

MAINE STATE LEGISLATURE

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CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. AMY F. VOLK
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

128th Legislature
Legislative Council

June 26, 2018

AGENDA

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	ROLL CALL	
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	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
11	<ul style="list-style-type: none">Executive Director's Report (Mr. Pennoyer)	Information
12	<ul style="list-style-type: none">Fiscal Report (Mr. Nolan)	Information
	REPORTS FROM COUNCIL COMMITTEES	
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	OLD BUSINESS	
16	Item #1: Council Actions Taken by Ballot (No Action Required)	Information
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**LEGISLATIVE COUNCIL
MEETING SUMMARY
March 22, 2018**

CALL TO ORDER

Speaker Gideon called the March 22, 2018 meeting of the Legislative Council to order at 2:53 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	President Thibodeau, Senator Jackson and Senator Libby
Absent:	Senator Mason, Senator Volk (both arrived late)
Representatives:	Speaker Gideon, Representative Herbig, Representative Golden, and Representative Espling
Absent:	Representative Fredette
Legislative Officers:	Heather Priest, Secretary of the Senate Robert Hunt, Clerk of the House Grant T. Pennoyer, Executive Director of the Legislative Council Dawna Lopatosky, Legislative Finance Director Suzanne Gresser, Revisor of Statutes Marion Hylan Barr, Director, Office of Policy and Legal Analysis Chris Nolan, Director, Office of Fiscal and Program Review John Barden, Director, Law and Legislative Reference Library Kevin Dieterich, Director, Legislative Information Technology

Speaker Gideon convened the meeting at 2:53 p.m. with a quorum of members present.

SUMMARY OF FEBRUARY 27, 2017 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for February 27, 2017 be accepted and placed on file. Motion by Senator Jackson. Second by Representative Herbig. **Motion passed unanimous (7-0-0-3, with Senators Mason and Volk and Representative Fredette absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, presented the following report.

1. Copper Reuse Artwork Installed at the State House

The first of the two Copper Reuse Artworks was installed on Friday, March 16th, above the door of the Law and Legislative Reference Library. More information about the Copper Reuse Project and the related artwork will be posted to the Executive Director's website. The second piece of art using the copper will be installed on the exit hallway wall at the main entrance in June. Word has been spreading among the art community about the copper and the remaining sheets of rough copper available after these two works have been starting to sell quickly. If you know someone who is interested in some of this copper, they should act quickly and contact the Executive Director's Office.

2. Harassment Training Update

Jackie Little, Human Resources Director, has provided training for the four major caucuses and the Independents and Green Independents. A final training session for the House Republican Caucus is planned for Tuesday, March 27th. Not counting the pending session, she has trained 149 Legislators. Ms. Little will be scheduling additional small group training sessions for any remaining Legislators that missed the training sessions conducted in caucus meetings.

3. Blood Drive on April 11th

There will be a blood drive on Wednesday, April 11th from 9:30 am - 2:30 pm in the Capitol Complex. It will be conducted using the large Red Cross Bloodmobile, which will be parked near the green space between the State House, Cultural Building and the Cross Office Building. Online registration is open now. Registrations to date are already at 40% of their goal for this drive.

4. Updated Emergency Information Distributed

Updated emergency information packets were distributed to each office based on updated employee information. In addition, those offices that were affected by the recent revisions in the State House evacuation plan were provided with updated evacuation sheets specific to their office. The packet regarding the new House Chamber evacuation route out the north entrance was also distributed to the House members on their desks.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, presented the following report.

1. General Fund Revenue Update

Total General Fund Revenue - FY 2018 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$160.3	\$157.7	(\$2.6)	-1.6%	\$155.4	1.5%
FYTD	\$2,231.0	\$2,310.3	\$79.2	3.6%	\$2,208.4	4.6%

General Fund revenue was under budget by \$2.6 million (1.6%) for the month of February but over budget by \$79.2 million (3.6%) for the fiscal year to date. These variances do not

reflect the March 2018 revenue forecast, which increased budgeted revenue by \$38.9 million for FY 2018. Individual income tax revenue was under budget by \$8.6 million for the month but over budget by \$49.4 million for the fiscal year to date. Most of this February variance was a timing issue related to income tax refunds. The IRS did not open the 2017 filing season until the end of January, and as a result, very few refunds were made in January but instead made in February. Sales and use tax revenue (January sales) was over budget by \$2.4 million for the month and \$6.8 million for the fiscal year to date.

2. Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2018 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$25.5	\$27.0	\$1.5	5.8%	\$25.3	6.4%
FYTD	\$219.8	\$226.2	\$6.4	2.9%	\$223.6	1.2%

Highway Fund revenue was over budget by \$1.5 million (5.8%) for the month of February and over budget by \$6.4 million (2.9%) for the fiscal year to date. These positive variances do not reflect the March 2018 revenue forecast, which increased budgeted revenue by \$1.6 million for FY 2018. The gasoline tax, long-term trailer registration fees and title fees were the main drivers of the positive variance to date.

3. Cash Balances Update

The average balance in the cash pool for February was \$1,203.9 million, up from January's average of \$1,200.5 million, and above both last year's average balance for February and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in February (last done in April of 2016). The average Highway Fund balance of \$14.8 million in February was up from January's average balance of \$8.3 million.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Speaker Gideon reported that the Personnel Committee met on February 28th to consider the following matters:

1. SOMER Update

Ms. Little updated the committee about the status of the SOMER HR system implementation. No action by the Legislative Council is needed at this time.

2. Harassment Prevention Update

Ms. Little provided the committee with an update of staff and legislator training as well as other information with respect to harassment prevention.

3. OPEGA Director Recruitment

Ms. Little shared a draft job description and recruitment plan for the OPEGA Director position. The committee provided guidance for this recruitment.

4. Legislative IT Director Recruitment

Ms. Little shared a draft job description and recruitment plan for the Legislative Information Technology Director position. The committee provided input for this recruitment.

5. NCSL Job Classification and Compensation Study Update

The committee received an update on the NCSL job classification and compensation study.

2. State House Facilities Committee

No report.

OLD BUSINESS

Item #1: Consideration of the Tabled Bill Requests for Introduction in the Second Regular Session of the 128th Legislature – from October and November

The Legislative Council proceeded to consider ten (10) tabled bill requests in accordance with the adopted protocol. One bill was withdrawn by the sponsor and the Legislative Council took no action on the remaining nine requests. The Legislative Council's action on the bill requests is attached.

Item #2: Council Actions Taken by Ballot

Requests for Introduction of Legislation:

LR 2885 An Act Regarding Financial Orders Requested by the Attorney General

Submitted by: Representative Aaron Frey

Date: February 27, 2018

Vote: 7-3-0-0 Passed (with Senator Mason, Representatives Fredette and Espling opposed)

LR 2916 An Act to Clarify the Dispensing of Naloxone Hydrochloride by Pharmacists

Submitted by: Speaker Sara Gideon

Date: March 6, 2018

Vote: 9-1-0-0 Passed (with Representative Espling opposed)

LR 2958 An Act to Protect Children from Abuse

Submitted by: Representative Ellie Espling

Date: March 6, 2018

Vote: 10-0-0-0 Passed

LR 2927 Joint Resolution Condemning the Violence in Charlottesville, VA, Expressing the Commitment to the Legislature to Uphold Constitutional Rights and Urging Congress to Strengthen Laws Against Mass Violence and Domestic Terrorism

Submitted by: Senator Benjamin Chipman
 Date: March 6, 2018
 Vote: 7-3-0-0 Passed (with Senator Mason, Representatives Fredette and Espling opposed)

LR 2956 An Act to Ensure the Continued Provision of Services to Maine Children and Families

Submitted by: Representative Pinny Beebe-Center
 Date: March 6, 2018
 Vote: 10-0-0-0 Passed

LR 2976 An Act to Amend the Laws Governing Affiliated Self-insurance Groups

Submitted by: Senator Amy Volk
 Date: March 20, 2018
 Vote: 8-2-0-0 Passed (with Representatives Fredette and Espling opposed)

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests for Introduction in the Second Regular Session of the 128th Legislature

The Legislative Council proceeded to consider and vote on twenty (20) after deadline bill requests. The Legislative Council authorized two (2) bills for introduction in the Second Regular Session, two (2) bills failed, two (2) bills tabled, and the Council took no action on the remaining fourteen (14) bill requests. The Legislative Council's action on the bill requests is attached.

Item #2: Acceptance of the Study of Conserved Lands Owned by Nonprofit Organizations

The Study of Conserved Lands Owned by Nonprofit Organizations submitted its report for acceptance by the Legislative Council.

Motion: That the report from the Study of Conserved Lands Owned by Nonprofit Organizations be accepted and placed on file. Motion by Senator Mason. Second by Senator Jackson. **Motion passed unanimous (9-0-0-1, with Representative Fredette absent).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:20 p.m.

**Legislative Council Action Taken on
Tabled Pre Cloture Bills Requests
From October and November 2017
March 22, 2018**

SPONSOR: Sen. Justin Mark Chenette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2650	An Act To Close Loopholes in Election Laws and Ban the Use of Leadership Political Action Committees for Personal Profit	Tabled 01/26/18

SPONSOR: Sen. Andre E. Cushing III

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2754	Resolve, To Study Methods for Better Transportation for Students and Workers in Maine	Tabled 12/14/17

SPONSOR: Sen. Troy D. Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2506	An Act To Support Funding for Workforce Development in Maine	Tabled 10/26/17

SPONSOR: Sen. Brian D. Langley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2783	An Act To Extend Secondary Student Eligibility in the Competitive Skills Scholarship Program	Tabled 12/14/17 WITHDRAWN BY SPONSOR

SPONSOR: Sen. Nathan L. Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2761	Resolve, To Require the Department of Labor To Receive Federal Workforce Innovation and Opportunity Act Funds	Tabled 10/26/17

SPONSOR: Rep. Wayne R. Parry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2562	An Act To Waive Income Restrictions for Supplemental MaineCare Coverage for Children Diagnosed with Cystic Fibrosis	Tabled 11/30/17

SPONSOR: Rep. Anne C. Perry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2523	An Act To Ensure Federal Funding for Job Training Services	Tabled 10/26/17

SPONSOR: Rep. Harold L. Stewart III

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2472	An Act To Prevent Human Trafficking, Protect Children and Finance the Victims' Compensation Fund	Tabled 11/30/17

SPONSOR: Pres. Michael D. Thibodeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2605	An Act To Amend the Laws Restricting Firearms on Public Lands	Tabled 11/30/17

SPONSOR: Rep. Dustin Michael White

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2551	An Act To Increase the Bottle Redemption Rate To Counterbalance Increases in the Minimum Wage	Tabled 11/30/17

**128th Maine State Legislature
Legislative Council Action Taken on
Requests to Introduce Legislation
Second Regular Session
March 22, 2018**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Shenna Bellows

<u>LR #</u> 2977	<u>Title</u> Resolve, To Recognize the 100th Anniversary of the American Legion on the Capitol Grounds	<u>Action</u> PASSED
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SPONSOR: Sen. Scott W. Cyrway

<u>LR #</u> 2957	<u>Title</u> An Act To Deter School Violence by Imposing Responsibility on Parents for Costs of Investigation or Family Counseling	<u>Action</u> TABLED
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SPONSOR: Rep. Jared F. Golden

<u>LR #</u> 2959	<u>Title</u> An Act To Fund Ranked-choice Voting	<u>Action</u> FAILED
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SPONSOR: Rep. Richard S. Malaby

<u>LR #</u> 2989	<u>Title</u> An Act To Increase Safety for Maine Citizens	<u>Action</u> PASSED
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SPONSOR: Rep. Wayne R. Parry

<u>LR #</u> 2953	<u>Title</u> An Act To Allow a School To Hire as Security Personnel a Retired Full-time Police Officer Who Has Completed Necessary Training	<u>Action</u> TABLED
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TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Rep. Seth A. Berry

<u>LR #</u> 2836	<u>Title</u> Resolve, To Require the Public Utilities Commission To Adopt Rates for Regulated For-profit Utilities Based on the Reduction in the Federal Corporate Income Tax Rates	<u>Action</u> Tabled 01/25/18
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SPONSOR: Rep. Owen D. Casas

<u>LR #</u> 2795	<u>Title</u> RESOLUTION, AMENDING THE CONSTITUTION OF MAINE TO ALLOW FOR RANKED-CHOICE VOTING	<u>Action</u> Tabled 12/14/17
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2950 Resolve, To Require the Office of the Attorney General To Temporarily Stay Disconnection Actions and Adverse Credit Reports Related To Billing Disputes with Central Maine Power Company Tabled 02/27/18

SPONSOR: Sen. Andre E. Cushing III

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2866	An Act To Allow Individuals To Obtain Feline Rabies Vaccine To Vaccinate Feral Cats	Tabled 01/25/18

SPONSOR: Rep. Ryan M. Fecteau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2796	An Act To Improve Efficiency in the Delivery of Workforce Training	Tabled 12/14/17

SPONSOR: Speaker Sara Gideon

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2822	An Act To Restore Net Neutrality Protections to Consumers in Maine	Tabled 01/25/18

2875	An Act To Discourage Sexual Harassment and Assault in the Workplace	Tabled 01/25/18
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SPONSOR: Rep. Gary L. Hilliard

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2794	An Act To Educate the Public Concerning Health and Safety Matters Relating to the Use of Marijuana	Tabled 12/14/17

SPONSOR: Sen. Troy D. Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2846	Resolve, Directing the Public Utilities Commission To Give Final Approval for a Long-term Contract for Electricity from Experimental Floating Turbines	Tabled 01/25/18

2884	An Act Concerning Commercial Vehicle Weight Limit Exemptions That Are Advantageous to Canadian Truckers	Tabled 01/25/18
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SPONSOR: Sen. Nathan L. Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2837	An Act To Require Annual In-person Sexual Harassment Training for Legislators, Legislative Employees, Constitutional Officers and Liaisons and Registered Lobbyists	Tabled 01/25/18

2848	An Act To Provide Reasonable Exemptions from the Work Requirements for MaineCare for Persons Who Are Elderly or Disabled	Tabled 01/25/18
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SPONSOR: **Rep. Deborah J. Sanderson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2913	An Act Regarding the Membership of the Board of Directors of the Hallowell Water District	Tabled 02/27/18 FAILED

SPONSOR: **Sen. David Woodsome**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2812	An Act Regarding the Use by Fire Departments of Recertified Self-contained Breathing Apparatus	Tabled 12/14/17

JOINT RESOLUTIONS

SPONSOR: **Sen. Justin Mark Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2850	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO EXEMPT MAINE FROM THE NEW OFFSHORE DRILLING RULES PROPOSED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR	Tabled 01/26/18

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Executive Director's Report June 19, 2018

1. Youth in Government Program at the State House

In consultation with the Secretary of the Senate and the Clerk of the House, we have established the dates for this coming fall's Youth in Government Program at the State House. The program will be conducting its annual program in the State House and Cross Office Building from Friday, November 9th, to Sunday, November 11th.

2. Copper Reuse Project

The Copper Reuse Project is finally coming to a close. All remaining rough sheets of the copper have been sold and the second of the two authorized artworks is scheduled to be installed later this week on the exit wall leaving the main lobby of the State House. We still have some mementos for sale for those that missed out on a rough copper purchase.

3. Filtered Drinking Fountain Installed

The drinking fountain on the second floor of the State House has been updated to a filtered water dispenser. A similar upgrade of the drinking fountain on the 4th floor is in process. The upgrade for the third floor was delayed to avoid any disruption to the Special Session.

4. Health Insurance Premium Increase

Employee Health and Benefits has announced that health insurance premiums for the State plan will increase by 4% effective July 1, 2018.

Fiscal Briefing

June 19, 2018

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY2018 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$251.5	\$258.3	\$6.7	2.7%	\$253.4	1.9%
FYTD	\$3,115.0	\$3,192.7	\$77.7	2.5%	\$3,044.0	4.9%

General Fund revenue was over budget by \$6.7 million (2.7%) for the month of May and over budget by \$77.7 million (2.5%) for the fiscal year to date. Individual income tax revenue was over budget by \$10.6 million for the month and over budget by \$52.2 million for the fiscal year to date. This positive monthly variance was primarily the result of strong withholding payments and an overage on the individual income tax refund line (less refunded than budgeted). As discussed in last month's report, the year to date variance is primarily the result of stronger than expected 2017 final income tax payments. Sales and use tax revenue (April sales) was over budget by \$4.6 million for the month and over budget by \$6.7 million for the fiscal year to date. Corporate income tax payments were \$3.7 million under budget for the month but \$15.3 million over budget for the fiscal year to date. The monthly variance was mostly the result of corporate income tax refunds coming in under budget for the month by \$6.2 million (more refunded than budgeted).

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY2018 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$27.6	\$29.4	\$1.9	6.8%	\$28.1	4.6%
FYTD	\$302.4	\$307.8	\$5.4	1.8%	\$304.7	1.0%

Highway Fund revenue was over budget by \$1.9 million (6.8%) for the month of May and over budget by \$5.4 million (1.8%) for the fiscal year to date. Fuel taxes were under budget by \$0.3 million for the month but over budget by \$0.9 million for the fiscal year. Motor vehicle registration and fees were over budget by \$2.0 million for the month and \$4.3 million for the fiscal year.

3. Cash Balances Update

The average balance in the cash pool for May was \$1,201.5 million, up from April's average of \$1,074.3 million and above both last year's average balance for May and the ten-year average for the month. May's cash balances reflect a continued recovery from March which is typically the low point in the fiscal year for cash balances that are then usually replenished in April and May. General Fund internal borrowing from other funds was not needed in May (last done in April of 2016). The average Highway Fund balance of \$38.9 million in May was up from \$36.9 million in April.

General Fund Revenue
Fiscal Year Ending June 30, 2018 (FY 2018)

Updated 6/12/18

May 2018 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2018 Budgeted Totals
	May '18 Budget	May '18 Actual	May '18 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	100,855,734	105,441,892	4,586,158	1,284,815,301	1,291,536,046	6,720,745	0.5%	5.6%	1,409,548,328
Service Provider Tax	5,467,142	4,858,839	(608,303)	57,312,316	54,573,263	(2,739,053)	-4.8%	-0.2%	62,224,469
Individual Income Tax	104,250,000	114,850,325	10,600,325	1,389,550,000	1,441,783,659	52,233,659	3.8%	6.6%	1,554,804,704
Corporate Income Tax	7,000,000	3,302,110	(3,697,890)	135,085,000	150,396,808	15,311,808	11.3%	8.7%	171,924,242
Cigarette and Tobacco Tax	12,461,440	11,752,750	(708,690)	116,492,516	117,600,595	1,108,079	1.0%	-7.0%	129,032,000
Insurance Companies Tax	8,933,167	5,862,036	(3,071,131)	47,151,084	46,326,444	(824,640)	-1.7%	-4.4%	74,150,000
Estate Tax	1,030,000	2,058,919	1,028,919	11,386,000	13,493,203	2,107,203	18.5%	13.0%	12,416,710
Other Taxes and Fees *	11,386,471	13,225,867	1,839,396	126,641,575	129,087,578	2,446,003	1.9%	-1.7%	139,808,638
Fines, Forfeits and Penalties	1,496,003	1,521,275	25,272	16,905,521	16,817,723	(87,798)	-0.5%	-6.2%	18,354,011
Income from Investments	365,363	488,648	123,285	4,599,813	4,912,813	313,000	6.8%	79.4%	5,428,946
Transfer from Lottery Commission	3,738,616	4,912,334	1,173,718	54,326,930	57,385,513	3,058,583	5.6%	11.7%	59,000,000
Transfers to Tax Relief Programs *	(350,000)	(1,460,367)	(1,110,367)	(63,503,417)	(65,355,970)	(1,852,553)	-2.9%	-2.3%	(63,768,101)
Transfers for Municipal Revenue Sharing	(6,904,640)	(7,987,967)	(1,083,327)	(59,114,263)	(60,769,465)	(1,655,202)	-2.8%	-6.8%	(69,244,574)
Other Revenue *	1,794,787	(572,644)	(2,367,431)	(6,682,255)	(5,117,059)	1,565,196	23.4%	-186.6%	1,941,056
Totals	251,524,083	258,254,016	6,729,933	3,114,966,121	3,192,671,149	77,705,028	2.5%	4.9%	3,505,620,429

* Additional detail by subcategory for these categories is presented on the following page.

General Fund Revenue
Fiscal Year Ending June 30, 2018 (FY 2018)

Updated 6/12/18

May 2018 Revenue Variance Report

Revenue Category	May '18 Budget	May '18 Actual	May '18 Variance	Fiscal Year-To-Date					FY 2018 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	12,220,827	12,220,827	(0)	0.0%	6.3%	13,812,702
- Real Estate Transfer Tax	1,073,507	1,084,919	11,412	13,646,319	14,364,152	717,833	5.3%	-6.8%	14,951,635
- Liquor Taxes and Fees	1,389,387	2,220,229	830,842	20,566,307	21,393,883	827,576	4.0%	3.8%	21,955,688
- Corporation Fees and Licenses	2,574,674	2,884,615	309,941	7,921,958	8,194,186	272,228	3.4%	-3.6%	9,838,649
- Telecommunication Excise Tax	0	0	0	6,250,000	6,221,980	(28,020)	-0.4%	-0.4%	6,250,000
- Finance Industry Fees	2,195,998	2,465,900	269,902	25,695,992	26,442,065	746,073	2.9%	-0.8%	27,891,990
- Milk Handling Fee	750,151	633,142	(117,009)	4,319,001	4,333,829	14,828	0.3%	3.8%	5,069,152
- Racino Revenue	686,616	820,394	133,778	7,552,292	7,713,426	161,134	2.1%	-0.8%	8,238,907
- Boat, ATV and Snowmobile Fees	728,127	936,114	207,987	3,687,652	3,565,910	(121,742)	-3.3%	3.3%	4,523,561
- Hunting and Fishing License Fees	1,385,790	1,187,873	(197,917)	14,128,345	13,750,957	(377,388)	-2.7%	-3.0%	16,024,459
- Other Miscellaneous Taxes and Fees	602,221	992,682	390,461	10,652,882	10,886,364	233,482	2.2%	-15.5%	11,251,895
Subtotal - Other Taxes and Fees	11,386,471	13,225,867	1,839,396	126,641,575	129,087,578	2,446,003	1.9%	-1.7%	139,808,638
Detail of Other Revenue:									
- Liquor Sales and Operations	2,280	5,950	3,670	26,220.00	46,872	20,652	78.8%	23.0%	28,500
- Targeted Case Management (DHHS)	140,958	22,059	(118,899)	1,059,042	570,310	(488,732)	-46.1%	-66.4%	1,200,000
- State Cost Allocation Program	1,569,956	1,760,165	190,209	16,056,373	15,977,593	(78,780)	-0.5%	-9.9%	17,807,410
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	6,200,000
- Tourism Transfer	0	0	0	(16,076,775)	(16,076,758)	17	0.0%	-10.2%	(16,076,775)
- Transfer to Maine Milk Pool	(1,945,832)	(1,618,712)	327,120	(15,121,126)	(14,514,665)	606,461	4.0%	-3.3%	(16,845,537)
- Transfer to STAR Transportation Fund	0	0	0	(8,900,000)	(8,899,944)	56	0.0%	-12.5%	(8,900,000)
- Other Miscellaneous Revenue	2,027,425	(742,107)	(2,769,532)	16,274,011	17,779,532	1,505,521	9.3%	-22.7%	18,527,458
Subtotal - Other Revenue	1,794,787	(572,644)	(2,252,202)	(6,682,255)	(5,117,059)	1,565,196	23.4%	-186.6%	1,941,056
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	1,838	1,838	0	10,566	10,566	N/A	-14.6%	0
- BETR - Business Equipment Tax Reimb.	0	(1,463,690)	(1,463,690)	(26,800,000)	(29,761,459)	(2,961,459)	-11.1%	5.5%	(26,800,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(350,000)	1,485	351,485	(36,703,417)	(35,605,076)	1,098,341	3.0%	-9.9%	(36,968,101)
Subtotal - Tax Relief Transfers	(350,000)	(1,460,367)	(1,110,367)	(63,503,417)	(65,355,970)	(1,852,553)	-2.9%	-2.3%	(63,768,101)
Inland Fisheries and Wildlife Revenue - Total	2,162,259	2,209,992	47,733	18,734,467	18,419,212	(315,255)	-1.7%	-1.1%	21,497,968

Highway Fund Revenue
Fiscal Year Ending June 30, 2018 (FY 2018)

Updated 6/12/18

May 2018 Revenue Variance Report

Revenue Category	May '18 Budget	May '18 Actual	May '18 Variance	Fiscal Year-To-Date					FY 2018 Budgeted Totals
				Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	14,822,293	15,227,679	405,386	184,101,352	187,214,499	3,113,147	1.7%	1.6%	201,172,900
- Special Fuel and Road Use Taxes	4,199,516	3,467,450	(732,066)	42,242,770	40,261,900	(1,980,870)	-4.7%	-7.6%	46,206,300
- Transcap Transfers - Fuel Taxes	(1,392,232)	(1,373,575)	18,657	(16,640,942)	(16,778,012)	(137,070)	-0.8%	0.2%	(18,176,136)
- Other Fund Gasoline Tax Distributions	(366,762)	(380,799)	(14,037)	(4,608,332)	(4,686,398)	(78,066)	-1.7%	-1.2%	(5,030,731)
Subtotal - Fuel Taxes	17,262,815	16,940,755	(322,060)	205,094,848	206,011,989	917,141	0.4%	-0.2%	224,172,333
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	6,596,812	7,665,613	1,068,801	59,376,969	61,340,625	1,963,656	3.3%	1.6%	67,175,787
- License Plate Fees	475,102	589,155	114,053	3,157,796	3,488,272	330,476	10.5%	2.6%	3,458,710
- Long-term Trailer Registration Fees	457,985	937,045	479,060	10,516,895	12,049,327	1,532,432	14.6%	8.5%	10,884,523
- Title Fees	1,048,631	1,409,982	361,351	12,417,065	13,127,908	710,843	5.7%	3.2%	13,696,264
- Motor Vehicle Operator License Fees	853,274	846,680	(6,595)	7,960,089	7,845,421	(114,669)	-1.4%	-4.0%	8,836,689
- Transcap Transfers - Motor Vehicle Fees	0	0	0	(11,260,806)	(11,413,650)	(152,844)	-1.4%	-0.8%	(15,600,414)
Subtotal - Motor Vehicle Reg. & Fees	9,431,804	11,448,475	2,016,671	82,168,008	86,437,902	4,269,894	5.2%	2.3%	88,451,559
Motor Vehicle Inspection Fees	202,551	288,576	86,025	2,999,950	2,935,448	(64,502)	-2.2%	-4.5%	3,202,500
Other Highway Fund Taxes and Fees	121,169	178,595	57,426	1,166,558	1,302,275	135,717	11.6%	5.6%	1,293,729
Fines, Forfeits and Penalties	57,905	56,231	(1,674)	660,680	672,740	12,060	1.8%	1.7%	739,039
Interest Earnings	(7,839)	43,428	51,267	271,884	252,231	(19,653)	-7.2%	-12.9%	218,841
Other Highway Fund Revenue	513,866	489,372	(24,494)	10,028,270	10,185,465	157,195	1.6%	19.3%	10,602,160
Totals	27,582,271	29,445,431	1,863,160	302,390,198	307,798,050	5,407,852	1.8%	1.0%	328,680,161

**Legislative Council Actions
Taken by Ballot Since the
March 22, 2018 Council Meeting**

Decisions by Legislative Council Ballot:

Motion: That the Legislative Council approves the Marijuana Advisory Commission as an on-going legislative commission established in LD 1719 An Act to Implement a Regulatory Structure for Adult Use Marijuana that will incur additional annual costs to the Legislature of \$2,250 beginning in fiscal year 2018-19 for which a General Fund appropriation is included. And further that the Legislative Council approves this commission as non-conforming with the provisions of Joint Rule 353.

Motion by: Speaker Gideon Second by: President Thibodeau
Date: April 17, 2018
Vote: 9-0-1-0 Passed (with Representative Fredette abstained)

Motion: That the Legislative Council authorize the funding for and approve the nonconforming elements pursuant to Joint Rule 353 of the following legislative studies:

- The Commission To Study Long-term Care Workforce Issues (see LD 1466); and
- The Task Force for the Study and Planning for the Implementation of Maine's Early Childhood Special Education Services (see LD 1870).

Motion by: Speaker Gideon Second by: President Thibodeau
Date: June 19, 2018
Vote: 10-0-0-0 Passed

Requests for Introduction of Legislation – Special Session:

LR 3054 Resolve, To Name the Bridge over the Kennebec River in the Town of Norridgewock the Corporal Eugene Cole Memorial Bridge

Submitted by: Representative Bradlee Farrin
Date: June 19, 2018
Vote: 10-0-0-0 Passed

LR 3053 An Act To Clarify which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites

Submitted by: Representative Ralph Chapman
Date: June 19, 2018
Vote: 9-1-0-0 Passed (with President Thibodeau opposed)

LR 3058 Resolve, To Name the Bridge over the Saco River in the Town of Fryeburg the Nathan Desjardins Memorial Bridge

Submitted by: Representative Nathan Wadsworth
Date: June 19, 2018
Vote: 10-0-0-0 Passed

Protocols for Review of Legislative Study Proposals
128th Legislature
Legislative Council Meeting
June 19, 2018

Background: Requirements Relevant to Studies in the First Regular Session

Under the terms of the Joint Rules of the 128th Legislature, section 353, all joint orders and legislation proposing legislative studies regardless of funding source must be placed on a special study table. The Legislative Council must review proposed studies and establish priorities for allocation of budgetary and staffing resources.

For studies authorized by the Legislative Council, the Legislative Council must provide funds sufficient to enable the committee to reasonably conduct and complete the requirements of the studies.

Also under the Joint Rules, the Legislative Council must adopt a policy relating to preparing study legislation. On January 31, 2017, the Legislative Council unanimously adopted a policy on legislative studies for the 128th Legislature. Joint Rules and the related council policy specify the manner of appointment, selection of chair, compensation of members, report date and other relevants as part of study legislation. Copies of the Joint Rules and the adopted policy are in your notebook (see appendices).

Decision: Suggested Protocol for Authorizing Legislative Studies

- The Legislative Council will review study requests in LD order grouped by funding source.
- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be recorded. The record of each vote will be made available for public inspection following the meeting.
- Committee chairs and others are welcome to observe the council's deliberations on the study requests, but discussion of the requests will be confined to council members. However, Legislative Council members may ask questions of committee chairs and other legislators regarding the proposed study if needed.
- The Legislative Council shall specifically review those studies that do not conform to applicable standards and policies approved by the Council. The Council will include as part of its motion to authorize a study acceptance of any non-conforming elements of the study. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Majority Leader, except for studies tabled in the House which will be in the name of the House Majority Leader.

Issues: Policy Issues Needing Decision

1. **Number of authorized meetings and meeting location-Recommendation:** Unless otherwise specified by the Legislative Council, the number of study meetings is not to exceed four (4) and meetings are to be held in the Augusta area.
2. **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.
3. **Interim committee meetings-Recommendation:** Unless authorized by law or joint order or approved jointly by the presiding officers, joint standing and joint select committees may not meet during the legislative interim. The number of authorized days may not exceed availability of budgeted funds. Committee clerks are not authorized to staff interim committee meetings or studies. Joint standing and joint select committees must complete all assigned work within their authorized meeting days.

Rule 353. Legislative Studies.

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. Any bill, resolve or joint order proposing a legislative study that is inconsistent with this rule must be reviewed and approved by the Legislative Council.

- **1. Definitions.** For the purposes of this Joint Rule, the following terms have the following meanings:
 - A. The term “legislative study” or “legislative study committee” means any group of individuals established in an Act, Resolve or Joint Order or by the Legislative Council, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources;
 - B. The term “legislative resources” means the expenditure of any funds appropriated or allocated to the Legislative Account, the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and
 - C. The term “non-legislative study” or “non-legislative study group” means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.
- **2. Establishing legislative studies.** A legislative study may only be created by joint study order, unless the instrument directs an agency or a person who is not a legislator to take an action or has an existence that extends beyond the Legislature in which it is introduced. A joint standing committee may report out a joint study order requesting that a study be conducted.
- **3. Appointment of members.** A majority of legislative study members must be legislators and the legislative study committee must be chaired by legislators appointed in a manner consistent with subsection 4. The legislative study committee must include members of the 2 parties holding the largest number of seats in the Legislature. All members of legislative study committees established by joint study order must be appointed by the presiding officers: Senate members by the President and House members by the Speaker. Members of a legislative study created by joint study order who are not legislators must be appointed either by the President or the Speaker. Legislative studies may include a minority of non-legislative members appointed by someone outside the Legislature. Joint appointment of members is not permitted.
- **4. Appointment of chairs.** Legislative studies having more than 5 members must be cochaired by legislators. The first appointed Senate member must be the Senate chair and the first appointed House member must be the House chair. Legislative studies having 5 or fewer members must have a single legislative chair appointed by the presiding officer of the body of the originating study order or legislation. The chair of a legislative study

having 5 or fewer members shall appoint a chair pro tem from among the appointed members to serve in the chair's absence.

- **5. Committee size.** Legislative study committees may consist of no fewer than 3 and no more than 13 members.
- **6. Staffing.** Unless the Legislative Council directs otherwise, Legislative Council staff will only be assigned to legislative studies that conform to this Joint Rule.
- **7. Reporting dates.** All reports of legislative study committees that are to be submitted to a first regular session must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of legislative study committees that are to be submitted to a second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Upon request of the study committee, the Legislative Council may extend the reporting date, except that the extension may not go beyond December 15th in odd numbered years or beyond the first Wednesday of December in even numbered years.
- **8. Legislation may not be introduced by legislative studies or non-legislative study groups.** Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative or non-legislative study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.
- **9. Compensation.** Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and, upon demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.
- **10. Study table.** All joint study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or House. The Legislative Council shall review the proposed studies and authorize the allocation of budgetary and staffing resources for those studies.
- **11. Legislative Council study policies.** The Legislative Council shall adopt policies governing legislative studies at the beginning of each legislative biennium. Those policies may include conditions on the funding of legislative studies, exceptions to this Joint Rule, drafting standards or other provisions necessary to satisfy the requirements of this Joint Rule.

REP. SARA GIDEON
CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**Legislative Council Policy
on Legislative Studies
for 128th Maine Legislature**

1. Introduction

On March 22, 2007, the Legislative Council unanimously endorsed revisions to Joint Rule 353 and revisions to Legislative Council policies proposed by a Legislative Council subcommittee established to study the legislative study process. On May 15, 2007, the Legislative Council's proposed revisions to Joint Rule 353 were adopted by the House and the Senate, as amended by the Joint Select Committee on Joint Rules. Joint Rules adopted by each successive legislature have included Joint Rule 353.

Joint Rule 353, Section 11, requires the Legislative Council to adopt policies governing legislative studies at the beginning of each legislative biennium. Pursuant to that authority, the Legislative Council adopts this policy on legislative studies to establish policies and procedures governing the Legislative Council's authorization of legislative studies, conditions on the funding of legislative studies, exceptions to the definition of legislative study, legislative study drafting standards and other provisions necessary to satisfy the requirements of Joint Rule 353.

2. Council authorization of legislative studies

Legislative studies are authorized only upon the approval of a majority of the Legislative Council during its review of the study table, except that approval of 2/3 of the Legislative Council is required to authorize a legislative study that is required to submit a report to a subsequent Legislature.

3. Funding of legislative studies

The Legislative Council shall establish a study line in the Legislative Account to which legislative studies are budgeted and study expenses charged. That study line must include funds appropriated by the Legislature for those purposes and funds allocated by the Legislature from other departmental accounts to the Legislative Account for the purposes of funding a legislative study. The Legislative Council shall also establish budgets and provide sufficient money from the legislative account for studies to be conducted by joint standing committees, joint select committees and other study committees of the Legislature. The Legislative Council shall

provide sufficient money to enable the committees to reasonably conduct and complete the requirements of the studies.

4. Acceptance of private contributions to support legislative studies

Private financial or in-kind contributions to support the work of legislative studies may not be accepted from any party having a pecuniary or other vested interest in the outcome of the study. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. All such contributions are subject to the approval of the Legislative Council. All contributions accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the legislative study committee when those contributions have been received. If funding for a legislative study is contingent upon receipt of private contributions and sufficient contributions have not been received within 30 days after the effective date of the study instrument, then no meetings of the study are authorized and no study-related expenses of any kind may be incurred or reimbursed.

5. Exceptions to Joint Rule 353

The following limited exemptions to Joint Rule 353 are provided.

- A. Boards and commissions created in statute and codified in Title 5, chapter 379 are exempted from the provisions of this Joint Rule, except that the use of new legislative financial resources or Legislative Council staffing by a new board or commission or as the result of an amendment to an existing board or commission must be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources;
- B. Legislation directing an agency or a group of stakeholders to study and report to the Legislature on any matter may include the appointment of not more than two members of the Legislature, provided that the report of the agency or group is required to be submitted within the biennium in which the legislation is introduced, that there are no other legislative appointments required, that the legislators are appointed consistent with subsection 3 and that no other legislative resources are required. Legislation creating such groups must be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources.
- C. Notwithstanding Joint Rule 353, section 8, a joint select committee established in a manner consistent with Joint Rule 351 may, if so authorized in joint order establishing the joint select committee, introduce legislation to implement its recommendations.


6. Council review of committee requests to vary from Joint Rule 353

Pursuant to Joint Rule 353, the Legislative Council must specifically review and approve as an exception any legislative study that is inconsistent with that joint rule.

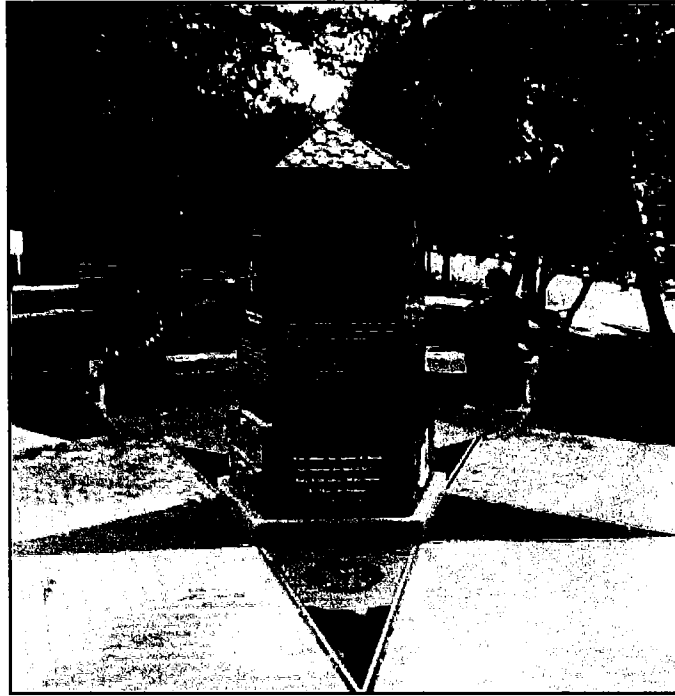
7. Authority and effective date

Pursuant to its authority under Joint Rule 353, Section 11, the Legislative Council hereby adopts this policy governing legislative studies on this 31st day of January, 2017.

This policy takes effect immediately.

BY: 
Grant T. Pennoyer, Executive Director

MAINE GOLD STAR FAMILY MEMORIAL



A Maine committee is spearheading fundraising for Maine's first Gold Star Family Memorial. The purpose of the Gold Star Family Memorial is to honor Gold Star Families from all wars and conflicts, preserve the memory of the fallen, and create a lasting memorial for future Gold Star Families through statewide recognition. This stunning seven-foot-tall black granite monument is in the shape of a pentagon, with each side radiating out to the point of a star, and will be in Augusta, Maine at Capitol Park.

The first side features a folded American Flag, with the inscription "On behalf of the President of the United States, the United States (Branch of Service), and a grateful nation, please accept this flag as a symbol of our appreciation for your loved one's honorable and faithful service". The second side features the Gold Star Service Banner that family members display, and being defined as a white field with a red border, with a Gold Star representing a family member who died during service, regardless of cause of death. The third side features emblems of the five branches of service, and the Oath of Enlistment. The fourth side features a quote honoring and remembering those who have made the ultimate sacrifice. The fifth side features the committee's mission statement and dedication.

Atop the Memorial are 50 Gold Stars, one representing each State. At the base of the Memorial, a star radiates outward, accented by each branch of service. Adjacent to the Memorial will be two granite benches, and feature a flag pole with yardarm to display the American Flag, State of Maine Flag, and the Gold Star Flag.

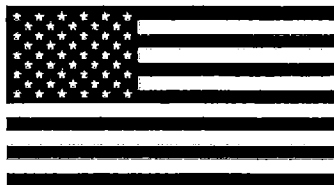
This committee is dedicated to honoring the service and sacrifice of our Nation's military and those of our home state.

Contact Information

Jonathan Kelley

competitorme@gmail.com

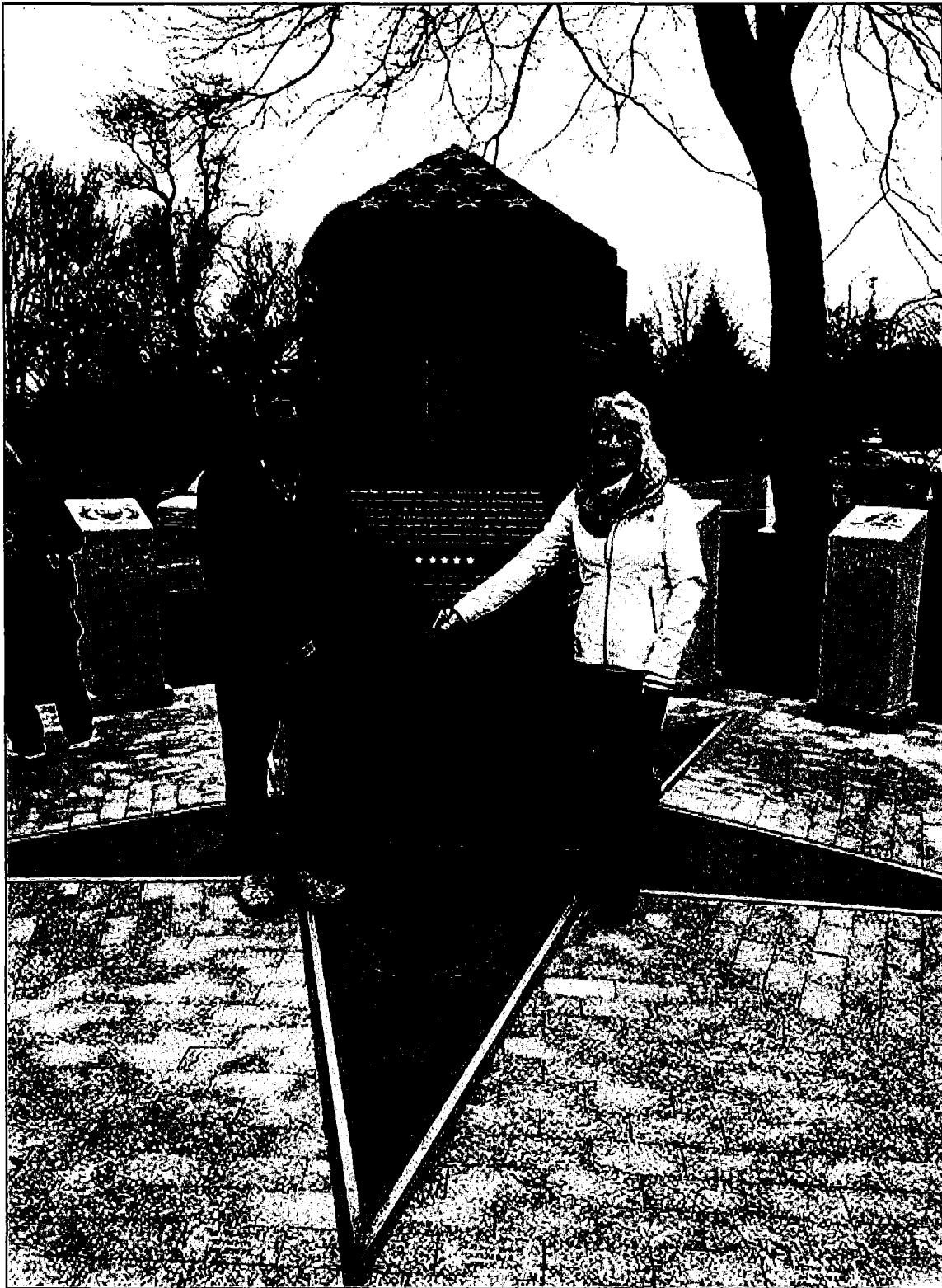
(207) 745-3780



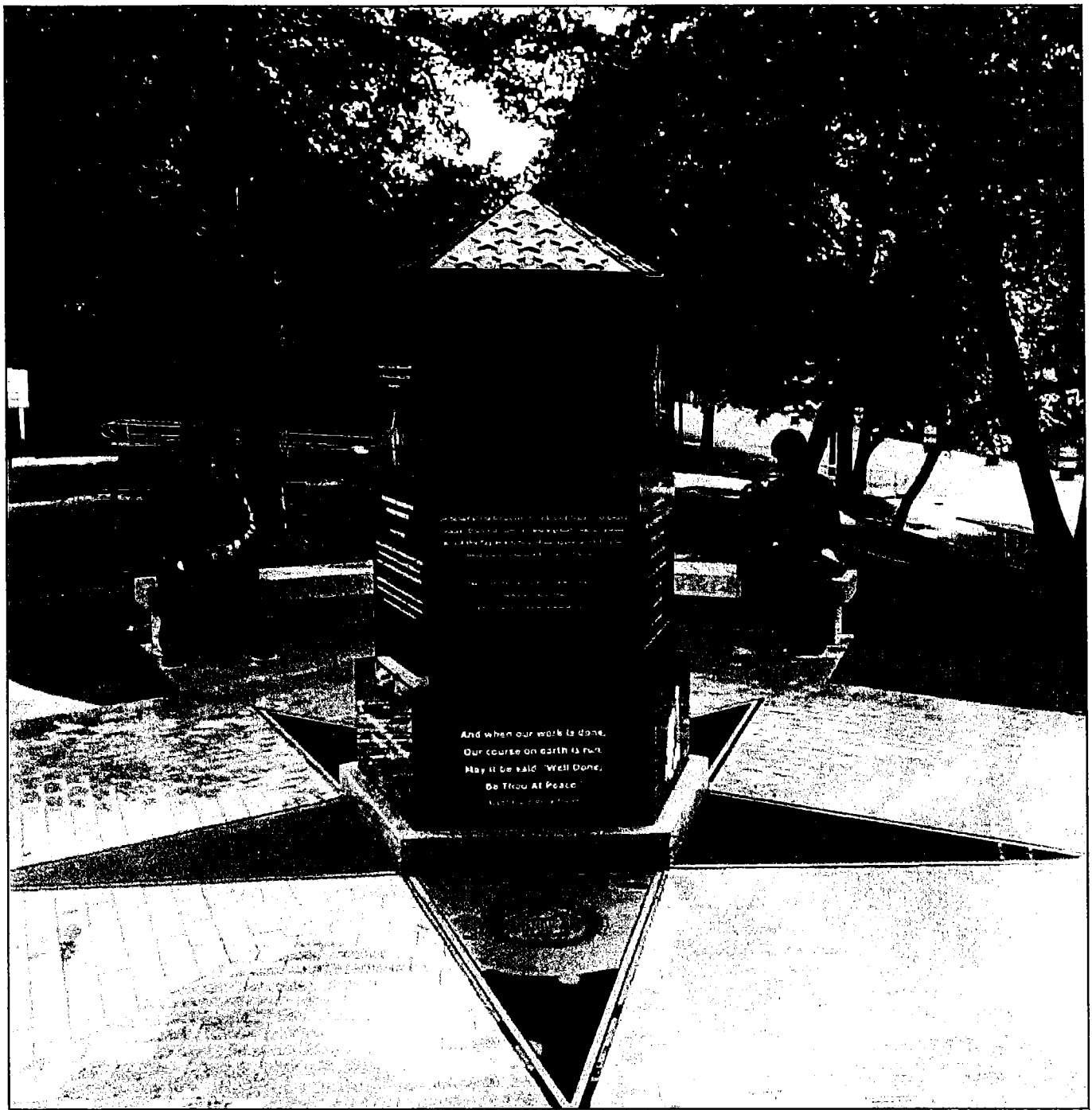
"Our debt to the heroic men and valiant women in the service of our country can never be repaid.

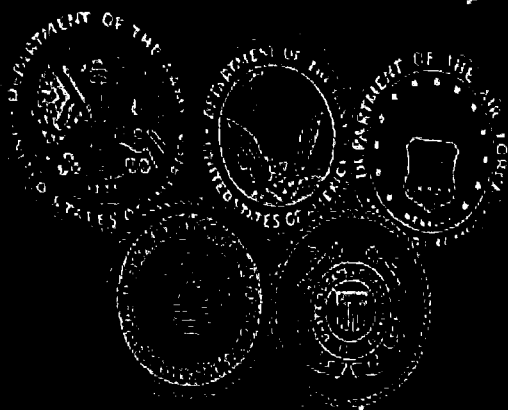
They have earned our undying gratitude. America will never forget their sacrifices."

Harry S. Truman



Gold Star Parents Scott and Lorna Harris in 2015 during the Wreaths Across America convoy.





OATH OF ENLISTMENT

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.

Duty, Honor, Country

Dedicated to the Families of those who have fallen
in all Wars and Conflicts throughout our history.
We honor them all



THE NEW JERSEY GOLD STAR FAMILY MONUMENT FOUNDATION

MISSION STATEMENT

To create a tranquil setting that is dedicated to honoring the sacrifice made by families who have lost a loved one in defense of our country. It will be a place designed for meditation and reflection.

The Monument will also serve as an educational medium depicting the emotional journey of a Gold Star Family, the loss they endure, and the many sacrifices they continue to make.

New Jersey Gold Star Family Monument
September 27, 2015