaders from both caucuses on the Education Committee, and leadership of both caucuses, worked extensively, long days and hours on the education section of the budget, specifically, an area called Section C. There were 64 line items in Section C, one of them was C22; one of those 64 line items. It had to do with funding system administration. The agreed-upon compromise regarding system administration funding within the EPS formula was reached, and it was agreed by all that we would gradually remove system administration from the EPS formula, in favor of more money being directed to instruction. This amendment, and the reason I'm rising in opposition to this amendment, this amendment seeks to amend C22, that one line item, in the interest of fairness, but actually may do harm. Certainly, one of the unintended consequences of this is it will increase the mill rate and it will increase local share. You're right, we did add \$162 million to the baseline of education, which will go forward in the future. The budget was reached for the two years. I ask that we continue with that agreed-upon compromise for these two years. Certainly the next Legislature can, and will, address the budget after that. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Madam Speaker. This seems to be my big day. Boy, people get caught up in this business about administration. And, I guess -- I guess it was agreed upon, by somebody at some point last year in the budget proceedings, that system administration is not essential. The way that Essential Programs and Services is designed was, every category in the world of education, every single category, is assigned a cost. And the people who put -- it's zero-based budgeting, if you will; starting from scratch

every single year. It's fiscally responsible. Some components of it can be argued about. One thing that cannot be argued is every town in the State of Maine, by statute, must have a Superintendent of Schools. That's a requirement. That's a requirement in this state. To take a required action and say that's not essential, that's zero, is odd. And had those deliberations been made in the light of day, I would've spoken up at that time and mentioned that fact. Now, you can do that as a political gesture, that's fine. The folks that are creating local school budgets really don't care about that. They look at the line -- the amount of money that they're going to get from local taxation, from state aid, and any other sources, and then they go through and develop their budget as to what they must do, what they are mandated to do, and what they would like to do for the -- in the best interest of the kids, and the local folks vote on that. One thing that they are mandated to do are tasks such as payroll. Somebody looks after school safety. That's, I would say, in light of what we have looked at in the last month across the United States, maybe that administration is quite essential, that we look at the safety of schools. Someone has to do the fiscal management of the schools. We're now looking at bringing CDS into the schools --

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Ginzler, and inquires as to what her Point of Order is.

Representative **GINZLER**: The Point of Order here, once again, I think we are going far afield of this amendment. This has to do with a very specific inclusion of additional funding on one line item. This is not an argument about the importance of school administration, which nobody debates.

On **POINT OF ORDER**, Representative GINZLER of Bridgton asked the Chair if the remarks of Representative STEARNS of Guilford were germane to the pending question.

The SPEAKER: The Representative will answer -- the Chair will answer the Representative just as when the Representative got up to explain her position. It is necessary sometimes to expand on the issue before us so that members who are not from a committee of jurisdiction may fully understand the issue.

The Chair advised Representative GINZLER of Bridgton that the remarks of Representative STEARNS of Guilford were germane to the pending question.

The SPEAKER: The Representative may proceed.

Representative **STEARNS**: Thank you, Madam Speaker. And, I do concur, the line that I'm talking about is system administration being reduced to zero. We could make that same adjustment by just increasing the mill rate, which went from 8.19 to 8.51, which is a significant cost to the local property tax payers. That adjustment simply could've made that go to 8.52 and you would've gotten to the same place.

What -- the amendment that we're talking about, that was passed in the other body, simply allows the Department of Education to recognize those systems that have already demonstrated a high level of achievement and a high level of efficiency. Some people handle the administrative cost by -- they might have a superintendent 40 days a year, because they want the minimum amount spent on system administration. Why spend more than you need? And the local people are well-equipped to take care of that. So, with that, I would ask you to follow my light. Thanks.

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

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I'm not going to get too much into the nuances here, but what I will simply say

is that, if we were in fact to make this change for the budget without appropriating more money, which this bill does in fact not do, to education, what it will mean is that the mill rate at the local level will increase, thereby increasing taxes at the local level, making your property taxes go up. I do not believe that that is what some folks want to do, so I want to make sure that everybody is aware of the situation and how this would impact that dynamic. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I oppose the pending motion, and I ask the Clerk read the Committee Report.

Representative FREDETTE of Newport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Madam Speaker. With all due respect, I think several of the speakers are a little bit confused about Amendment "C," or Report "C."

Report "C" asks to put off the -- let me start again. No wonder they're confused. Report "C" says that we will zero out the administration for this one year, and at the end of this year, it will end. And the reason that I think this is important to do, and why I went with Report "C," is that the 279s, which are the state's -- the state telling the school exactly how much they would have to spend, have already gone out, they went out a long time ago. The schools are in the process of making their budget. I think it would be very disruptive if we changed anything this year, but I fully intend to put in a bill that would do exactly the things that Representative Stearns just mentioned at the beginning of next year. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Madam Speaker. First of all, I just want to amend one thing. We are not -- Amendment "C" does nothing with regard to zeroing or not zeroing. The current bill, as it stands right now, does not zero out system administration. I want to make that very clear. It is, however, gradually lowering the contribution by the state for system administration costs. That is true. And it's added incentive money for those schools who will then regionalize certain cost centers. So, there is still an allocation for system administration, plus an incentive component. That still remains, both this year and next year.

The only reason I'm standing here is to let you know that, by law, our school funding is a cost-sharing function. We share the cost, state and local. And there -- for that reason, the state, as we had looked at this budget, the state wanted to put more money into instruction and move the system administration to the local responsibility. And, as I mentioned, this is a cost sharing. We share everything. And the -- it doesn't necessarily mean that one line item has to be sort of split in the middle, but rather that we collectively look at the total cost of education, and we decide what is local and what is state. The state, by virtue of your representation, your leadership, decided that we would move more money into instruction and less money into system administration. So it is still a cost-sharing model. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I do know where I am and what day it is today, so... I try to practice a very basic



tenet when I come here every day, and I hope at the end of the day I've done no harm, and maybe some good along the way. The issue here before us is... sounds very good, will put more money in our classrooms, supporting our students and teachers. Who doesn't want to do that? We all do. But we also have to recognize there are services that need to be provided in the management of our schools' systems administration. So, if we take a certain amount of money, and we decide to put a larger percentage of that into our classrooms and not pay those dollars to support systems administration, then somebody has to pay, somebody has to pay that. And if we're not contributing the share that I think many people think we should for systems administration, then that share then transfers to the local, and the local taxpayers have to pick up an increasing share of systems administration that the state has already -- has traditionally paid for. So, it is in fact a tax shift. We feel good about it. We feel good about taxing local people more for systems administration, because we can put more money in the classroom. Either way you cut it, there are X number of dollars that are going to be expended to run our system and support our schools.

So, I would support the pending motion, which I believe is a more reasonable way in which for us to move forward. Parenthetically, I might add, that in my previous life, I had the pleasure of managing school consolidations for the State of Maine and, yes, I'm still here. And we were very successful in forcing people to do things. The real winners were the people that got to repaint the lettering on school buses with RSUs instead of SADs. So, I think that we should be thinking about not penalizing our school systems, we should be encouraging them; but I support the pending motion, because I believe it's the right way for us to go to manage our schools. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of Report "C" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 542**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Haggan, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, Guerin, Hanington, Hanley, Harrington, Harvell, Hawke, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Black, Hamann, Head, Hubbell, McLean, Sherman.

Yes, 88; No, 57; Absent, 6; Excused, 0.

88 having voted in the affirmative and 57 voted in the negative, with 6 being absent, and accordingly Report "C" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (S-415)** 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 "B" (S-415)** in concurrence.

Seven Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "B" (S-409)** on Bill "An Act To Improve General Assistance Reimbursements"

(S.P. 363) (L.D. 1109)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York

DENNO of Cumberland

MADIGAN of Waterville

McCREIGHT of Harpswell

PARKER of South Berwick

PERRY of Calais

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "C" (S-410)** on same Bill.

Signed:

Senators:

BRAKEY of Androscoggin

HAMPER of Oxford

Representatives:

HEAD of Bethel

MALABY of Hancock

Two Members of the same Committee report in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representatives:

CHACE of Durham

SANDERSON of Chelsea

Came from the Senate with Report "B" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-410)**.  
**READ.**

On motion of Representative HYMANSON of York, Report "A" **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (S-409)** 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 "B" (S-409)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-688)** on Bill "An Act To Align the Criteria Used by the Maine Public Employees Retirement System in Determining Veterans' Disability Claims with the Criteria Used by the United States Department of Veterans Affairs"

(H.P. 365) (L.D. 521)

Signed:

Senators:

BREEN of Cumberland  
KATZ of Kennebec

Representatives:

GATTINE of Westbrook  
FREY of Bangor  
HUBBELL of Bar Harbor  
JORGENSEN of Portland  
MARTIN of Eagle Lake  
TEPLER of Topsham

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

SEAVEY of Kennebunkport  
SIROCKI of Scarborough  
TIMBERLAKE of Turner  
WINSOR of Norway

**READ.**

Representative GATTINE of Westbrook moved that the House **ACCEPT** the Majority **Ought to Pass as Amended Report**.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended Report** 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. 701) (L.D. 1856) Bill "An Act Regarding Permits for Burial of Cremated Remains" (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 703) (L.D. 1858) Bill "An Act To Include Security Installations and Upgrades in Maine's School Revolving Renovation Fund" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(S.P. 124) (L.D. 383) Bill "An Act To Increase Access to Child Care" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-408)**

(S.P. 231) (L.D. 669) Bill "An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting

**Ought to Pass as Amended by Committee Amendment "A" (S-399)**

(S.P. 267) (L.D. 822) Bill "An Act To Ensure Fairness among Large Consumers of Natural Gas" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-400)**

(S.P. 314) (L.D. 958) Bill "An Act To Enact the Uniform Emergency Volunteer Health Practitioners Act" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-401)**

(S.P. 668) (L.D. 1789) Bill "An Act Authorizing Changes to the Ownership and Leases of Certain Public Lands" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-416)**

(S.P. 678) (L.D. 1809) Bill "An Act To Amend the Laws Governing the Issuance of Burn Permits" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-417)**

(S.P. 690) (L.D. 1838) Bill "An Act To Amend the Laws Governing Indecent Conduct To Include Distribution of Photographic Images" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-419)**

(S.P. 692) (L.D. 1840) Bill "An Act To Revise the Municipal Consolidation Referendum Process" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-418)**

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.

(H.P. 1235) (L.D. 1788) Bill "An Act To Enhance Safety for Victims of Sexual Assault and Stalking and To Amend the Laws Governing Harassment and Protection from Abuse" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-689)**

On motion of Representative HERBIG of Belfast, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

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

**SENATE PAPERS  
Non-Concurrent Matter**

Bill "An Act To Encourage New Major Investments in Shipbuilding Facilities and the Preservation of Jobs"

(H.P. 1227) (L.D. 1781)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-685)** in the House on March 27, 2018.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-685) AS AMENDED BY SENATE AMENDMENT "A" (S-425)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

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

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### UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-631)** - Minority (4) **Ought Not to Pass** - Committee on **MARINE RESOURCES** on Bill "An Act Directing the Commissioner of Marine Resources To Investigate the Conditions of Sheepscot Pond Related to a Management Plan for Anadromous Fish Species"

(H.P. 650) (L.D. 922)

TABLED - March 15, 2018 (Till Later Today) by Representative KUMIEGA of Deer Isle.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Subsequently, on motion of Representative PIERCE of Dresden, the Bill and all accompanying papers were **INDEFINITELY POSTPONED**. Sent for concurrence.

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SENATE DIVIDED REPORT - Report "A" (11) **Ought to Pass as Amended by Committee Amendment "A" (S-388)** - Report "B" (1) **Ought to Pass as Amended by Committee Amendment "B" (S-389)** - Report "C" (1) **Ought Not to Pass** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Establish a Task Force To Examine Agricultural Issues (EMERGENCY)

(S.P. 646) (L.D. 1747)

- In Senate, Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-388)**.

TABLED - March 22, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **ACCEPTANCE OF ANY REPORT**.

Subsequently, on motion of Representative DUNPHY of Old Town, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-388)** was **READ** by the Clerk.

Representative DUNPHY of Old Town **PRESENTED House Amendment "A" (H-690) to Committee Amendment "A" (S-388)**, which was **READ** by the Clerk.

The SPEAKER: The Representative may proceed.

Representative DUNPHY: Thank you, Madam Speaker. This amendment clarifies an error that was made in the drafting of the language of the amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative FREDETTE: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm just a little bit -- still a little bit misunderstanding in terms of what the actual amendment does, and so I would ask a question through the Chair, if someone who knows what exactly the amendment does, again, I'd ask them to please explain that to the body.

The SPEAKER: The Representative from Newport has posed a question to someone who can answer. The Chair

recognizes the Representative from Old Town, Representative Dunphy.

Representative DUNPHY: Thank you, Madam Speaker. When the Committee was working on the bill, we modeled this commission off a commission of a prior Legislature, and when the language was drafted, it adopted the language that the commissioner would appoint members of the commission, and it was the Committee's intent that the Speaker of the House and the President of the Senate would appoint the members of the commission.

Subsequently, **House Amendment "A" (H-690) to Committee Amendment "A" (S-388)** was **ADOPTED**.

**Committee Amendment "A" (S-388) as Amended by House Amendment "A" (H-690)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-388) as Amended by House Amendment "A" (H-690)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-683)** - Minority (6) **Ought to Pass as Amended by Committee Amendment "B" (H-684)** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Elections"

(H.P. 1206) (L.D. 1726)

TABLED - March 27, 2018 (Till Later Today) by Representative LUCHINI of Ellsworth.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative LUCHINI of Ellsworth, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-683)** 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-683)** and sent for concurrence.

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### ORDERS

On motion of Representative KORNFIELD of Bangor, the following Joint Order: (H.P. 1323)

ORDERED, the Senate concurring, that the Joint Standing Committee on Education and Cultural Affairs shall report out, to the House, a bill regarding proficiency-based diplomas.

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

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:

(H.P. 37) (L.D. 51) Bill "An Act Regarding the Withdrawal of a Single Municipality from a Regional School Unit" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-693)**

(H.P. 595) (L.D. 846) Bill "An Act To Enact the Revised Uniform Fiduciary Access to Digital Assets Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-691)**

(H.P. 1271) (L.D. 1829) Bill "An Act To Amend the Laws Governing Education" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-694)**

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

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

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Clarify Educational Placement and Notification in Regard to Parental Rights and Responsibilities"

(H.P. 1175) (L.D. 1695)

Signed:

Senators:

- KEIM of Oxford
- HILL of York
- WHITTEMORE of Somerset

Representatives:

- MOONEN of Portland
- BABBIDGE of Kennebunk
- BAILEY of Saco
- BRADSTREET of Vassalboro
- GUERIN of Glenburn
- JOHANSEN of Monticello
- McCREIGHT of Harpswell
- RECKITT of South Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-692)** on same Bill.

Signed:

Representatives:

- CARDONE of Bangor
- SHERMAN of Hodgdon

**READ.**

On motion of Representative MOONEN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

**ENACTORS**

**Emergency Measure**

An Act To Extend the Term of Guide Licenses and Amend the License Revocation Laws

(S.P. 619) (L.D. 1683)  
(C. "A" S-396)

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 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Fund the Reorganization of the Department of Public Safety, State Bureau of Identification

(H.P. 1293) (L.D. 1855)  
(C. "A" H-658)

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. 122 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Directing an Independent, Nonpartisan, Objective Evaluation of the Provision of Indigent Legal Services

(H.P. 1257) (L.D. 1812)  
(C. "A" H-657)

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. 127 voted in favor of the same and 6 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Prohibit Third Parties from Facilitating Transfers of Moose Permits for Consideration

(H.P. 446) (L.D. 630)  
(C. "C" H-660)

An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement

(S.P. 557) (L.D. 1584)  
(C. "A" S-391)

An Act To Fund the Downeast Correctional Facility

(H.P. 1184) (L.D. 1704)  
(C. "A" H-593; S. "A" S-393)

An Act To Restore Maine's School-based Health Centers

(H.P. 1190) (L.D. 1710)  
(H. "A" H-667 to C. "A" H-635)

An Act To Transfer Funds to the Maine Clean Election Fund To Provide Adequate Funding for Maine Clean Election Fund Candidates

(H.P. 1226) (L.D. 1780)  
(C. "A" H-665)

An Act To Protect Children under 14 Years of Age from Being Photographed by Certain Persons

(H.P. 1258) (L.D. 1813)  
(C. "A" H-656)

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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**Resolves**

Resolve, To Clarify Reimbursement for Parent-only Programs under the MaineCare Program

(S.P. 125) (L.D. 384)  
(C. "A" S-397)

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

(H.P. 1145) (L.D. 1660)  
(C. "A" H-655)

Resolve, Directing the Department of Health and Human Services To Allow Relatives and Legal Guardians To Provide Home and Community-based Services to Eligible Members

(H.P. 1188) (L.D. 1708)  
(C. "A" H-664)

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

(S.P. 640) (L.D. 1741)  
(C. "A" S-373; S. "A" S-402)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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**SENATE PAPERS**

Bill "An Act To Improve Compliance with the Maine Tree Growth Tax Law"

(S.P. 722) (L.D. 1891)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** in concurrence.

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**ENACTORS**

**Acts**

An Act To Encourage New Major Investments in Shipbuilding Facilities and the Preservation of Jobs

(H.P. 1227) (L.D. 1781)  
(S. "A" S-425 to C. "A" H-685)

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

Representative CHAPMAN of Brooksville **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

Fewer than one-fifth of the members present expressed a desire for a roll call which was not ordered.

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

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**SENATE PAPERS**

Bill "An Act To Amend the Workers' Compensation Laws Governing Affiliated Self-insurance Groups"

(S.P. 721) (L.D. 1888)

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

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

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On motion of Representative FECTEAU of Biddeford, the House adjourned at 12:56 p.m., until 10:00 a.m., Thursday, March 29, 2018, in honor and lasting tribute to Claudette Lessard, of Biddeford and Julius Eugene Ciembroniewicz, of Winthrop.