

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 3, 2018

beginning at page H-1216

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION  
30th Legislative Day  
Thursday, April 5, 2018

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

Prayer by Reverend Mark Rustin, Carmel Union Congregational Church.

National Anthem by Wiscasset Christian Academy Hand Chimes.

Pledge of Allegiance.

Doctors of the day, Lindsay Neal Oberg, D.O., Gorham and Allen Hayman, M.D., Falmouth.

The Journal of yesterday was read and approved.

The Speaker inquired if there was objection to taking a series of items out of order.

Representative ESPLING of New Gloucester **OBJECTED** to taking an item out of order.

Subsequently, Representative ESPLING of New Gloucester **WITHDREW** her objection to taking an item out of order.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Amend Maine's High School Diploma Standards and Ensure Maine Students Meet State Standards upon Graduation"

(H.P. 1336) (L.D. 1898)

Sponsored by Representative GINZLER of Bridgton. (GOVERNOR'S BILL)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Resolve, To Require the Department of Health and Human Services To Submit a State Plan Amendment Regarding Assets in Retirement and Education Accounts

(H.P. 1337) (L.D. 1899)

Sponsored by Representative CASÁS of Rockport. (GOVERNOR'S BILL)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

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

**ORDERS**

On motion of Representative PIERCE of Dresden, the following Joint Resolution: (H.P. 1335) (Cosponsored by Representatives: ALLEY of Beals, CEBRA of Naples, FREDETTE of Newport, GILLWAY of Searsport, HAGGAN of Hampden, HANINGTON of Lincoln, HARRINGTON of Sanford, HEAD of Bethel, HERRICK of Paris, MAREAN of Hollis, SEAVEY of Kennebunkport, SKOLFIELD of Weld, STEWART of Presque Isle, THERIAULT of China, TIMBERLAKE of Turner, WOOD of Greene, Senators: COLLINS of York, CUSHING of Penobscot, SAVIELLO of Franklin)

**JOINT RESOLUTION RECOGNIZING APRIL 7, 2018 AS MAINE MASONIC DAY**

WHEREAS, Freemasonry is one of the oldest and largest fraternal organizations in the world, open to men of any race, religion or social standing, and it provides opportunities for fellowship, charity, education and leadership based on the 3 ancient Masonic tenets of Brotherly Love, Relief and Truth; and

WHEREAS, the first Maine Masonic Lodge was formed in 1762 and the Grand Lodge of Maine was incorporated on June 16, 1820 as one of the first legislatively created institutions in the State, with Governor William King serving as the first Grand Master of Maine; and

WHEREAS, many of the country's famous patriots were Masons, including Paul Revere, George Washington, John Hancock and Benjamin Franklin, and many sons of Maine were Masons, including at least 33 Governors, Civil War Brigadier General Joshua Chamberlain, arctic explorer Rear Admiral Robert Peary, businessmen and philanthropists Harold Alfond and Galen Cole and famed baseball coach John Winkin, Jr.; and

WHEREAS, throughout history Masons have been committed to serving their communities through charity and continue to do so today through such projects as working with schools and libraries to encourage children to read; providing school teachers and administrators with free educational training and tools to identify and assist at-risk children; offering free specialized education in Portland and Bangor for children with dyslexia; and working with the Shriners, who operate the Shriners Hospitals for Children, an international hospital network providing no-cost, state-of-the-art burn and orthopedic care to children; and

WHEREAS, on Maine Masonic Day, April 7, 2018, Masonic lodges throughout the State will confer the Master Mason degree on men of character who wish to improve themselves and benefit their communities; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize April 7, 2018 as Maine Masonic Day and to express our appreciation of the charitable contributions of Masons to their communities and the State.

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE:** Madam Speaker, Ladies and Gentlemen of the House, I'm here today to present a Joint Resolution making April 7th Maine Masonic Day, and would like to thank our Masonic brethren who have traveled here to be with us today. On this special morning, these words are not intended to communicate rolling lists of names, but rather to highlight acts of brotherly love and friendship. This is intended to be a cogent message, so please enjoy.

George Washington, the father of our nation, along with a majority of the signers of the Declaration of Independence,

were Freemasons. Maine received statehood in 1820. The first governor of Maine, William King, also happened to be a Freemason. One of Maine's first legislative acts was to establish the Grand Lodge of Masons in Maine. We at this Legislature employ the Masons' rules of order for its operating procedures. Governor William King was involved in selecting this site, our capitol, which is situated on Western Hill. This capitol is on the west side of the Kennebec River, faces east. Head east from its front entry and follow the path easterly across Capital Park, and you will find a monument and mausoleum enshrining the interment of our sixth governor of Maine, our Enoch Lincoln. On February 24th of 1827, Governor Lincoln signed a bill and established Augusta as the official capital of Maine.

The cornerstone of this public edifice was laid by the Grand Lodge of Maine in a grand Masonic ceremony. To date, there have been 33 governors, scores of Legislature and municipal officials who were Freemasons. A number of esteemed Maine military leaders have also been Freemasons, one of our most famous being Brigadier General Joshua Chamberlain. And we know of his heroic deeds on the battlefield and his continuous leadership in Maine.

Let us jump to 1900 and speak of the 53rd Governor of Maine, Percival Baxter, an Anti-Klan Republican. Governor Baxter purchased some 6,000 acres of Great Northern Paper Company, initiating the start of his charitable contribution to the people of the State of Maine. Governor Baxter's total contribution of what we now know as Baxter State Park represents 202,064 acres which includes Mount Katahdin and a sizable charitable trust, enshrining this land will forever remain wild for the people of Maine. Baxter State Park is located where one can observe the world in a manner consistent with the way it was created from the supreme architect of the universe. You can raise your head and behold Mount Katahdin and gaze in awe, a place where peace and harmony is restorative to human souls, for there is a place in Maine from whence the friction of your life may be reduced and you can find peace and harmony.

A graduate of Cony High School also held the highest office in Maine. Governor Burton Cross, the 61st governor of our state, successfully implemented systemic change while improving welfare for all. Governor Cross organized the state financial office to work more closely than ever with the governor's office. In 2001, on October 24th, after a lengthy renovation, the Burton Cross building was dedicated, a place where many of us are obligated to perform our duties as legislators through the committee process.

Remember, brother, in our obligations, where you feel the incredible pull of the world today, remember the convictions of George Washington at Valley Forge, crossing the Delaware, or Brother Joshua Chamberlain at Gettysburg. We're all on the same level of time and shall conduct ourselves to promote peace, love, and unity throughout the communities we serve. In my final words today, I simply wish to convey a thought to all, this speaks to the universal mind. We have the ability to appreciate the full range of human experience through all ages of human existence. We do this through teaching the written words of our ancestors. We acknowledge the simple act of kindness unites us all. So, for the ages, let us study and teach friendship, morality, and brotherly love for all mankind. May the thoughts of your mind provide an illumination for those seeking light. Thank you and travel well.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative **RECKITT**: Madam Speaker, Men and Women of the House, I had not planned to speak today but I felt my father speaking to me, and so I felt I must rise, even though it's going to cause me to admit that I'm from away.

My father was the Grand Master of St. John's Lodge in Boston, which I believe is the oldest lodge in the country or, if it's not, it's very close to it. He was a proud Mason his entire life. I swear he gave more than a whole person-full of blood over the years. I happen to be the executor of his estate and his only child, and so I was there for the Masonic funeral which marked his passing. I know that the Masons were of critical importance to him in his life, and I know that he carried on his life in trying to hold up the values of the Masons. And so, on his behalf, I speak today and thank you, and I'm happy to support this resolution. Thank you very much.

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

Representative **SKOLFIELD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Speaker, I'd like to make an unusual request. At the close of my remarks, I would like to ask if it would be possible for Right Worshipful and Pastor Brother Rustin to say a couple of words when I close. Just -- it would be very brief. Would that -- is that appropriate?

The SPEAKER: The Chair would answer in the negative.

Representative **SKOLFIELD**: Thank you, Madam Speaker. Madam Speaker, if I may continue?

Madam Speaker, Ladies and Gentlemen of the House, I rise today as a proud member of the world's oldest fraternity. Freemasonry as we know it, and as far as can be determined, originated in London, England, in 1717. Crossing the pond to the colonies, it was well-established at the time of our declaring our independence in 1776.

My Masonic life began when I was raised to the sublime degree of a Master Mason 48 years ago, as a fourth-generation Maine Mason. It was my good fortune to have my father and my grandfather in attendance that evening. Now, as a father, I'm very pleased that the family Masonic tradition continues with two of my sons, for a fifth generation. I'm proud to be able to call my sons Brother.

It is an honor to have my beloved fraternity recognized here today, represented by the Grand Master of Masons in Maine, Thomas E. Pulkkinen, along with the Grand Lodge officers and many Masonic brothers all. I would like to conclude by reading this letter from the Chief Executive to all of Maine's Freemasons.

To all Freemasons, it is my distinct pleasure to recognize the important contributions of the Masonic fraternity as you celebrate Masonic Day in Maine on April 7, 2018. Incorporated on June 16, 1820 as one of the first legislatively created institutions in the State of Maine, Maine Freemasonry espouses values central to civilized society. Masonry is acknowledged for its efforts to support and build our Maine communities and to provide opportunities for fellowship, charity, education, leadership to our diverse Maine population. I am impressed by your dedicated service to our Maine communities. Your Bikes for Books program that encourages children to read by earning new bicycles and safety helmets is dramatically improving reading proficiency in our state. Your statewide effort to help schools identify and assist at-risk children at, no cost to the state or the school systems, is both timely and important to our efforts to make our schools safe and responsive to the needs of our students. Your specialized education facilities in Portland and in Bangor, that help children with dyslexia, and the Shriner's Hospital for Children have

touched many Maine families over many years. While many of the famous sons of Maine including at least 33 Maine governors, Civil War General Joshua Chamberlain, Rear Admiral Perry, and businessmen and philanthropists Harold Alfond and Galen Cole, along with famed baseball coach John Lincoln, have all been Masons, it is pleasing to know that Masonry brings together men of all races, religions, and social standing. That welcoming of our diverse Maine citizenry promotes harmony and understanding as well as a spirit of caring and cooperation, traits for which Maine has long been known. My best wishes on April 7, 2018 and always, as Masonic lodges throughout Maine bring together men of character who wish to improve themselves and benefit their communities. Sincerely, Paul R. LePage, Governor of Maine.

I would like to close, Madam Speaker and ladies and gentlemen, with a summary of what I -- you know how at the end of every legislative document there's a summary and, quite frankly, I think many of us, when we get that, we flip to that summary first to see what the bill's all about. Well, I think I would like to give a summary what Masonry is all about. At the end of every lodge meeting there is a charge that is presented, and I would like to give you that charge, and I think it's a pretty good summary.

"Brethren, we're about to quit this sacred retreat of friendship and virtue to mix again with the world. Amidst its concerns and employments, forget not the duties you have heard so frequently inculcated and so forcibly recommended in this lodge. Be diligent, prudent, temperate, and discreet. Remember, you have taken an oath around this altar to befriend and relieve every brother who should require your assistance. You have promised in the most friendly manner to remind him of his errors and aid in a reformation. These generous principles are to extend further. Every human being has a claim on your good offices. Do good unto all. Recommend it, more especially, to the household of the faithful. Finally, brethren, be ye of one mind, live in peace, and may the God of love and peace delight to dwell with and bless you." Thank you, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED**.  
Sent for concurrence. **ORDERED SENT FORTHWITH**.

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 64)

**ORDERED**, that Representative Kevin J. Battle of South Portland be excused April 3 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Russell J. Black of Wilton be excused March 28 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Barbara A. Cardone of Bangor be excused April 2 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Benjamin T. Collings of Portland be excused January 23 and March 6 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Garrel Robert Craig of Brewer be excused April 3 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused March 29 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Kenneth Wade Fredette of Newport be excused March 15 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative James S. Gillway of Searsport be excused April 3 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Scott M. Hamann of South Portland be excused March 27, 28 and 29 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Frances M. Head of Bethel be excused March 28 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Christina Riley of Jay be excused April 3 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Heather B. Sanborn of Portland be excused March 29 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Roger L. Sherman of Hodgdon be excused March 15, 20, 22, 27, 28, and 29 and April 2, 3, and 4 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Abden S. Simmons of Waldoboro be excused March 1 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Michael A. Sylvester of Portland be excused March 20 and April 4 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Karleton S. Ward of Dedham be excused March 1 for personal reasons.

**READ and PASSED.**

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

### 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.

Expression of Legislative Sentiment Recognizing Brayden Bashaw, of Auburn

(HLS 1068)

TABLED - April 4, 2018 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - **PASSAGE**.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, Brayden Bashaw, for a few years, has been fundraising for sick children around Christmas. What he said was I wanted to help kids have a better Christmas. Last year, he set a goal of \$5,000 to benefit kids at the Barbara Bush Children's Hospital. He dubbed the project Ornaments of Hope. He raised some of the money by selling pinecone ornaments that he made. He also solicited donations from local businesses. Braden surpassed his goal and raised over \$7,000. In addition to toys, Braden used some of the money for Brady Buggies. They're handmade animal-shaped wagons that provide a ride to pediatric patients with their IV poles in tow. Because of his success, Braden was also able to provide Brady Buggies to Central Maine Medical Center and St. Mary's Regional Medical Center. Thank you.

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

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

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

# An Act To Prohibit Gross Metering

(S.P. 499) (L.D. 1444)

(C. "A" S-359)

- In Senate, **VETO NOT SUSTAINED**.

TABLED - April 3, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **RECONSIDERATION** (Returned by the Governor without his approval).

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In my decade in this room, I have heard the proclamation of the apocalypse many times. I have preached a sermon or two on it myself, and said a silent amen from the choir -- from the pews. But I have come to realize that no bill that we pass here will end the republic. It has survived my election, it will survive yours, too. But in my years, I don't think I have ever seen a subject which so captivates the coming doom as the word solar does. Only in Bram Stoker's mind could he have conceived Dracula's fear of the sun greater than this body does it.

Today at 7:18, the enemy arose, and it is now upon us, and by noon it will be high in the sky. Also think back to another writer named Frédéric Bastiat, who had a satirical work called "The Candelmakers' Petition," where he creates this fictitious story to protect the candelmakers. They need protection, so they need to have all the buildings and all the lights closed, because the sun is free and they need to sell their candles. In this analogy, there might be an entity in this state who the candelmakers are. I swear it would be easier to build a nuclear power plant in that field over there than put up a solar panel. Last session, a simple solar debate brought the mighty legal minds of this House out in force to talk about court rulings on taxes and fees and whether things were before the body or not. We dug deep into our constitutions. So, rather than fight the debate again, I just said okay, there is no tax in this or fee or whatever you want to call it, even though those questions remain unanswered to me. And the bills that would've been before the body that would've had the questions for them, we got rid of them. This bill keeps the PUC ruling on the stepdown the same as it was, it's not even in the bill. It remains the same. All this does is three simple things. To those that think that if you generate your own power, to have to pay a fee on it, that goes away. The second meter goes away. It gives a little bit of a bump to community solar, and it says before the PUC makes another ruling, make it part of a rate case. Currently, for every dollar spent to install second meters for gross billing, CMP gets a bump-back of 9, the ratepayer covers the extra 91, and I didn't -- I had to take my shoes off, but that gets me to 82 cents for every dollar spent on this that the ratepayer has to cover. It's a simple step forward. It gives some stability to the solar market, and I think it's actually immoral to charge people to generate their own electricity. There will be those that disagree, there will be those that cite financial impacts as if they can understand markets, and for those that can know exactly what this is going to do for the market, I'm only making

12 grand a year doing this and \$65 a day in per diem pay. I could use a hot stock tip.

I confess to the body my prior sins of prophesy, and now I'm going to sit down and listen to the approaching fourth horseman of the apocalypse as they come to us today.

The SPEAKER: The Chair will remind members that the House is in order, as charming as other members may be, and the Chair will also remind members as we enter into one of these debates which often gives people a great deal of passion, to make sure that our remarks are directed factually regarding the bill in front of us and to make sure also, just in advance, that we don't question each other's motives, either the motives of other members in this body or the other body or anywhere -- anybody in this building.

The Chair reminded all members that it was inappropriate to question the motives of other members of the House or the other body.

The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to urge this body to sustain this veto. As the good Representative from Farmington said it, a simple bump in a subsidy is actually 500%. This bill will increase the subsidy by 500% because we're increasing the number of meters from ten to 50 on shared distributed generation. That unfairly puts the burden of the light bills on our poorer constituents. I also have a stock tip for him. Tesla is not installing as much solar, and in fact, rooftop generation fell last year, first time year over year. I urge this body to sustain this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think I'm the fourth horseman. Over the past few months, working families across Maine are concerned about high electric bills. It would be hypocritical for some of us who are using that opportunity to get our faces in front of the media, and turn our backs on those same people when we get behind closed doors in these chambers and pass legislation raising their electric rates.

There's no doubt or question that voting in favor of this legislation will, in fact, increase electric rates for hardworking Mainers in order to help someone in Cape Elizabeth put a solar array on their roof. Net metering creates a legacy of higher and higher costs and shifts. Those costs for those without net metering. As net metered customers use the grid throughout the course of the day, either buying energy from the grid or selling energy back, they get paid by everyone else for a service they do not provide. Under net metering, solar installer companies get a guaranteed return on their investment of at least 15% from the federal government, and pockets some of the profits they receive from net metering subsidies. The big solar companies from California have been here in Maine for the past few weeks, helping the local solar companies protect their business model and bring California's electric rates, the highest in the nation, to Maine.

Advocates for this bill claim these subsidies will help lower electric rates for all Mainers. Last time I looked, the state with the most solar penetration has the highest electric rates in the country. I guess the myth isn't working out so well. In fact, advocates would have you believe that more solar will help avoid costly transmission and distribution investments, yet when asked, they couldn't identify a single state or area where that is true, perhaps because Maine, over the last few years, has seen energy use peak during the winter months, during the

evening, when solar provides no benefit. If utilities build T&D to meet peak demand, and that peak is in the winter when solar is not contributing, it is clear that solar isn't avoiding any costs. In the *Coastal Journal*, the largest solar installer said they need no subsidies.

The Minority Report is a sustainable path forward that would ensure net metering rates are not higher than they need to be, by increasing the current cap requirement of ten members per solar array to 50 associated accounts that receive the subsidy. Just five of these projects at a significant size could easily shift millions of dollars into the subsidies over a 15-year period to non-solar ratepayers.

Today there are more than 3,000 net metered customers are connected to the grid who are receiving a subsidy more than five times the rate of wholesale electricity. These customers are costing other ratepayers more than \$2 million, and under current PUC rules they will be locked in for another 15 years as the subsidy they get today, amounting to more than \$30 million in electric ratepayer subsidies that will be shifted to customers who don't own solar. That is not fair.

Now, just a few weeks ago, the state of Massachusetts, one of the most progressive states in terms of solar development, recognized the cost shift problem and made significant changes to their solar incentive program. In its report on net energy billing, the Massachusetts Solar Taskforce noted that net metering cost projections for nonparticipating ratepayers are in the range of 2.5 to 4 billion dollars from 2014 to 2020. It's taken just 30 years to get to just over 30 megawatts of net metered subsidy on rooftop solar installed in Maine, when it has taken just a few years to get the same amount of non-net metered solar installed in Maine. Thus, the most efficient, cost-effective solar is being installed without state subsidies. In fact, the PUC has awarded a 3.4 cent per kilowatt hour to a large industrial solar array. We can do that, it doesn't prohibit solar anywhere.

I ask you all to follow my light, sustain the Governor's veto, and please think about your poorest neighbors, your poorest friends who are struggling with already very, very high electric bills. Please don't vote for policy that will make those electric bills higher. The people of Maine and the businesses just can't afford it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rarely ride horses. They don't have an emergency brake, so... But I do rise in support of this veto, and the reason is simple: it isn't about solar, it's about subsidies. It's about raising the cost of electricity for all of Maine ratepayers. I am not against solar power. I would love to have it put -- anyone that wishes to put it in, put it in, just pay for it yourself. Don't look at others to do that. The present solar law is already forcing us to pay too much for energy, and this includes the businesses as well as the average renter and homeowner, and this new bill will just add insult to injury.

Maine is not a wealthy state. As I go from door to door in my district, it's easy to see that the people struggle from day to day just to make ends meet. The other day in Randolph, I stopped at a gas station, and the lady behind the counter told me that she can always tell it's near the end of the month because people start paying for their gas with the change in their pockets. Tuesday when I left the chamber, I went home and I changed my clothes and I went to work at a food bank where I have worked for the last number of years; and people come and go there, but no one comes there unless first they've

been vetted by their town that their need is great enough that they must receive free food. You would be surprised at the cross-section of humanity that we give free food to. People that look well off, have nice cars, but all of a sudden something has happened. Every dollar that they have in their possession has a name, a place to go, and when we pass -- and the problem is that the things that we do here matter, even the little things, and this is a burden that we're going to put on our people. Even though it's tiny, it adds up. I mean, the good example of this I think would be a phone bill. Look at it, and you'll see all these federal and state taxes and fees that are piled in there. On average, they amount to \$14 a month. If you could somehow put the fees and taxes of solar and other renewables on the bills of your electric companies, I think you'd see a different result at some of these votes.

Well, I've said it before and I'll say it again. I, like all the rest of my colleagues in this House, we represent 9,000 people on average. In my trailer park -- excuse me, in my district there are seven trailer parks. And as I go through them from door to door checking on, you know, my district, I -- none of them have solar panels, and they never will. Solar panels are for people that can afford it, and I'm not trying to create a divide issue here, but the honest to God truth is as I go through my district and see an installation of solar panels, they're never on a person's home that is struggling. It always is obvious that they have wealth. And, you know, at the same time in my district there are 5,000 CMP customers and about 50 solar installations. That's 1%. Madam Speaker, it's not often you get to hear a Republican talking against the 1%, but you are today. I'm here to represent the 99% because they're not -- their voice is not being heard clearly. So, I ask you not to add any more burdens to the backs of our citizens and follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Riley.

Representative **RILEY**: Thank you, Madam Speaker. I rise today in support of the Reconsideration to overturn -- to strike this veto, because the legislation that was put in place that was vetoed does not -- it does not include any kind of a subsidy, it is simply saying that the metering that's done will be done based on the net output, not the gross output, from somebody's solar installation or whatever installation they put in. That means that whatever they use at their own home for energy, they can produce it and they can use it there without ending up having to pay for that. It does not -- it has no impact on the grid, it has no impact on their neighbors, therefore it should have no impact on their billing.

It also, in my thinking, it's rude, it's a gross invasion of privacy for the electric utility to be able to meter what a person uses behind the meter. It's -- I'm sorry, let me start again. It's just rude for the utility to be able to meter what a person is using at their own home. If you were to expand that idea, the local -- in my district I have a paper mill which produces a great deal of electricity, and if they had to pay for all the electricity that they use locally without sending out onto the grid, it would be a nonstarter for them. That's not a -- it's not how it's done. They pay only -- they are paid only for what they send out and they pay fees only for what they send out. So, I think, when we talk about subsidies and we talk about cost shift, the point that the good Representative from Farmington brought up, when that meter, that second meter is put in place to gross meter, and it is required in all territories to have a second meter in order to gross meter, everybody else pays for that. It's expensive, and CMP or the other utilities make money off of having that second meter. It's not necessary. That is a bigger

cost shift than you will see by doing net metering. I would like to point out that this bill also does not affect the stepdown on that -- on that credit for the T&D charge. That's going from 100% to 90% to 80% regardless of what we do here today. It's just a matter of how that is metered. That's what changes. Thank you.

The SPEAKER: The Chair will remind Members to please direct all comments towards the rostrum.

The Chair reminded all members to address their comments toward the Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, the bill before us today is titled "An Act to Prohibit Gross Metering" but really it should be titled "An Act to Protect the Right to Self-Generate." Because, more than anything, the right of Mainers to self-generate is at the core of the question before us.

The measure before us is sponsored by a Republican, Senator Woodsome, and was amended with language from a Republican, the good Representative from Farmington who spoke earlier. A yea vote today is a vote to support their work and the Committee's bipartisan compromise. The bipartisan majority of our Committee listened to the concerns voiced by the minority when we last voted on solar as a body, when this body last voted on solar. Weighing in at just half a page, the bill before us is significantly scaled back from the solar bill we voted on last June and July. That bill was three pages long, and significantly more ambitious than this one. The focus of this bill, as its name suggests, is gross metering. It is not about net metering. Under this bill, net metering as we know it still goes away. I want to say that again. Under this bill, Madam Speaker, net metering as we know it goes away. Those with rooftop solar lose money. We as a state value distributed generation less if the bill passes. So, while some of us, and even some of our constituents, may think of this as a bill about rooftop solar or net metering, it is really about that bigger question I mentioned earlier. Will Maine become the first state in the nation to infringe upon our right, the right of the people, to self-generate? Will we become the first state in the nation, in fact the first place in the world, to let the electricity you make and use in your own home be assessed a fee?

Madam Speaker, if we fail to act, Maine will become the first place in the world to charge you a fee for producing and using energy in your own home or business and never touching CMP or Emera Maine's grid.

Like many of us here in this body, I grew up on a small farm. My family grew much of our own produce, built our own home, and heated with our own wood. We helped our neighbors, our neighbors helped us. And to me, this is the Maine way. We learn self-reliance from an early age, and we value that self-reliance. The grocery store doesn't charge you for the produce you grow yourself. That would be absurd. The local heating fuel dealer doesn't charge you for their lost profits when you heat with your own wood. The local building contractor doesn't charge you for their lost profits when you build or fix your own home. The plumber doesn't charge you when you fix the leak yourself. But now, let's talk about what happens if we don't pass this bill. Let's say you have an electric clothes dryer. If you put up a clothesline, saving, say, 100 kilowatt hours, you aren't charged a penny. That would be crazy. But if, instead, you use solar panels to power a dryer, never using the grid for those same, let's say 100 kilowatt hours, you're charged for it. And that is crazy. And it's what will be done in Maine if we fail to act positively today. It's never

been done anywhere in the world to our knowledge. Why? Because there is a sacred, fundamental and common-sense principle of ratemaking that what goes on in your own home or at your place of business is your own business.

This principle is in keeping with the basic libertarian Maine value of independence and self-reliance. It is fundamental to who we are, to who we've always been. But it is also fundamental to every single business that produces its own power here in Maine, and I think especially of our large industrial businesses like our paper mills. Take away that principle, the right to self-generate, apply this new unprecedented behind-the-meter fee, which is in the PUC rule which will be in effect for the next year if we don't act, and you take away their profitability. That is why Maine's large industrial businesses, represented by the Industrial Energy Consumers Group, has made this such a priority for them.

There is one opponent to this bill, Madam Speaker, that I know of in the interested parties list that has come before my Committee, and that is Central Maine Power. There are countless others, from individuals to organizations to businesses, that want us to pass this today, and we need to answer to them.

Now, the value of solar has been brought up and, as I said, this is not about net metering, but I just want to touch briefly on the value to correct a misconception. Producing your own energy, whether it's from solar or another source, provides tangible economic benefits to your neighbors. According to the only independent study commissioned by our very own Maine Public Utilities Commission, and it's on their website, the true long-term value of rooftop solar to the rest of us equates to 33.7 kilowatt hours -- excuse me, 33.7 cents per kilowatt hour. That's two and a half times more than the approximate net metering retail rate of 13 cents per kilowatt hour, which, by the way, we are reducing whether this bill passes or not.

So, again, true value, according to the only independent study commissioned by the PUC, would be two and a half times more than we have previously paid solar customers under net metering. We will reduce it today; the question is only by how much. Now, much of this value comes in the form of avoided transmission and distribution costs. These are the costs associated with new upgrades to the grid as we use more and more electricity over time. These upgrades are financed by companies like CMP, who then pass on the costs to their customers. That is the fundamental regulatory bargain. CMP's customers, all of us, pay them not only for the entire cost of the new poles, wires, substations, and transformers, but also for an average of 10-12% interest. This creates a natural incentive, an understandable one, for the for-profit electricity utilities like CMP to actively discourage Mainers from creating our own electricity. The more we create, the less their international shareholders earn. So that's a big part of what is at stake here, and perhaps we need to renegotiate the regulatory bargain, but that is not what this bill is for. It is fundamentally about the right to self-generate.

There is one other piece besides the elimination of gross metering that is in this bill, and that is the 50 shared meters. Currently, net metering customers are limited to ten. Fifty shared meters is in the Majority Report from the Committee, it is the Minority Report from the Committee. So, apparently, we agree on 50 shared meters. Central Maine Power, in a proceeding before the PUC when this rule that we are questioning today was put together, recommended 200 shared meters. So I think 50 is a modest and reasonable step, and it helps people, lower income people, renters, people whose



home is not well-suited to solar installations, to participate in a community solar farm. Municipalities also benefit.

So, Madam Speaker, Men and Women of the House, we all know that Maine people value self-reliance, and part of that is the right to self-generate. I ask that you vote for this bill, not because of the job creation that goes along with it, which is significant; not because of the benefits of solar and other distributed generation to the environment; not because of the benefit of solar and other distributed generation to other ratepayers; not because it is politically popular, though it is; not even because it saves money to all Maine ratepayers, and let's be clear, it does; but because fundamentally, Madam Speaker, the right to self-generate, the right to self-determination, independence and self-reliance are Maine values, and that is what we would honor by voting yea at this time. Thank you.

The SPEAKER: The question now before the House is shall this bill become a law. The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. A little clarification. The bill doesn't forbid self-generation; you may do that. What it is directing at -- the second meter, by the way, there's no such thing as use behind the meter, because electricity, the instant it's produced is immediately, because of its speed at 186,000 miles a second, whatever electron is produced on the roof of a solar panel is immediately transmitted throughout the grid of New England. So, the people that are so-called self-generating are actually using the grid of New England as a battery, and that's why the charge is there, because they are using something. If they truly want to self-generate, I would suggest batteries, but reality trumps everything. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Sanborn.

Representative **SANBORN**: Thank you, Madam Speaker. All I want to rise to say today, because I think most things have already been covered, is that, make no mistake, if you vote today to sustain the veto, you are voting to raise the bill of every Maine ratepayer over at least the next five years, because the cost of the gross meter, the extra meter that is being installed per the PUC rules if we do not pass this bill, that cost will be passed along to ratepayers. In exchange, there will be a 10%, and then a 20%, and then a 30% stepdown, so that some portion of that gross meter, metered power, will then be recouped from ratepayers. But let me give you some numbers about the ratio between those two charges.

The cost to install the unnecessary meters could amount to 1.5 million dollars in the first year, while ratepayers recover \$60,000 from the assessment on gross metered electricity. In the second year, the cost to install those meters could go up to 3 million, while the cumulative savings to ratepayers is \$240,000. And it goes on like this, where the cost to install the excess meter is much more than the recovery that is allowed through the metered energy that that meter was installed to measure. There is no rationale for charging ratepayers to install this extra meter. So, whatever you've been told about what this bill would do in terms of the effect on ratepayers, make no mistake that if you vote to sustain, you are voting to raise the cost of electricity in Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker. Request permission to ask a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **ACKLEY**: Thank you, Madam Speaker. What is the rate of return that CMP will be earning on the installation process of those extra meters?

The SPEAKER: The Representative from Monmouth, Representative Ackley, has posed a question through the Chair if there is anyone who is able to answer. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. The answer to that question is it depends on the calculation at the PUC and the debt-to-equity ratio, but typically the return on capital investment has averaged around 10% in the last several years. Thank you.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the Objections of the Governor?'

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 570V

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

NAY - Austin S, Bradstreet, Campbell, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, White, Winsor, Wood, Madam Speaker.

ABSENT - Foley, Sherman.

Yes, 97; No, 52; Absent, 2; Excused, 0.

97 having voted in the affirmative and 52 voted in the negative, with 2 being absent, and accordingly the Veto was **SUSTAINED**.

Subsequently, Speaker GIDEON of Freeport moved that the House **RECONSIDER** its action whereby the Veto was **SUSTAINED**.

Representative HERBIG of Belfast moved that the Bill be **TABLED** until later in today's session pending the motion of Speaker GIDEON of Freeport to **RECONSIDER** the House's action whereby the Veto was **SUSTAINED**.

Subsequently, the Chair **RULED** that the motion was **OUT OF ORDER**.

Subsequently, the House **RECONSIDERED** its action whereby the Veto was **SUSTAINED**.

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

An Act To Allow Veterans Free Admission to the Maine State Museum

(H.P. 1141) (L.D. 1656)

(C. "A" H-606)

TABLED - April 2, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **RECONSIDERATION** (Returned by the Governor without his approval).

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. I submitted LD -- this LD 1656 after members of the Randall Collins VFW came to me to talk about a project that they were working on. And that was that they wanted to get more of our veterans to the Maine State Museum. Oftentimes our veterans who are receiving services at Togus will come from very far away to receive multiple services in one day. They will have a lot of downtime in between their doctor's visits, and members of the Randall Collins VFW thought that this would be a great activity, to offer this free admission to the Maine State Museum, so our veterans could go in and see a wonderful World War II exhibit that was currently on display.

I'm going to read a little bit of the testimony that they gave before the Education Committee, because it explains their intentions. I worked on this with Jim Roberts, who is from Belmont. He served in the US Navy from 1983 to 1990. I also worked with Carmine Pecorelli, who was actually named this year the Alumnus of the Year by the Citadel. They came to encourage us all to pass 1656, and today are asking that we all override this veto. "Giving veterans free access to the State Museum will show support for Maine's military, those currently serving and those who have served honorably. It gives service men and women an opportunity to see firsthand the history they helped preserve. Allowing veterans and active duty personnel to enter the facility free of charge would encourage people to come to the site, to bring their families, their spouses, children and, in some cases, their parents, brothers and sisters who will be paying the admittance fee. This would be an attractive way to create new and additional traffic" as well as to preserve their own legacy. "Right here in Augusta, there is an active duty base. Camp Keyes is just a stone throw away, and not every member of the base is from Augusta. This would be a great opportunity to share Maine's history with visiting military personnel. This base would share the free admittance venue, encouraging military members to visit on their downtime.

Also, a much bigger advantage is the opportunity to allow veterans from the Togus Medical Center free access. Again, the facility is very close, and while a \$3 entry fee is really reasonable, the impact of allowing veterans free access could be profound. Togus has a MWR department, Morale, Welfare, and Recreation, which provides social outings for veterans who are living in Veterans' Homes, are limited for a variety of reasons, and are staying on hospital campus. There are many inpatient programs where veterans are receiving care, both long and short term. While the \$3 fee may seem small, the MWR department takes 15-20 veterans on day trips, which would cost up to \$60 per visit. Doing this twice a week could be \$120 or \$480 per month. This is hard on anyone's budget. Also, veterans who travel to Augusta to seek medical care at the Togus facility most often book double or triple appointments for the same day. Many travel hours to receive their care. Doubling up appointments eliminates the need to travel round trip multiple times. A place to go between

scheduled appointments would be a relief, and help alleviate some anxiety by giving the veteran something to do, see, visit, and think about while waiting for the next appointment.

Currently, Maine's state parks do not charge veterans a fee to visit. Access is granted with proper ID at no charge. This service is widely used across the state," and many of those who came over from the Randall Collins VFW have their veterans passes in their wallets always.

The SPEAKER: The Representative will defer. The House will be in order. Please take your conversations outside the Chamber. The Representative may proceed.

Representative **HERBIG**: In the Chief Executive's veto letter of LD 1656 which passed unanimously in both the House and the Senate, he states his opposition is based on: "the Director of the Maine State Museum acknowledged that he already has the authority to waive admissions for veterans' entry to the museum but simply is choosing not to do so," and that, "the Legislature shouldn't get in the habit of micromanaging every policy or minor decision of the museum or other quasi-governmental entities without including funds for lost revenues."

First, in his testimony, which I have passed out to every member of you on the floor, in his testimony to the Education and Cultural Affairs Committee, the museum director, Bernard Fishman, did say he had the authority to waive this admission, however the museum is not equipped to identify eligible veterans by themselves, and could not do that without direction in statute to work with the Maine Bureau of Veteran Services. So, this is -- this would prevent veterans from having this free admission to the Maine State Museum. Director Fishman also testified that future admission waivers granted without legislative approval would be thrown into question under each new museum director. This same question was also asked by Committee members to the veterans from Belfast that visited to testify in favor of this bill. To be honest, they were really surprised by these questions because they felt, they didn't feel -- they felt insulted, honestly. They felt that their service was not being recognized. They felt like they wanted people to acknowledge their service, to be proud of what they had done, and having the ability to go into the Maine State Museum with their family members and to receive that waived admission meant a lot to them.

Director Fishman further stated that increased admissions by veterans and others because of this waiver would offset the minimal loss of funding. LD 1656 was written to explicitly address the needs of veterans with the support of the Maine State Museum director. I hope that all members of this chamber continue to support this legislation, as they have twice done already, and vote to override the Chief Executive's veto. This is common sense legislation that honors people who have done so much to have our backs. I ask that you all stand with me.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As a member of that Committee, I specifically asked the director of the museum if he could do this without a law, and he said he could, and so I don't see why we have to burden more -- put more government, layers of government, on an entity such as that. Also, it would be as simple as putting a sign outside the window of the entrance that veterans are free, and veterans could easily have -- they have identification that they're veterans, so it's not necessary. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen. As a disabled veteran that uses Togus quite often, I have an ID card, and this is unnecessary. I'm changing my support of this, because I think that the Department can already do it, the museum can already do it; and I, myself, by changing this vote and supporting to sustain the veto, I have talked to many veterans in my area and I explained this, it will not cost me one vote if I change my vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Madam Speaker. Madam Speaker, Men and Women of the House, I talked to my good friend from Sabattus, a fellow Navy veteran, about this bill this morning, and I was a little bit confused, so I have actually called Mr. Bernard Fishman, the museum director, and talked to him this morning. Mr. Fishman testified in favor of this bill and he remains in favor, adamantly so. He said the Maine State Museum has a long relationship with veterans' groups in Maine. For instance, they have advised the Maine Military Historical Society, and I'm sure that they look forward to maintaining those relationships and they work hard to work with veterans around the state.

In answer to the good Representative from Alfred, she is correct that the Maine State Museum can do this on their own, but it's not, Madam Speaker, it's not as simple as saying that they wave a wand and it happens. Their commission would have to vote on it, and it would set a precedent that they're not comfortable with, and thus they would much prefer that it be done in statute by the Legislature. Mr. Fishman himself said this to me not more than 30 minutes ago.

Additionally, through this bill, the Department of Veterans Affairs would provide a list and work with the Maine State Museum in the same way they work with the state parks to provide the information of who is actually eligible to take care of this benefit. And, like my good friend from Lincoln, I also am a disabled service-connected veteran who uses Togus on a regular basis, much more than I care to at this stage. However, I believe that, as the good Representative from Belfast said, that many of us have multiple appointments in one day, many of us spend many hours over there twiddling our thumbs. Togus is only about ten miles away or, excuse me, ten minutes away. This would provide an excellent avenue for these veterans to be transported over. Many of these veterans are being transported by the DMV because they don't have transportation on their own, they don't have the income to transport themselves on their own. If they don't have the income to get themselves to Togus, they certainly don't have the income to get themselves, once at Togus, over to the museum and pay for the museum.

Mr. Bernard called this a sensible process that would be in line with the state parks, and he hopes that we will continue to support the bill, and that's all I have to say. Thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Golden.

Representative **GOLDEN**: Thank you, Madam Speaker, Men and Women of the House. I know sometimes we can have little differences of opinion on the smaller details of these types of things, but, you know, I know broadly everyone is supportive of recognizing our veterans and making sure that they have good opportunities to visit places like our parks, our

state parks, our museum. So, certainly, I know that's where all of our hearts are. I just wanted to weigh in on this.

Some of you may remember me, as a freshman legislator on the Veterans and Legal Affairs Committee, sometimes complaining that the Legislature would honor veterans with coins, with, you know, free plates for their vehicles with the veteran's insignia or free park passes while, you know, sometimes not grappling with the tougher issues, like dealing with mental health care or homelessness among veterans or trying to pay for free tuition for National Guard members. And I can remember having that debate, you know, saying those things are more important than recognizing our veterans with these very nice but meaningful gestures. And the director of the Maine Bureau of Veteran Services, Adria Horn, disagreed with me adamantly at that time. She told me, "Jared, you are so wrong, because in my role, when I do things like recognizing Vietnam veterans with a book in remembrance of the Vietnam War and their service, or when I hand out coins to Korean War veterans, it really means an awful lot to them, and I can see the gratitude in their eyes and how it impacts them emotionally and that it is very truly, deeply appreciated," and it's part of her job that she takes very seriously. Very recently, on Vietnam Veterans Day, I spoke and, you know, looking at my good friend, Representative Bob Alley's face, I think I saw that myself. I could see how much he appreciated being thanked for his service. I think sometimes we take it for granted. I learned a good lesson that day. I actually called the Director of the Maine Bureau of Veterans Services, Adria Horn, the next day, and I told her, "Adria, I just want to tell you, I was wrong, you were right. This does make a big difference for our veterans. And I should've known that."

You know, many years ago, I volunteered for a home hospice visitation program. There was a gentleman, a veteran of the Vietnam War who was going through his end of life, and all he wanted to do was just spend some time with a veteran of my generation, share photos of Vietnam, share photos -- have me share photos with him of Afghanistan and Iraq, and I think at that point in his life, he was looking back at what was the most important experience of his life, something he was proud of and the most important thing he'd ever done. It's a very meaningful experience. I should've remembered that before I ever questioned how important recognizing our veterans is.

So, with that, I just wanted to put that out there for everyone to think about on this one. It seems to me like the director of the museum's testimony suggests that it would smooth this process for us to override this veto, and I've grown as a legislator through the years to understand that I was wrong, willing to stand here and admit it, and acknowledge that these types of gestures from our society and from our state are indeed very meaningful to many of our veterans. So, I hope that you will join us in overriding this veto. Thank you very much, Madam Speaker.

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

Representative **STEWART**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, am on the Education and Cultural Affairs Committee and I just wanted to speak briefly to this bill.

I don't think anybody in this chamber disagrees that veterans should have free admission into the Maine State Museum. In fact, I'm incredibly disappointed that since the public hearing where we actually had the opportunity to talk to the director of the museum, he didn't go back across the street and post a sign that says veterans enter free, it's as simple as that, all right? I've spoken to the folks at the Maine Bureau of

Veterans Services, and this bill actually creates a system of bureaucracy that is going to make them have more work to do, and have veterans have to hop through another system of hoops in order to get another benefit, when they should be able to just walk in. I actually had a Minority Report on this, and I know we can't speak about them, but it's different; but it's not in front of us, right? The problem is that this is not going to be an effective system. The problem is that veterans should be able to just walk in. This bill doesn't do that. That's why I would encourage all of you to sustain the governor's veto. Thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Sheats.

Representative **SHEATS**: Thank you, Madam Speaker. Last year I submitted a bill very similar to this to allow veterans to have free access to the museum, and I spoke with Mr. Bernard at the museum about how to make this happen. He, at the time, asked me to pull the bill because what he said is it is too hard for me to identify who is and who is not a veteran.

I am a veteran of eight years of the service including during the Gulf War, the first Gulf War. I was fortunate to come out of the service with no military service-related disability, and I did not stay 20 years to retirement. I have no ID that says that I can get into anyplace free. In fact, when I wanted to get a discount at Lowe's, I had to take my DD214 to Lowe's and sign up online, so that now I have a Lowe's card that gives me a military discount. I receive no benefits, I need no benefits. I was very, very fortunate. But it is very difficult for many people to identify who is and who is not a veteran. We don't all wear pins, we don't all wear pants, and some of us don't have an ID.

Mr. Bernard, in discussing this with the sponsor of this year's bill, asked that the Veterans Affairs be able to give veterans a pass to the museum. It would be a one-time application for a pass that would last their lifetime so that they could come in. It is not as simple as him putting up a sign that says veterans come in free, because he cannot identify who is and who is not a veteran. This bill will help him do that, and this bill will help us honor our veterans with the services that show that we value them. Right now, what is going on in the museum is a history of World War I. I think many veterans would like to see that, and would like to bring their paying family members with them. Thank you.

The SPEAKER: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative **JOHANSEN**: Thank you, Madam Speaker. As a veteran, I resent this attempt to make veterans another dependent class. Thank you.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Doore.

Representative **DOORE**: Thank you, Madam Speaker. Thank you, Men and Women of the House. My dad was in World War II, and that's when I first learned as a young child about veterans. And it just seems to me the very fact that we're here in this chamber able to debate this issue is because of our veterans. So, for me, it's very simple. Vote yes.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Madam Speaker, ladies and gentlemen. Just for clarification, talking about identification. Every veteran in the State of Maine comes off active duty, Director Horn receives their DD214, and it would be very easy for that veteran or to have them to compile a list when if I was to come to the museum they could just say all right, this is Sheldon Hanington, bang, you're a veteran.

The SPEAKER: The Chair recognizes the Representative from Greene, Representative Wood.

Representative **WOOD**: Thank you, Madam Speaker. As a veteran, and a disabled veteran at that, I've spoken to quite a few veterans in my district, and 90% of them see it as -- see this bill for what it really is, just another check on your palm card. I will be voting to --

The SPEAKER: The Representative will defer. The Representative will be reminded that a statement such as that is directly questioning the integrity of another member. That will be the only warning that Representative receives in this chamber. The Chair recognizes the Representative from Fort Fairfield, Representative McCrea.

Representative **MC CREA**: Thank you, Madam Speaker. I, too, sat on the Education Committee while testimony was being heard, and I am certain that every person in this chamber respects, honors, and wants to make sure that every veteran knows that we do respect and honor them and their service. I know that these veterans can receive admission if Mr. Fishman is notified of it when they attend. I think putting this in statute really solidifies the fact that we really have that much faith, support, etcetera for these veterans. In addition, if anybody is worried about oh, here we are, this is going to cost the museum or what have you, I would have to think that several veterans that have to come for services at Togus, travel from way up north and have multiple exams, etcetera at the hospital, they don't drive down themselves very often, they have to have somebody come with them, family members. This would give them and the paying family members a place to go that probably would be extremely enjoyable and, if anything, probably enhance the funds of the museum. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Madam Speaker. The Representative from Presque Isle made a comment about that the museum director could've just gone over and put a sign up on the door saying veterans can come in here free, and you sort of pointed out exactly why we need this legislation. This public hearing was in January and that hasn't happened, because the museum needs this direction, because they need access to the list that has been referenced. This is a piece of legislation that is required to make sure that this -- that this process is in place so our veterans can receive free admission to this museum, so they can receive the honor that they deserve. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Farrin.

Representative **FARRIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I got to be honest with you. I've sat back and listened to this, and with all the things that we have on our agenda to finish between now and the time we get out of here, I scratch my head that veterans' issues bring out these kind of discussions and dialogue and everything else.

I'm just going to tell you flat out where I stand on this, and I don't see it as a political thing. I agree that the museum could have done this, and if they could have, why haven't they done it? I also know by speaking with Carmine and some of the veterans that asked for this to come forward, their hearts are in the right place. And some of us, different generations of veterans in here, we kind of focus it on what we see, and the folks that asked us to come forward are our World War II veterans and some of the older veterans that are trying to give back to the community, and they asked for this because they

couldn't get it and, you know what, we might not think that \$3 or whatever it is -- I've got a dear friend of mine, Nunzio Biondello who lives in Litchfield, that still shakes the crumbs out of his bag when he finishes a loaf of bread because that's what he was raised in, the Depression era. And we don't think of things the same way that they do. And this is a constituent that asked for help to try to bring some other veterans to the museum, and I think we're kind of turning it into a lot more than that, and it's not about whether you support veterans or you don't support veterans, and 90 -- all of the other stuff, you know? It's not a burden to the Bureau of Veterans Services, and it's not that big of a deal. We can make this go away. So I ask that you follow my light and override the veto, and we move on to doing some more business here.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the Objections of the Governor?'

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 571V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Guerin, Haggan, Handy, Harlow, Harrington, Head, Herbig, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Ward, Warren, White, Zeigler, Madam Speaker.

NAY - Black, Campbell, Cebra, Chace, Craig, Espling, Fredette, Gerrish, Ginzler, Grignon, Hanington, Hanley, Harvell, Hawke, Johansen, Kinney M, Lockman, Lyford, McElwee, Reed, Sampson, Sanderson, Seavey, Sirocki, Stetkis, Stewart, Sutton, Timberlake, Turner, Vachon, Wadsworth, Wallace, Winsor, Wood.

ABSENT - Foley, Hamann, Herrick, Malaby, Mason, Sherman.

Yes, 111; No, 34; Absent, 6; Excused, 0.

111 having voted in the affirmative and 34 voted in the negative, with 6 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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

Bill "An Act To Protect Maine's Economy by Slowing the Rate at Which the State's Minimum Wage Will Increase and Establishing a Training and Youth Wage" (EMERGENCY)

(H.P. 1210) (L.D. 1757)

- In House, Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND**

**ECONOMIC DEVELOPMENT READ** and **ACCEPTED** on March 22, 2018.

- In Senate, Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-666) AS AMENDED BY SENATE AMENDMENT "A" (S-428)** thereto in **NON-CONCURRENCE**.

TABLED - April 4, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **FURTHER CONSIDERATION**.

Representative ESPLING of New Gloucester moved that the House **RECEDE AND CONCUR**.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker. I appreciate the opportunity to speak on this. We've discussed similar measures in the past, and this is completely different. This amended version that comes back to us is pared way down from the original bill. It simply slows the increase of the wage to 50 cents a year for the next four years instead of a dollar a year for the next two years. This gives our businesses an opportunity to catch their breath, hopefully save some jobs, especially in rural Maine. That is the only thing that we are voting on right now. Everything else has been stripped from the bill. All the things that past speakers have objected with, this is the grand compromise that we hear in this chamber day after day. I would appreciate you to support this bill and follow my light.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, it is important to recall how clear this part of Question Four in 2016 was. "Do you want to raise the minimum hourly wage of \$7.50 to \$9.00 in 2017 with annual \$1.00 increase up to \$12.00 in 2020 and annual cost of living increases thereafter?" Maine people, all 420,892 of them, a majority in 13 out of our 16 counties, said yes to that very question. Maine people knew what they were voting for. They knew that when they voted yes, they were increasing the minimum wage to \$12 in 2020. They know this because the question was abundantly clear.

Madam Speaker, I won't turn my back and ignore what 420,892 Mainers said should be, and now is, the law. Madam Speaker, I also know that when wages rise for the mother or father impacted by this law, they are more likely than not going to spend that extra money in their community, at their local restaurant, grocer, hardware store, and so forth. They just might be able to afford the products sold at their own employer. I've said this before, Madam Speaker, if people cannot afford to raise a family, they will move to places where there is enough money to earn to do so. If populations decline, businesses suffer. Employers need a population to serve and a workforce to serve it. I support -- I oppose the pending motion, Madam Speaker, because one in four Mainers over the age of 55 will see a pay increase by 2020, and 63,000 children will have one or both parents who experience an increase by 2020. I'm standing with them and the 420,892 voters who've said it is time for a \$12 minimum wage by 2020. That is the law, and it should remain so. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Grohman.

Representative **GROHMAN**: Thank you. It pains me to rise after my good friend and colleague, Representative Fecteau, and argue in the other direction. I have immense respect for his perspective.

Madam Speaker, I think this is a good middle ground proposal, as amended coming back from the other body. It makes no changes to the training wage and no other changes. All it does is space out the minimum wage increase over four years instead of two. Now, why would we want to do that? Clearly, the minimum wage is working. Together with the strengthening economy, wages are increasing all over the state, and particularly in southern Maine where I live. But clearly there are also pockets where it's causing problems. I've been hearing from the people I think I would hear from, like rural grocery stores and hardware stores that are having to cut hours, but I'm also hearing from unexpected messengers like college work study programs and farms and amusement parks that are having to cut hours and reduce hiring.

So, I think in here we all have the same goal. We want employees to make more money, we want employees to make more money, but in order for employees to make more money, employers have to survive. And I think by spacing out this proposal over four years instead of two, we make it easier for them to do that. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. What a stunning revelation that when people are asked if they want their wages to go up, that they say yes. Having been down here and having followed politics and understanding a little bit about history, I've come to understand there's basically two kinds of money. There's the money that you vote on that's not yours, and then there's... wait a minute, that's my money! That's real money. And people that are paying wages, that's real money to them.

It is stunning to stand in this body and listen to the amount of people that think they can predict economic outcomes. We should all be in the stock market. As a human being, I stand in the mirror and look at myself in the morning, and the list of things I cannot control are endless. I can't make my daughter clean her room; I can't get my wife to listen to me; my father right now is treating himself with horse penicillin, I can't get him to stop; I can't get the dog to do what I want it to do; and then there's the list of my own habits I can't stop, both good and bad. But, yet, the human being, and pride and ego being what it is, I step back and go, "Oh, I can't control any of that, but I'll run an economy."

Businesses look to things, and one of the things I suggested, no one knew, or very few people knew, is that this minimum wage, what it's relationship is to the neighboring states, and that it's actually indexed to inflation. A business that might think about moving here after 2020, they have no idea what the minimum wage will be, so they can't even say can I live with it or not. It is literally linked to a printing press in Washington DC. And, I would like to pose a question through the Chair.

The SPEAKER: The Representative may proceed.

Representative **HARVELL**: Can anybody cite me a single economic study that demonstrates at what point, 50, a dollar, that you become disproportionate with your fellow states, that it has economic impact?

The SPEAKER: The Representative from Farmington has posed a question through the Chair if there is anyone who cares to answer. The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative **HANDY**: Thank you, Madam Speaker and Members of the House. Our Committee has heard many, many hours of testimony, read hundreds of pages of letters and other testimony on the minimum wage over this biennium.

We don't have to predict the economic outcome. We have the evidence and it shows. In February, Maine's unemployment rate was pegged at the lowest level in 42 years. Forty-two years. It's currently at 2.9%, while the rate for the United States is 4.1%. In February of 2017, the state rate was 3.3% and the rate for our nation was 4.8. The current labor force stands at a strong 699,744. So the suggestion that an increase in the minimum wage would lead to economic disaster has not come to fruition. I would like you all to take a moment and look at outside. See the beautiful blue sky? It's still there. It hasn't fallen.

These numbers speak for themselves. Many people are employed, more money is being spent locally, and Maine businesses are growing. In fact, we had someone testify before the Labor Committee about how this is all doom and gloom, and yet they open up another grocery store. That's a disconnect for me, and it should be for you.

We should take a page out of the book of one of Lewistonians great business leaders, Mr. Jim Wellehan. I'd like to share with you something from a *MaineBiz* article that was published on the 23rd of March in 2015. Jim took over the shoe business from his father, and it's now over a hundred years old. And this is what Jim says in this article. "Helping employees feel good and find meaning at work is another key area that Wellehan says allows the company to provide quality customer service. Part of that means not calling them employees and instead referring to them as 'associates,' which Wellehan says is a more equitable word. 'Treat them the way you would want to be treated,' Wellehan says, which is accomplished in a few ways," and I'll just give you one of those. "For one, all associates are paid above the minimum wage, with the lowest earners making \$11.90 to \$19 an hour, commission included, and managers earning between the low- and mid-40s. Wellehan says he hasn't taken a raise in 23 years because he wants the company to have a more equitable ratio of the highest-to-lowest-paid worker, which he said is now 3.5 to 1."

Last January, 59,000 of our friends and neighbors received an increase in pay. People who work full-time should not be able to -- should be able to pay for food for their families, clothe their children, and heat their homes. No one, no one who works full-time should be forced to live a life of poverty.

The Chief Executive has suggested a nearly three-fold increase in the salary for the next person who is to hold that office. The message that he is sending is that \$70,000 is simply not enough. And maybe it isn't. But to deny those who are our most vulnerable a living wage is unfair at best, and greedy at worst. 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. I rise in support of the pending motion to Recede and Concur.

Over the last several months, I've received numerous emails and spoken personally to practically every small business owner in my district. Yes, practically every small business owner. I spoke with local variety stores, restaurants,

hardware stores, small markets, lumberyards, gift shops, and even the local dentist, to name a few. Make no mistake, my constituents, and constituents from every rural district in Maine, are heartsick over the referendum process that has resulted in the need for this piece of legislation.

All five of my towns have lost population over the last 10 years. Some are down nearly 20%. We have hundreds of empty houses with for sale signs on their lawns. We have schools that are so uncrowded that they can no longer offer the courses necessary for success. We have entire main street business districts that have virtually been abandoned. This is all happening in my district, and the same thing holds true for every northern, western, eastern, and central rural district in our state. Everywhere except southern Maine. What is happening there is different. Southern Maine has developed an appetite for more and more government and for more and more government-dictated and controlled economics. The minimum wage referendum, the referendum southern Maine worked extremely hard to dump upon the rest of us, has been, and continues to result in closing businesses. More and more employees are being removed from full-time status to part-time employment. Hardworking family breadwinners are having their hours slashed and their benefits removed. Many have fell victim to massive layoffs resulting in more people on welfare, with few, if any, prospects for full-time or even part-time employment in these same rural Maine districts.

I'd like to just take and read a few excerpts from testimony that was given in the Committee. Chip Towle, who is an owner of a local hardware store and a corner store where he and his father own in Dixfield, said the second-year impact of the minimum wage, changes made in January 1, 2018, were: "Hours for workers have been trimmed in the convenience store to compensate the increase. Fifteen hours were cut from the total weekly payroll. Another 10 to 12 hours also cut from weekly payroll accomplished by closing earlier (9 p.m. instead of 10 p.m.) on Friday six months out of the year now instead of four. One 25-hour employee has been laid off at the hardware store. Instead of opening at 7 a.m. daily the store now opens at 8 a.m. Wholesalers are also increasing their cost of goods weekly now because of the same problems, so essentially price increases in both stores are happening every day on almost everything. I executed these changes for January 1st to accommodate this second round of minimum wage increases. Now you are going to force a 10% payroll increase next year and more in the years to come. We will continue to trim and adapt as best we can until the State of Maine essentially forces costs higher than it is worth to stay in business. You are not creating jobs or getting better paychecks home to people. Southern Maine doesn't have to worry about this because as the smaller businesses go away there is enough population and other businesses to grow the businesses that are left."

Another business I have, which was mentioned the last round of this debate, was the Front Porch Café, the owner of which was Sammie Angel, who has stood in this chamber many times behind the desk and sang the National Anthem for us. This last round of minimum wage is what was the last nail in her coffin, and the Front Porch Café is now closed.

Sammie's business, as I said, is now closed, Chip's business is in trouble. He and his father, his grandfather, and his great-grandfather have been part of the business community in my district for well over a hundred years. I stand before you today to ask you all to answer one basic question: is the Maine we are building the Maine we want to leave to our children? Have we lost all sense of who we are and who we

were? Are we all going to be wealthy and live in southern Maine, or are most of us destined to live in subsidized housing, receive scraps of food, healthcare, education, heat assistance, and everything else controlled and offered exclusively by big government? Do you want us to shut our mouths, accept our welfare checks and stop pursuing economic development? Do you want the income disparity created in our county over the last 30 years to continue? It sure seems like all of the above is what is now preferred.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Fecteau, and inquires as to his Point of Order.

Representative **FECTEAU**: Thank you, Madam Speaker. I would wonder whether or not the good Representative is questioning the motives of those in this body.

On **POINT OF ORDER**, Representative FECTEAU of Biddeford objected to the comments of Representative PICKETT of Dixfield because he was questioning the motives of other members of the House.

The SPEAKER: The Chair will advise the Representative to please be mindful of comments and whether they do question the motives, especially in a negative way. The Representative will wait until I call on the Representative to continue. The Chair will also remind the Representative to direct all comments to the rostrum.

The Chair reminded Representative PICKETT of Dixfield that it was inappropriate to question the motives of other members of the House and to address his comments toward the Speaker.

The SPEAKER: The Representative may proceed.

Representative **PICKETT**: Thank you, Madam Speaker. When I was a younger man working in law enforcement and raising my family, we had Republican governors and Democrat governors, we had Republican legislators and Democrat legislators. The Republicans all those years were thought of as pro-business, the Democrats were thought of as being for the working man. Parties had minor policy disagreements and used to fight out their differences in debate. However, there was one huge difference. At the end of the day, when the governor's name was Joe Brennan or Jock McKernan, every legislative member and all government-elected leaders did what was right for all of Maine.

The SPEAKER: Okay, Fellow Members, there are six people in the queue. Before I recognize the Representative from Dixfield again, I just want to take a moment to remind us of what I know we all know in our heart, and that is that each of us come here with values and beliefs to represent our constituents to do the best job we can. And most of the time that is not an issue we question in front of each other at all, but there are occasional issues where we feel so passionately that our policy belief is the right way, and maybe the only way, or where we're frustrated that we can't find compromise when we think we're compromising. So, before we begin moving forward on this, I do want to remind everyone of that, and to find a place in your heart to remember that right now as we listen to each other. By all means, bring passion to your speeches and your floor debate. By all means, represent with facts or conviction what you believe and what you want to convince each other of, but please do not -- and let me be clear about why we just took a break or why I am asking people to defer at any time. We cannot question whether somebody else in this body has pure motives or the best interest of Mainers at heart when they disagree with us policy-wise. And so I want to be very, very clear before we continue that that is where I will draw the line, and I don't want to

interrupt anybody in their floor speeches or prevent anybody from speaking. But if this continues to be a problem, we will -- that Representative, no matter what side of the aisle they are on, will not continue with their speech. We have about seven members in the queue. The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker. First of all, I would like to let everybody in the chamber know that my motives and my intentions were not to accuse anybody in this chamber of not thinking that what they think about this is the right thing to do and that I have all the answers. That's not true. I was debating, and I apologize to the Speaker as well.

What I will finish my speech with is this, very simply, right from my heart. I serve five towns in western Maine, and I see my five towns having a very difficult time. I see them having a very difficult time in the fact that I go down, and when I drive into my towns and when I go to stop in to my town offices, stop into some of my businesses, I see more and more of my front with no businesses at all, I see businesses that are struggling, I see people that really, in my district, thought when the minimum wage came in they were going to have more money in their pockets, and I see them with the fact that's what the reality for them is very simple. They have less hours, many times they've gone from full-time to part-time work, they've lost their benefits; and, Madam Speaker, it's with passion I say this: the minimum wage, I believe, in all the years I've been alive and all the years I've seen minimum wage hikes, minimum wage has never and was never meant to be, Madam Speaker, a livable wage. It was meant to be an entry level wage to help young people in school and coming out of school to get into the workforce, so they could then begin to get a wage in the business that they were working in, a wage that was able to take care of their family. And I am passionate about this because my businesses in my community are closing, businesses in my community are having to cut hours and cut people's wages, and I have people by the droves coming to me and say we have to do something about this. I'm asking that we would be able to Recede and Concur and take this compromise that has come about, that slows this down and gives our businesses a chance to take a breath of fresh air, move on, and hopefully, hopefully, be able to do things in a way where they won't continue to have to lay people off or close their doors. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Melaragno.

Representative **MELARAGNO**: Thank you, Madam Speaker. I'm standing up today for the working poor, so many of which are women. So many Maine workers have been working too hard for too long for too little money. Their wages have stagnated for decades, and voters agreed with this in 2016, voting overwhelmingly to increase the minimum wage to \$12 by 2020. We should honor that vote. We know that when low wage workers have more money in their pockets, they spend it because they have so many unmet needs. And they spend it in the local economy, benefitting local businesses. Yet, it never ceases to amaze me the lengths to which some employers will go to defend their right to cheap labor courtesy of Maine workers. Maine's workers deserve better treatment than that. We should honor and thank them today by strongly opposing this bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. It's been said that the sky isn't falling. Well, if you're in rural Maine, I

believe the sky may be falling within the next year or so. I look around, and I talk to my fellow businessmen around our community, and I see them talking about either shutting down their businesses or trying to sell their businesses, because they can no longer afford to hire the high school kid or the part-time employee to come in and work. We talk about the vote, that you're representing the people. Well, I am representing the people in my district, because my district voted against this. And it voted against it overwhelmingly. And in the Senate district I'm about to run for, it lost by almost 2,000 votes.

So rural Maine is scared of this, and one of the things that's happened is this bill is not what I like. I would like to vote for the Recede and Concur, and if you gave me my choice that wouldn't be what I voted for today. I would be voting for something a lot more. But I don't have that choice. We all write and run on that we're willing to work and talk and compromise with the other side. Well, I think what has happened is this bill has come back from the other body in a compromised matter, and I think that they found compromise, so I believe, Madam Speaker, that maybe we should find compromise and move forward by Receding and Concurring on this bill. This is important to rural Maine. I understand where it is in southern Maine. So, I do believe the sky is falling in rural Maine. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. The voters in my area were evenly split on the referendum in 2016. This compromise, which slows the tremendous cost to employers, is important to help the small family businesses in my rural area of Waldo County. Payroll is the number one cost of many of those businesses. And they spoke out at the ballot box in 2016 and voted no to raise the minimum wage at such a rapid rate. In fact, it was out of 5,150 ballots cast in my district, 2,535 voted yes, 2,512 voted no, and 103 ballots were blank.

The SPEAKER: The Representative will defer. The Representative may proceed.

Representative **KINNEY**: Thank you, Madam Speaker. We, the members of past, present, and likely the future of this body amend referendum questions almost every time they pass at the ballot box. This compromise will allow small businesses around Maine, and particularly in my area of Waldo County, an opportunity to restructure their business plans in order to incorporate the rising cost of payroll. Business owners throughout Maine and in my area have taken wage decreases, some are now technically below -- earning below the current minimum wage so that they can give their employees the current minimum wage. Please follow my light, protect Maine businesses and Maine jobs. Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker. Request permission to ask a question through the Chair.

The SPEAKER: The Representative may proceed.

Representative **HARVELL**: Is there anybody that knows of a single economic study that demonstrates that during economic downturns higher minimum wages do not lead to higher unemployment?

The SPEAKER: The Representative from Farmington has posed a question if there is anybody in the Chamber who wishes to answer. The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Madam Speaker, Ladies and Gentlemen of the House, I represent seven towns in



northern Penobscot County; Lincoln, Howland, Enfield, Maxfield, Seboeis, Mattamiscotis, and Woodville. I represent 8,800 people in my district, give or take, and overwhelmingly they voted this down. Everything that we do have consequences, and after speaking to business owners in my district, three have gone, shut the doors. One business owner, Angie Belk, owns a local Tim Hortons. The \$1.50 increase caused her husband to quit working at Tim Hortons, go out and get two part-time jobs, traveling to Bangor. She had laid off three employees a year ago, cutting back hours. She worked 16 hours a day to try to make ends meet. Her prices to offset that \$1.50 an hour caused the increase to her products, 20% to the customer, thus slowing her intake of customers coming in by 10%. This last dollar-an-hour increase, if we don't slow this minimum wage indexing down, she will be closing her doors, and a couple others within my district.

So, Madam Speaker, ladies and gentlemen, we have to be responsible with all legislation that we bring forth. I could go on and talk about the referendum process, I could go on and talk about the disparity between northern and southern Maine, but I'm not going to. I have to represent my district. My district is hurting, just like almost every rural district in east, west, and northern Maine.

Madam Speaker, I am not going to try to stand up here and ask and bend someone's ear to say look, you have to vote for this slowing of minimum wage, but, please, just try to have compassion on the nearly 600,000 people that we represent on this side of the aisle. Thank you, Madam Speaker.

The SPEAKER: There are currently three members in the queue. The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just rise to very quickly answer the question from the good Representative from Farmington. Actually, there are plenty of studies that show having a higher minimum wage during a recession doesn't actually cause an increased recession, and if you look at our last recession this nation went through, it actually shows that states with a higher minimum wage fared much better than states with a low minimum wage. Thank you.

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

Representative **SKOLFIELD**: Thank you, Madam Speaker. I agree with many of the remarks that have been made here this morning on this side, and I just wanted to point out, and I know we've all heard it before, but a first-time job is a very important life experience. When you think about it, all of us here have had first-time jobs. They taught us a lot. They left -- they gave us all kinds of things that we wouldn't have had otherwise; punctuality, dependability, honesty, integrity. All of those things were learned by being able to have a first-time job. And employers in my neck of the woods, especially, as probably everywhere, they allow unskilled workers to obtain that first-time job. They are willing to give those people, first-time employees, a chance. Just think about that. They're willing to give them a chance, and sometimes those chances have been for naught. But good employees have become better employees because they had a first-time job. I'm afraid those same employers in my area who are struggling can't afford to do that anymore, and in so many cases it's a long ways to get to a job. There's not a supermarket on every corner, there's not a Dairy Queen or some other convenience store on every corner. The young people, especially up my way, first-time jobseekers have to travel some distance in many cases to obtain that first-time job, and we've got to give

these employers, these folks who are able to provide those first-time jobs, some relief. Thank you, Madam Speaker.

The SPEAKER: There are three members in the queue. The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been sitting here listening, and I thought I'd offer my two cents worth, but since the minimum wage has gone up it's going to be three cents worth now, I guess, so... Anyway, this bill seeks to address what is essentially a one-size-fits-all result of a referendum question. We're not a one-size-fits-all state. We've heard a lot about that here just in the last few minutes. If we were to pass this, to vote to agree with the Recede and Concur, we're still going to allow businesses to thrive. At the same time, we'd be allowing other businesses just to survive. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Madam Speaker. I will just quote the first five paragraphs of an article entitled "It Was Always Supposed to be a Living Wage," written by Hanna Brooks Olsen for a magazine call *The Billfold* on July 29, 2015.

"The fight to raise the minimum wage is being waged across the country, and has been for years. As workers and activists in New York fight for \$15 [an hour], citizens in Seattle, San Francisco, and Los Angeles are already seeing increases in their paychecks. But all along the way, there are critics arguing that the minimum wage was never supposed to be a living wage, but rather, an entry-level wage. You were always, they argue, supposed to work your way out of it. 'The minimum wage was never intended to be a living wage, on which one could support oneself let alone a family,' opined Lowell Kalapa, President of the Tax Foundation of Hawaii, in an op-ed a few years ago. 'Read history!' implored one commenter on a Pew Research piece about the minimum wage. 'Jobs are important and we're not business oriented enough to allow small businesses to hire more folk. The minimum wage is NOT a living wage. It's a place to get experience, but the new generation is too lazy to try.' Of course, if the commenter himself, had 'read history,' he would see that, in fact, the minimum wage was always supposed to be a living wage. In fact, to argue that the minimum wage was never supposed to be a living wage is completely anachronistic. In his 1933 address following the passage of the National Industrial Recovery Act, President Franklin D. Roosevelt noted that 'no business which depends for existence on paying less than living wages to its workers has any right to continue in this country. By 'business' I mean the whole of commerce as well as the whole of industry; by workers I mean all workers, the white collar class as well as the men in overalls; and by living wages I mean more than a bare subsistence level -- I mean the wages of decent living.' A federal minimum wage wouldn't be permanently mandated until 1938 under the Fair Labor Standards Act, the same bill which prohibited child labor and limited the workweek to 44 hours. Even then, the idea was [clear]: ensure that businesses have to a) pay people for the work they do, and b) that the payment is at least enough to live on. 'Without question,' explained FDR, '[the minimum wage] starts us toward a better standard of living and increases purchasing power to buy the products of farm and factory.' That phrase, 'purchasing power,' is the lynchpin. By attaching purchasing power as an idea to the minimum wage, its creator was clearly stating that this wasn't a wage just for teenagers with summer jobs, as many modern-

day critics will imply. Requiring employers to pay a living wage was designed to make sure that everyone could live as long as they worked full time." Thank you, Madam Speaker.

The SPEAKER: There are three members in the queue. The Chair recognizes the Representative from Boothbay Harbor, Representative Hawke.

Representative **HAWKE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Kids are eating condoms or sniffing condoms, eating Tide Pods, I would think that we'd want to keep them working instead of giving them more to do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Farrin.

Representative **FARRIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Just a couple quick comments on this issue. You know, we talked about the common sense and things going on. I just want to tell you two things. One, I participated in an American Legion meeting Monday night in Madison, where we had a talk about raising the wages for the employees that we have at the Post because of the minimum wage piece, and that affects the services that we can deliver to veterans in the area. Second of all is if any of you, fitting on ice cream day, if any of you traveled on Route 2 in Norridgewock, Frederick's Dar-I-Whip has been in business for over 50 years, and it's owned by my aunt and uncle, and they're seriously considering whether or not they can afford to open the doors this summer for their 52nd year, I think this will be. And those aren't anecdotal. There is a difference between rural Maine and what's happening in southern Maine, and I just ask folks to consider that as we take this measure under consideration. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping.

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, I tried to stay in my chair for this debate, but I just had to respond to a couple comments that were made earlier. There were comments made I think the last time we debated from the Representative from Canaan and today by the Representative from Biddeford, talking about work-study programs and I think the University of Maine had been brought up in that discussion. I actually tracked down what the University's position was, and they said that they were intentional to not participate in this debate one way or the other, as it cuts both ways for us, as I am sure it does for many employers. I just wanted to make sure that was on the record.

Second, I've heard a lot of attempts to divide this chamber today between north and south and rural and urban or suburban, and I just want to remind a former speaker that although some in this chamber may consider Penobscot County northern Maine, we are not. The state continues for about four hours north of my district, and 13 out of 16 counties actually voted for this, including the county north of Penobscot County, Aroostook County, and the county east of Penobscot County, Washington County.

Last, I just was looking at one of the flyers that was distributed on this topic prepared by the Maine State Chamber of Commerce, Retail Association of Maine, Maine Grocers and Food Producers, Maine Restaurant Association, Maine Innkeepers, the NFIB. Madam Speaker, these are the same companies that just saw a massive tax cut on the federal level. The Trump-Poliquin tax plan is going to give both the businesses and the small business owners an incredible windfall, whether they file through corporate taxes or giving them a cut through the pass-through deduction. The reason that was called for, and the media and many people in

Congress stated this, was that these cuts would benefit workers. For those businesses to then turn around and try and stop that benefit from reaching workers seems to be reaching out with both hands. So, Madam Speaker, I am going to vote against this motion. I encourage everyone else to do so, and make sure that we are supporting working people in the State of Maine. Thank you.

The SPEAKER: There is one more member in the queue. The Chair recognizes the Representative from Waterville, Representative Madigan, and the Chair will remind members before we proceed with any more comments, once again, to not question the integrity or the motives of other members. The Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. I just wanted to point out a few points about the minimum wage. The first minimum wage law was passed in New Zealand in 1899 -- 94. And our minimum wage law was passed in 1938, as the Representative from Winthrop pointed out earlier, under the administration of Franklin Delano Roosevelt. When I was a kid, people were able to work at the grocery store and things like that, and that was enough to support a family. That isn't the case anymore. The minimum wage was meant to be a living wage. Most families now have both parents working; and I've heard a lot today and as we've talked about this issue for quite a long time that I think -- that I think we need to kind of dispense with. We do have a problem with poverty in this state. People need to make a livable wage, and I think if we're going to be serious about fighting poverty, about people getting off of welfare, then they have to have something that they can earn enough to do that.

I work a lot with moms, single moms, and their kids. Many of them want to work. And I work with a lot of teenagers that work, and they need to be able to make a livable wage, because everyone I know that works is working their tails off to try and put food on the table, put oil in the tank, put gas in their car, and pay the rent, pay their mortgage, and that's just the way it is. They need to earn enough to live. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 572

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

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

ABSENT - Foley, Herrick, Mason, Sherman.

Yes, 72; No, 75; Absent, 4; Excused, 0.

72 having voted in the affirmative and 75 voted in the negative, with 4 being absent, and accordingly and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **ADHERE**.

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

# **COMMUNICATIONS**

The Following Communication: (S.C. 956)

## **STATE OF MAINE OFFICE OF THE GOVERNOR AUGUSTA, MAINE**

April 3, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 565, "An Act Regarding the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists."

This bill removes a sunset provision in Maine pharmacy law which means that pharmacists will forever be permitted to prescribe and dispense naloxone. The bill also requires the Board of Pharmacy to develop training and prescribing rules for pharmacists who choose to prescribe and dispense naloxone.

The use of naloxone is only one tool in the State's fight against opioid misuse. The Legislature's focus on naloxone as the most important tool is sadly misplaced. As I have asserted in previous veto messages on this subject, to win the fight against abuse of opioids, we must get at the root causes and treatments of addiction, not simply offer the naloxone band aid. Additionally, this bill is unnecessary because it is redundant. The Board of Pharmacy has already adopted proposed rules relative to the dispensing of naloxone. We do not need more rulemaking on the same subject.

Making it possible for anyone and everyone to obtain naloxone extends the misuse of opioids and is simply bad public policy.

For these reasons, I return LD 565 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item An Act Regarding the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists

(S.P. 183) (L.D. 565)

(C. "A" S-372)

In Senate, April 4, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

32 voted in favor and 0 against, and 32 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

## **ROLL CALL NO. 573V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fredette, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Harlow, Harrington, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneek, Seavey, Sheats, Simmons, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Vachon, Wallace, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Espling, Fecteau, Gerrish, Guerin, Hanington, Johansen, Lockman, Lyford, Parry, Perkins, Prescott, Reed, Sanderson, Sirocki, Sutton, Theriault, Turner, Wadsworth, White, Winsor.

ABSENT - Foley, Hanley, Harvell, Herrick, Mason, Sherman, Skolfield, Stetkis, Talbot Ross.

Yes, 121; No, 21; Absent, 9; Excused, 0.

121 having voted in the affirmative and 21 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

## **SENATE PAPERS**

The following Joint Resolution: (S.P. 728)

### **JOINT RESOLUTION DECLARING APRIL 8-14, 2018 AS MAINE PUBLIC SAFETY TELECOMMUNICATORS WEEK**

WHEREAS, the United States Congress recognizes the 2nd week of April as "National Public Safety Telecommunicators Week"; and

WHEREAS, over 500,000 dedicated men and women are engaged in the operation of emergency response systems for federal, state, county and local governmental entities throughout the United States; and

WHEREAS, these unseen first responders are responsible for responding to the telephone calls of the general public for police, fire and emergency medical assistance and for dispatching assistance to help save the lives and property of our citizens; and

WHEREAS, Americans place their trust in these individuals, not just this week, but every day of the year, and rely on their knowledge and professionalism as they make critical decisions, obtain information and quickly dispatch needed aid; and

WHEREAS, the calls for help include not only police, fire and emergency medical service calls but those governmental communications related to natural disasters, forestry and conservation operations, highway safety and maintenance

activities and all other operations that modern governmental agencies must conduct; and

WHEREAS, Maine's public safety telecommunications daily serve the public in countless ways without due recognition by the beneficiaries of their services; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize April 8-14, 2018 as Maine Public Safety Telecommunicators Week.

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

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

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**Non-Concurrent Matter**

Bill "An Act To Create Mental Health Liaison Positions in Each County Jail"

(H.P. 679) (L.D. 966)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-700)** in the House on April 2, 2018.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-700) AS AMENDED BY SENATE AMENDMENT "A" (S-441)** thereto in **NON-CONCURRENCE**.

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

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The Following Communication: (S.C. 957)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE**

April 3, 2018

The 128th Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 128th Legislature:  
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1772, "Resolve, Directing the Attorney General To Update the Portions of the Consumer Law Guide Pertaining to Implied Warranties."

This bill requires the Attorney General to consult with interested parties and then review and update the Attorney General's Consumer Law Guide by July 1, 2018, as it pertains to implied warranties on consumer goods other than motor vehicles. This resolve is simply not necessary. Appliance companies and other retailers have already notified the Attorney General of their concerns regarding implied warranties. The Consumer Law Guide is a product of the Attorney General's Office. The Attorney General has sufficient resources and staff to review the Guide and determine whether it needs to be clarified.

For this reason, I return LD 1772 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

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

The accompanying item Resolve, Directing the Attorney General To Update the Portions of the Consumer Law Guide Pertaining to Implied Warranties (EMERGENCY)

(S.P. 659) (L.D. 1772)

(C. "A" S-374)

In Senate, April 4, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

32 voted in favor and 0 against, and 32 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 574V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Frey, Fuller, Gattine, Ginzler, Golden, Grant, Grignon, Guerin, Haggan, Hamann, Harlow, Head, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Sanborn, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stewart, Sutton, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wallace, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Cebra, Farrin, Fecteau, Fredette, Gerrish, Gillway, Handy, Hanington, Harrington, Hawke, Hilliard, Johansen, Lockman, Lyford, McElwee, Melaragno, Reed, Rykerson, Sampson, Sanderson, Strom, Sylvester, Wadsworth, White, Winsor.

ABSENT - Bates, Foley, Grohman, Hanley, Harvell, Herrick, Mason, Sherman, Stetkis.

Yes, 116; No, 26; Absent, 9; Excused, 0.

116 having voted in the affirmative and 26 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (H.C. 491)

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

April 5, 2018

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

Energy, Utilities and Technology

L.D. 1830      An Act To Amend the Anson and Madison  
Water District Charter

Sincerely,

S/Robert B. Hunt

Clerk of House

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

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The Following Communication: (H.C. 494)

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

April 5, 2018

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Joint Select Committee on Marijuana Legalization Implementation has approved the requests for "Leave to Withdraw" by the following sponsors:

Representative Rykerson of Kittery

L.D. 433      An Act To Allow Municipalities To Apply a  
Local Option Sales Tax to the Sale of  
Marijuana

Senator Katz of Kennebec

L.D. 1491      An Act To Provide for Safety, Quality and  
Transparency in the Retail Marijuana  
Industry

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

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The Following Communication: (S.C. 954)

**MAINE SENATE  
128TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 3, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought to Pass as

Amended Report from the Committee on Veterans and Legal Affairs and Passage to be Engrossed as Amended by Committee Amendment "B" (H-684) on Bill "An Act To Amend the Laws Governing Elections" (H.P. 1206) (L.D. 1726) in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 955)

**MAINE SENATE  
128TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 3, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today adhered to its previous action of Passage to be Engrossed as Amended by Committee Amendment "B" (H-605) on Bill "An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit" (H.P. 930) (L.D. 1336) in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 960)

**MAINE SENATE  
128TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 4, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought to Pass as Amended Report from the Committee on State and Local Government and Passage to be Engrossed as Amended by Committee Amendment "A" (H-638) as Amended by Senate Amendment "A" (S-426) on Bill "An Act To Streamline Advocacy for Maine Small Businesses by Relocating the Bureau of the Special Advocate within the Department of the Secretary of State to the Department of Economic and Community Development" (H.P. 1218) (L.D. 1764) in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 961)

**MAINE SENATE  
128TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 4, 2018

Honorable Sara Gideon  
Speaker of the House

2 State House Station  
Augusta, Maine 04333

Dear Speaker Gideon:

In accordance with 3 MRSA §158 and Joint Rule 506 of the 128th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Environment and Natural Resources, Mark C. Draper of Caribou for reappointment to the Board of Environmental Protection.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**REPORTS OF COMMITTEE  
Divided Reports**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-407)** on Bill "An Act To Increase Reimbursement for Child Care Services"

(S.P. 58) (L.D. 166)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York

CHACE of Durham

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:

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-407) AS AMENDED BY SENATE AMENDMENT "A" (S-423)** thereto.

**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-407)** was **READ** by the Clerk.

**Senate Amendment "A" (S-423) to Committee Amendment "A" (S-407)** was **READ** by the Clerk.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **ADOPT Senate Amendment "A" (S-423) to Committee Amendment "A" (S-407).**

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 Adoption of Senate Amendment "A" (S-423) to Committee Amendment "A" (S-407). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 575**

YEA - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Harrington, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, 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, Guerin, Hamann, 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, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Winsor, Zeigler, Madam Speaker.

ABSENT - Bates, Foley, Hanley, Harvell, Herrick, Mason, Sherman, Stetkis.

Yes, 60; No, 83; Absent, 8; Excused, 0.

60 having voted in the affirmative and 83 voted in the negative, with 8 being absent, and accordingly **Senate Amendment "A" (S-423) to Committee Amendment "A" (S-407)** was **NOT ADOPTED.**

Subsequently, **Committee Amendment "A" (S-407)** was **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-407) in NON-CONCURRENCE** and sent for concurrence.

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Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-439)** on Bill "An Act To Amend the Maine Tax Laws"

(S.P. 676) (L.D. 1805)

Signed:

Senators:

DOW of Lincoln

CUSHING of Penobscot

Representatives:

TIPPING of Orono  
BICKFORD of Auburn  
GRANT of Gardiner  
HILLIARD of Belgrade  
POULIOT of Augusta  
STANLEY of Medway  
TERRY of Gorham  
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-440)** on same Bill.

Signed:

Senator:

CHENETTE of York

Representatives:

COOPER of Yarmouth  
TEPLER of Topsham

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-439)**.  
**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-439)** 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-439)** in concurrence.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 180) (L.D. 247) Bill "An Act To Amend the Retirement Laws Pertaining to Participating Local Districts" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-716)**

(H.P. 1314) (L.D. 1881) Bill "An Act To Authorize the Treasurer of State To Facilitate the Establishment of ABLE Accounts for Qualified Persons" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-717)**

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.

**ENACTORS**

**Mandate**

An Act To Strengthen the Law Regarding Dangerous Dogs and Nuisance Dogs

(H.P. 607) (L.D. 858)

(C. "A" H-706)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

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)

(C. "A" H-688)

An Act Authorizing the Deorganization of the Town of Atkinson

(H.P. 1023) (L.D. 1484)

(C. "A" H-698; S. "A" S-432)

An Act To Improve Housing Support in the Bridging Rental Assistance Program

(H.P. 1193) (L.D. 1713)

(C. "A" H-663)

An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States

(S.P. 643) (L.D. 1744)

(S. "A" S-412 to C. "A" S-395)

An Act To Extend Arrearage Management Programs

(H.P. 1285) (L.D. 1848)

(C. "A" H-708)

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.

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

**UNFINISHED BUSINESS**

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

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-710)** - Committee on **TAXATION** on Bill "An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents"

(H.P. 1057) (L.D. 1537)

TABLED - April 4, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **READ.**

The Bill was **READ** once.

**Committee Amendment "A" (H-710)** 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**.

Representative TIPPING of Orono **PRESENTED** House Amendment "A" (H-721), which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Madam Speaker. Madam Speaker, just because some members on my side have questions and maybe other members do, too; this is just a really small technical change to the bill. We missed a date that should've read 2019, and instead in the bill it read 2017. So, that's all this House Amendment does is simply change a 2017 to a 2019. Everything else stays the same. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-721)** was **ADOPTED**.

Subsequently, under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-710)** and **House Amendment "A" (H-721)** and sent for concurrence.

## REPORTS OF COMMITTEE

### Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Provide Additional Deductions from a Sentence of Imprisonment for Completion of Education, Mental Health Treatment and Substance Abuse Treatment Programs"

(H.P. 973) (L.D. 1415)

Signed:

Senators:

ROSEN of Hancock  
CYRWAY of Kennebec  
DIAMOND of Cumberland

Representatives:

COREY of Windham  
GERRISH of Lebanon  
HERRICK of Paris  
MAREAN of Hollis  
NADEAU of Winslow

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-719)** on same Bill.

Signed:

Representatives:

WARREN of Hallowell  
GROHMAN of Biddeford  
LONGSTAFF of Waterville  
RECKITT of South Portland  
TALBOT ROSS of Portland

**READ.**

Representative WARREN of Hallowell moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise today in opposition of the pending motion. This bill allows for an inmate to earn the following deductions off their sentences: 108 days for an associate's degree, 216 days for a bachelor's degree, 72 days for vocational or technical achievement, 18 days for a mental health program, 18 days for substance abuse programming. My greatest opposition is the message this sends to the Maine taxpayer. Inmates are already having their higher education paid for by the taxpayers. Law-abiding citizens are not afforded such a generous opportunity. Now, on top of that benefit, we are now going to shave off sentencing time? I don't agree with this proposal at all.

I would like the body to know current statute already allows four days per month to be taken off sentencing just for good behavior. It allows an additional one to three days off per month for work programming, with a potential to earn another two days. Let's do the math. If an inmate behaves and works while incarcerated, they already have the potential for nine days a month to be taken off their sentence. Lastly, the Committee received oppositional testimony from the Department of Corrections Commissioner Fitzpatrick dated on March 5, 2018. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Madam Speaker. Just a little bit of information about the bill. This is a bill that was introduced last year and was carried over. It's been worked on for well over a year. It's been worked on in concert with the Department of Corrections, in concert with the Commissioner of the Department of Corrections, in concert with the criminal -- excuse me, with the Criminal Law Advisory Commission. The good news from Maine's Criminal Justice System is that while nationally, incarceration rates are down 8.4% over the last five years, Maine's incarceration rates are down 9.8%. But, still, we're spending more money in our criminal justice system. We're seeing a larger increase than even in our higher education institutions. One of the reasons that we are lowering incarceration rates but not lowering the amount of money we're spending is because we aren't doing what other states are doing.

One of the great things that many other states are doing is they're incentivizing rehabilitation for folks who are incarcerated. They're saying to folks we want you to come out of incarceration and be our good neighbors. We know that if we help you get education and job skills, the chance that you will end up here again reduces dramatically. And that is why they are investing in incentivizing these programs, and they're reaping the benefits. When we encourage folks to get education, job skills training, mental health services; when we encourage those things, we reduce recidivism rates astoundingly. We will save money. That's what this proposal is about, and I hope you'll all join me in supporting this.

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 Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm taking a look at the testimony that was given to us by the Department of Corrections. I know that it was said that this was worked on with the Department of Corrections. The Department of



Corrections says that they are unable to support the bill at this time, and I'll read the next paragraph down. "The Department has previously heard concerns from some that believe the value of the treatment and training programs and services provided should be made clear on their own merits and pursued for the values they bring to the prisoner. A reward system linked to sentence reduction is just shifting the focus away from the value of the program to the value of the reward." Thank you.

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

**ROLL CALL NO. 576**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, 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, Hamann, 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, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneek, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

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

ABSENT - Bates, Foley, Harvell, Herrick, Mason, Sherman, Stetkis.

Yes, 80; No, 64; Absent, 7; Excused, 0.

80 having voted in the affirmative and 64 voted in the negative, with 7 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-719)** 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-719)** and sent for concurrence.

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

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**SENATE PAPERS**

The following Joint Order: (S.P. 729)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Monday, April 9, 2018 at 10:00 in the morning.

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

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1288) (L.D. 1851) Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-722)**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for 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 HICKMAN of Winthrop, the House adjourned at 2:06 p.m., until 10:00 a.m., Monday, April 9, 2018, pursuant to the Joint Order (S.P. 729).

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1294) (L.D. 1857) Bill "An Act To Implement the Recommendations of the Commission To Streamline Veterans' Licensing and Certification Regarding Licensed Practical Nurses" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-718)**

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