

# 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  
36th Legislative Day  
Tuesday, April 17, 2018

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

Prayer by Pastor Josh Lovelace, Truth Baptist Church, Jefferson.

National Anthem by Schenck High School Trio, East Millinocket.

Pledge of Allegiance.

Doctor of the day, Noah Nesin, M.D., Glenburn.

The Journal of Friday, April 13, 2018 was read and approved.

**COMMUNICATIONS**

The Following Communication: (H.C. 503)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

April 13, 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 968, "An Act to Help Prevent Financial Elder Abuse."

The stated purpose of LD 968 was to remove any doubt or uncertainty about the distribution of account funds upon the death of the original account holder. The bill requires that the document establishing or adding a party to a multiple-party bank or credit-union account include the question, "Do you intend for the sum remaining upon your death to belong to the surviving party or parties? Yes or No." Although I appreciate the original intent of LD 968 to help seniors understand who receives account funds on their death, I cannot support it for two reasons: 1) the bill references an inappropriate type of account for those seniors seeking help managing finances; and 2) its provisions are placed in the wrong location in Maine statutes.

Senior citizens often seek to establish joint bank accounts with another individual so that individual may assist them with paying their bills. They do not necessarily want to create a joint owner with survivorship rights on their account. The language of the bill is unhelpful because it does not facilitate the creation of agency accounts, which would better serve the needs of many seniors.

An agent named by the account holder of an agency account would not own the account funds or have rights to any funds remaining in the account at the account holder's death. The agent would simply serve at the convenience and direction of the account holder. The "multiple-party" account language in LD 968, on the other hand, leaves the senior with only a jointly owned, multiple-party account with, or without, survivorship rights. This is not a helpful account alternative in every case and will not offer seniors the accounts they deserve. Further, the proposed "Yes or No" question will cause confusion in cases where the parties provide different responses.

An agency-account concept should be added to the Maine Probate Code rather than the Maine Banking Code. The

Maine Probate Code is the primary source for determining rights in the assets of a deceased individual, and all financial institutions—both state-chartered and nationally chartered—must comply with the provisions of that code. The Maine Banking Code applies only to financial institutions authorized to do business in Maine.

LD 968 does not assist our senior citizens in the way it was intended. Our seniors need an alternative to multiple-party accounts that would allow them to designate an agent on their accounts.

For these reasons, I return LD 968 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Help Prevent Financial Elder Abuse

(H.P. 681) (L.D. 968)

(C. "A" H-599)

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. 605V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Bickford, Chace, Hanington, Kinney J, Lockman, Sirocki, Stetkis, Strom, Turner.

ABSENT - Bates, Marean, McLean, Sampson, Sherman, Timberlake, Ward.

Yes, 135; No, 9; Absent, 7; Excused, 0.

135 having voted in the affirmative and 9 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 504)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

April 13, 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 1755, "An Act To Provide a Sales Tax Exemption for Nonprofit Heating Assistance Organizations."

I support organizations that help needy Mainers heat their homes in the winter. However, I simply cannot support adding yet another carve-out to Maine's tax laws at a time when the Maine tax laws are complicated enough. At last count, the Maine tax laws already contain 101 exemptions from Maine sales tax.

More troublingly, there are fewer than four organizations in the state that would qualify for the exemption created by this bill. These organizations are estimated to save approximately \$1,000 in sales tax combined under the new exemption. However, it will cost Maine Revenue Services nearly \$50,000 to create and implement the exemption. Said another way: The juice is not worth the squeeze.

For these reasons, I return LD 1755 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Provide a Sales Tax Exemption for Nonprofit Heating Assistance Organizations

(H.P. 1207) (L.D. 1755)  
(C. "A" H-679)

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

The Following Communication: (H.C. 505)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

April 13, 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 1847, "An Act to Amend the State's Electronic Waste Laws."

This bill seeks to amend the State's electronic waste laws in three ways:

- It updates how electronic device manufactures are billed for recycling costs because televisions no longer need to be counted separately from other electronics.
- It changes the due date for consumer electronic-device-manufacturer registration from July 1 to April 1.
- It makes changes to align Maine's electronic waste program more closely with similar programs in other states.

While I am supportive of the streamlining and simplifying of electronic waste laws to bring Maine's regulations into conformity with other states, changing just the regulations is not enough. Something must also be done to address the costs to Maine citizens and Maine businesses.

This bill does nothing to address fees being charged. To improve our business climate, every effort should be made to reduce fees charged to the Maine people and our companies, when the program is streamlined and made more efficient. This is the true purpose of good public policy.

For these reasons, I return LD 1847 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Amend the State's Electronic Waste Laws

(H.P. 1284) (L.D. 1847)  
(C. "A" H-696)

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. 606V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanley, Harlow, Harrington, Harvell, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, 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, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Hanington, Hawke, Malaby, Reed, Sanderson, Sirocki, Sutton, Turner.

ABSENT - Bates, Marean, McLean, Sampson, Sherman, Ward.

Yes, 137; No, 8; Absent, 6; Excused, 0.

137 having voted in the affirmative and 8 voted in the negative, with 6 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 502)

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

April 17, 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:"

Taxation

L.D. 1758

An Act To Strengthen Maine Families with Children by Changing the Income Tax Laws

Sincerely,  
S/Robert B. Hunt  
Clerk of House

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

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

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

**ORDERS**

On motion of Representative **POULIOT** of Augusta, the following Joint Resolution: (H.P. 1347)

**JOINT RESOLUTION RECOGNIZING APRIL 2018 AS FOSTERING FINANCIAL EDUCATION MONTH**

WHEREAS, financial education is essential to ensuring that students, young adults and families are prepared to effectively budget, manage, save and invest money; and

WHEREAS, the Maine Jump\$tart Coalition for Personal Financial Literacy is celebrating 10 years of demonstrated leadership in supporting financial education learning opportunities and outreach for students and educators through free training, classroom resources and innovative programs; and

WHEREAS, the Maine Jump\$tart Coalition for Personal Financial Literacy is a past recipient of the prestigious State Coalition of the Year Award from the national Jump\$tart Coalition for Personal Financial Literacy for its initiatives and efforts in advancing, and support of, personal financial education in Maine; and

WHEREAS, the 9th annual Fostering Financial Education in Maine Schools Conference, to be held May 11, 2018, provides training to Maine educators, including free resources and best practices for implementation of Maine's learning standards for personal finance, ensuring that all kindergarten to grade 12 students and young adults have the knowledge and skills needed to achieve financial stability; and

WHEREAS, the conference has trained over 1,000 teachers and community educators during the past 8 years and strengthened financial literacy instruction for students and young adults in every region of the State; and

WHEREAS, the conference and other related events and programs are a collaboration among business, government,

nonprofit and financial education organizations, including the Department of Professional and Financial Regulation, Office of Securities; the Finance Authority of Maine; the Maine Credit Union League; Jobs for Maine's Graduates; and numerous other partners and supporters; and

WHEREAS, it is important to raise awareness about the conference and highlight the value of supporting Maine youth in becoming financially capable adults in order to fulfill their dreams and aspirations; 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 2018 as Fostering Financial Education Month and urge all citizens and educators to participate in providing and facilitating opportunities to better educate students so they can become financially capable and successful adults.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative **POULIOT**.

Representative **POULIOT**: Thank you, Madam Speaker. It's my honor to recognize this month as Fostering Financial Education Month.

When I first came here in the 126th, the State of Maine was rated a D in terms of financial literacy education, and through our work together in this body and the other, we passed LD 843, which was my bill, "An Act to Promote the Financial Literacy of High School Students," and subsequently, Maine's national ranking has risen to a B rating. So, we still have some work to do to get to an A. We all like to be A students, I think, in this body, so I think awareness is key to that. Each year, it's important that we continue to recognize this issue of financial literacy and how important it is to our future generations to have access to good, high-quality financial literacy education. So, Ladies and Gentlemen of the House, Madam Speaker, thank you for the time to speak to this issue.

Subsequently, the Joint Resolution was **ADOPTED.**

Sent for concurrence.

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the Game Loft, of Belfast, a nonprofit community-based organization of the Maine Youth Alliance providing children with after-school programs, which is celebrating its 20th Anniversary. We extend to everyone at Game Loft our congratulations on this anniversary;

(HLS 1150)

Presented by Representative **HERBIG** of Belfast.

Cosponsored by President **THIBODEAU** of Waldo.

On **OBJECTION** of Representative **HERBIG** of Belfast, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. A little over 20 years ago, Ray and Patricia Estabrook opened All About Games, a games store, as a way for their son to make some money after college. After two weeks on the job, their son left, and the Estabrooks have run it ever since. All About Games was a magnet in 1996 because there was in-store gaming. The

space was always packed and prompted the creation of the Game Loft, a 501(3)(c) charity on the second and third floors of their space on Main Street in Belfast.

Ray and Patricia had a vision to create a community where all people are valued, regardless of age; where youth become resources with meaningful roles and responsibilities for positive community change; where disabled youth, juvenile offenders, the bullied and the ostracized, and all those who feel voiceless are heard and respected; and where willing volunteers of all ages work to improve the life in their community.

For the past 20 years, the Game Loft has succeeded in guiding young people ages six to 18 in Waldo County to become confident, competent, caring, contributing and connected adults.

Madam Speaker, I've known Ray and Patricia for a long time. Their commitment to caring for the children of Waldo County as their own is extraordinary. The Estabrooks are incredibly special people. They are another example of an incredibly special Waldo County family who goes above and beyond for our community. Congratulations to Ray and Patricia on their 20th anniversary of the Game Loft, and our warmest thanks for all you have done for Waldo County kids and their future success. Thank you.

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

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**In Memory of:**

Gregory Ellis, of Pittston. Mr. Ellis was employed at Bob Webb's Mobile for a number of years and Bath Iron Works for 27 years. He served as the Animal Control Officer for the Town of Pittston for a time. Mr. Ellis, who was awarded a Spirit of America award in 2017, placed an area light at the town's Veterans' Memorial Monument and voluntarily maintained it for many years, and he helped maintain a cemetery on Arnold Road. Mr. Ellis will be long remembered and sadly missed by his family and friends;

(HLS 1156)

Presented by Representative HANLEY of Pittston.

Cosponsored by Senator BELLOWES of Kennebec.

On **OBJECTION** of Representative HANLEY of Pittston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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, Gregory Ellis is a hometown boy from Pittston, where I live, and for many years this guy, without -- he didn't want any recognition or any help or any assistance, but he maintained and held in memorial a stone in remembrance of the men and women who died in combat, and he did this -- there was a man -- Greg never was in the military, but he had great honor and respect for those that served, and especially those that died. And he did this under the radar. He didn't want anyone ever to see him or hear him do it, and what a quiet and a gentle man he was to do this thing. And, for me, it's a personal issue as well, because I come from a family of ten: three daughters and seven sons. All seven sons served in the military. Two of them served in combat in Vietnam, and only one of them came home. So, when Greg honors someone like the -- the people like this, he honors me. He honors my family, a Gold Star family. I am deeply moved by it, and may God bless him, and may he rest in peace. Thank you, Madam Speaker.

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

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The following item was 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 Friday, April 13, 2018, 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 Dana Whitten, of Northport

(HLS 1049)

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

PENDING - **PASSAGE.**

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

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-764)** on Bill "An Act To Remove the Age Penalty for State Retirees Working at State Correctional Institutions That Are Closing"

(H.P. 133) (L.D. 177)

Signed:

Senator:

BREEN of Cumberland

Representatives:

GATTINE of Westbrook

FREY of Bangor

HUBBELL of Bar Harbor

JORGENSEN of Portland

MARTIN of Eagle Lake

TEPLER of Topsham

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

Signed:

Senators:

HAMPER of Oxford

KATZ of Kennebec

Representatives:

SEAVEY of Kennebunkport

SIROCKI of Scarborough

TIMBERLAKE of Turner

WINSOR of Norway

**READ.**

On motion of Representative GATTINE of Westbrook, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 193) (L.D. 260) Bill "An Act To Create the Maine Energy Office" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-768)**

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

The Unanimous Committee Report was **READ**.

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

**ENACTORS**

**Acts**

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

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

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 matters, in the consideration of which the House was engaged at the time of adjournment Friday, April 13, 2018, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (H-714)** - Minority (2) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase Transparency in the Direct Initiative Process"

(H.P. 1301) (L.D. 1865)

**TABLED** - April 4, 2018 (Till Later Today) by Representative LUCHINI of Ellsworth.

**PENDING - ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative CASAS of Rockport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

**ROLL CALL NO. 607**

**YEA** - Alley, Austin B, Austin S, Babbidge, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman,

Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

**NAY** - Ackley, Bailey, Casas, Chapman, Harlow, O'Neil.

**ABSENT** - Marean, McLean, Sampson, Sherman, Ward.

Yes, 140; No, 6; Absent, 5; Excused, 0.

140 having voted in the affirmative and 6 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-714)** 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-714)** and sent for concurrence.

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

**SENATE REPORT - Ought to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Include Operating a Motor Vehicle in a Parking Area in the Law Regarding Operating after Habitual Offender Revocation"

(S.P. 706) (L.D. 1859)

- In Senate, Unanimous **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

**TABLED** - April 10, 2018 (Till Later Today) by Representative MARTIN of Eagle Lake.

**PENDING - ACCEPTANCE OF COMMITTEE REPORT.**

On motion of Representative WARREN of Hollowell, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

An Act To Strengthen Requirements for Water Testing for Schools (**MANDATE**)

(S.P. 20) (L.D. 40)

(S. "A" S-429 to C. "A" S-406)

- In House, **FAILED OF PASSAGE TO BE ENACTED** on April 11, 2018.

- In Senate, **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

**TABLED** - April 13, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

**PENDING - FURTHER CONSIDERATION.**

Speaker GIDEON of Freeport moved that the House **RECEDE AND CONCUR**.

On motion of Representative FREDETTE of Newport, **TABLED** pending the motion of Speaker GIDEON of Freeport to **RECEDE AND CONCUR** and later today assigned.

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Resolve, To Reduce the Number of Substance-exposed Infants

(H.P. 746) (L.D. 1063)  
(S. "B" S-460 to C. "B" H-678)

TABLED - April 13, 2018 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **FINAL PASSAGE.**

Subsequently, the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

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SENATE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "B" (S-405)** - Minority (1) **Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers"

(S.P. 532) (L.D. 1507)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-405).**

TABLED - April 13, 2018 (Till Later Today) by Representative LAWRENCE of Eliot.

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

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (S-405)** 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-405)** in concurrence.

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**CONSENT CALENDAR**  
**First Day**

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

(S.P. 696) (L.D. 1843) Bill "An Act To Amend Career and Technical Education Statutes" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-466)**

(S.P. 714) (L.D. 1871) Bill "An Act To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State Regarding Respectful Language" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-463)**

(S.P. 731) (L.D. 1901) Resolve, To Recognize the 100th Anniversary of the American Legion on the Capitol Grounds Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-462)**

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

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There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 737)

**JOINT RESOLUTION SUPPORTING THE NATIONAL PARK SYSTEM**

WHEREAS, America's National Park System is a living testament to our citizens' valor and our nation's hardships, our victories and our traditions as Americans and has been called "America's best idea"; and

WHEREAS, the National Park System preserves the diversity, culture and heritage of all Americans and serves as a living classroom for future generations; and

WHEREAS, the National Park Service celebrated its centennial in 2016 and currently manages more than 400 nationally significant sites and an invaluable collection of more than 75,000 natural and cultural assets that span 84,000,000 acres across all 50 states, the District of Columbia and several United States territories and insular areas; and

WHEREAS, the National Park Service's mission is to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education and inspiration of this and future generations; and

WHEREAS, in 2016, the National Park System had more than 331,000,000 visits, more than 3,000,000 alone to Acadia National Park in Maine; and

WHEREAS, it is estimated that in 2016 park visitors spent more than \$18,400,000,000 at national park sites, including more than \$275,000,000 in Maine's communities adjacent to Acadia National Park; and

WHEREAS, the National Park Service has the obligation to preserve our nation's history, promote access to national parks for all citizens, stimulate revenue to sustain itself and nearby communities, educate the public about America's natural, cultural and historical resources and provide safe facilities and environs for the enjoyment of these resources; and

WHEREAS, in 2016, the National Park Service estimated a deferred maintenance backlog of nearly \$11,300,000,000, which includes repairs to aging historical structures, trails, sewers, drainage and thousands of miles of roads, bridges, tunnels and other vital infrastructure, more than \$70,000,000 of which is in Maine; and

WHEREAS, it is important that America's national parks be maintained to ensure our natural places and our history are preserved and documented for future generations and for the adjacent communities that rely on the direct and indirect economic benefits generated by visits to national park sites; 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 express our support for the creation of a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System, including Acadia National Park; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to each Member of the Maine Congressional Delegation.

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

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

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-769)** on Bill "An Act To Reestablish the Office of Advocacy within the Department of Health and Human Services"

(H.P. 1164) (L.D. 1676)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York

DENNO of Cumberland

MADIGAN of Waterville

McCREIGHT of Harpswell

PARKER of South Berwick

PERRY of Calais

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-770)** on same Bill.

Signed:

Senators:

BRAKEY of Androscoggin

HAMPER of Oxford

Representatives:

CHACE of Durham

HEAD of Bethel

MALABY of Hancock

SANDERSON of Chelsea

**READ.**

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

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

**ROLL CALL NO. 608**

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

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

ABSENT - Bradstreet, Devin, Frey, Grohman, Harvell, Herrick, Sherman, Skolfield, Ward.

Yes, 79; No, 63; Absent, 9; Excused, 0.

79 having voted in the affirmative and 63 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-769)** 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-769)** and sent for concurrence.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Protect Privacy of Online Customer Personal Information"

(S.P. 566) (L.D. 1610)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-453)** in the House on April 13, 2018.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Promote Prescription Drug Price Transparency"

(S.P. 484) (L.D. 1406)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-451)** in the House on April 13, 2018.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-452)** in **NON-CONCURRENCE**.

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

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-468)** on Bill "An Act To Establish the Total Cost of Education and the State and Local Contributions to Education for Fiscal Year 2018-19 and To Provide That Employees of School Management and Leadership Centers Are Eligible To Participate in the Maine Public Employees Retirement System"

(S.P. 712) (L.D. 1869)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor

DAUGHTRY of Brunswick

FARNSWORTH of Portland

FULLER of Lewiston

McCREA of Fort Fairfield

PIERCE of Falmouth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-469)** on same Bill.

Signed:

Senators:

LANGLEY of Hancock

MAKER of Washington

Representatives:

GINZLER of Bridgton

SAMPSON of Alfred

STEWART of Presque Isle

TURNER of Burlington

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-469)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-468)** 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-468)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-464)** on Bill "An Act Regarding a Biomass-generated Energy Purchase and Sale Agreement and Payments to Contractors"

(S.P. 644) (L.D. 1745)

Signed:

Senators:

WOODSOME of York

DION of Cumberland

Representatives:

BERRY of Bowdoinham

COOPER of Yarmouth

DeCHANT of Bath

RILEY of Jay

RYKERSON of Kittery

SANBORN of Portland

WADSWORTH of Hiram

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

Signed:

Senator:

CUSHING of Penobscot

Representatives:

HANLEY of Pittston

HARVELL of Farmington

O'CONNOR of Berwick

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-464)**.

**READ.**

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

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

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Boy, two years flies by. You know, a mere 730 days ago, I was part of that biomass compromise in the 127th. I remember meeting downstairs in Tax Committee just about the same time as now, trying to finish up this biomass stabilization bill, hearing the House bell ringing upstairs.

The word was that the Chief Executive was on board and he, in fact, did sign the bill. He and I made a promise to stabilize biomass in the State of Maine. Since then, ReEnergy and Stored Solar won the contracts. However, it looks like we're going to have about \$4 million left over from our promise from two years ago. Madam Speaker, this is a bill that we should have originally moved forward with. There are no direct appropriations to generators. Instead, this provides low-interest and no-interest loans to our businesses, our municipalities, and our educational institutions that want to implement biomass. Once again, this is loans, not gifts. Let's move forward with this to use our indigenous resource. Let's move forward with this for our loggers, our truckers, our people. Please follow my light, Madam Speaker.

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. When is enough, enough? This bill, as the good Representative from Hiram said, was part of leftover money from the biomass bailout, the \$13.4 million. Many of you voted for that bill and in that bill --

and many of you didn't, but in that bill, it was directly stated that any money that was left over from that would be put back into the General Fund, the taxpayers' money back into the General Fund. When that biomass bailout didn't work as anticipated by some, that money should go back to the General Fund as we said in the 127th that it would do. This bill came to us as a completely different bill. The title's been changed, everything in it has been changed. Its original intent was to whack a company called Stored Solar. When they came forward and they were cleared of all bad doing, etcetera, so on, and so forth, they said that the money would stay, and it should've gone back, and instead they created this entirely new program. This is not a good way to make legislation and, once again, when is enough, enough? When are we going to stop bailing out this industry? Thank you.

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

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I'm rising today to talk about this bill because it has a significant impact on our economy in Northern Maine; and I wasn't here in the 127th Legislature, I don't presume to know all the merits of the bill then or the intent of the people in that Legislature. But, what I do have in front of me is a bill that I'm trying to weigh the merits on and trying to navigate through this Legislature.

I know that folks feel strongly one way or the other about subsidies. To me, what it boils down to is the fact that this is an industry that requires a lot of markets in order to stay successful. It's not -- it is not, in my opinion, something that the State of Maine should not be engaged in, as it relates to creating markets for these products to be able to sell. Otherwise, the problem becomes -- otherwise you can't even make enough money as a logger to make it worth it to even go out in the morning and fire up the truck. If you don't have places where you can sell your product, and if we are losing these places that are actually purchasing the product and doing something with it and creating a positive impact on our economy, places are going to shut down and loggers aren't going to be able to go to work in the morning.

Additionally, you should all have probably seen a flyer on your desk; and I just want to point out one snippet from that, at the bottom of the second page, from Matthew Bell, who is the owner of Northeast Pellets in Ashland, because there's a lot of really cool stuff that they're able to do with some of these byproducts now, including heating massive areas at a cheaper rate than it is for other sources of heat; like, for instance, schools. And we have three colleges in Northern Maine in Aroostook County, UMPI, UMFK, and NMCC, and Matt writes that the school pellet -- "the school's pellet boilers have saved them significant amounts of money in their heating costs while keeping these heating dollars in the local economy." To me, that points to an idea that is a good one, an idea that will help boost an economy in a part of the state that continues to be hit by things like high unemployment, has problems with economic development in general, and this is an idea that is going to help put us back on the right track.

Additionally, it's kind of my understanding that this actually has a positive fiscal note, and so when I'm viewing this as a fiscal appropriation, I'm viewing this as a member of the 128th Legislature who is determining what to do with the coffers of the state in the 128th Legislature. To me, we have the right, we have the ability, and we are the only people that have the power to make a determination as to what to do with that funding. And so, with that, I would encourage you to follow my light on this issue, as I think it's something that is not a

reneging on a promise of the past, but is actually a completion of the promise, and it's going to significantly benefit Northern Maine, and I very much appreciate the assistance of my colleagues in that effort. Thank you.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As I spoke two years ago on this, maybe this is a subsidy, but I can tell you the \$13.5 million that was allocated for this project... I mean, we can stand here all day long and dispute why and why not Stored Solar didn't work.

I could stand up and say where I think that \$4 million should go. Maybe it ought to go towards the biggest private contractor in the State of Maine that is owed a million dollars. Will they receive any of that? No, because Stored Solar didn't play by the rules. I will honestly say that, without this bill that we passed two years ago, we probably would've seen a 30% reduction in the logging industry. So, I'm not going to twist anybody's arm on how to vote, but I'm going to tell you right now, personally, seeing how this negatively could impact the industry, I would urge each and every one, please, follow my light.

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, I rise simply to concur with the remarks earlier from the good Representative from Hiram and the good Representative from Presque Isle. I think we all, in retrospect, those of us who were here and those who were not in the previous Legislature, can see that some better language could've been put into place regarding the \$13.4 million, to give guidance to the PUC around how to allocate that money. You know, even as far south and as far west as where I'm from, in Bowdoinham, there were some --

The SPEAKER: The Representative will defer. The House is in order. The Representative may proceed.

Representative **BERRY**: Thank you, Madam Speaker. There were some folks even where I live who were not paid by the biomass business that has been mentioned. This bill would redirect the funds in a manner, as was stated, low-interest loans so that new, efficient thermal energy and cogen can come online, keep our loggers working, and I think that's the purpose of the bill. Certainly, we want to make sure that the money is well-used. That is exactly what's intended here, and so I hope the folks will honor the strong bipartisan majority of the Committee and vote for the pending motion. Thank you, Madam Speaker.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I agree with the good Representative from Berwick, Representative O'Connor, in regards to language that was in the bill that would say that the money should go back into the General Fund. The question then becomes, if the money goes back into the General Fund, then what becomes of it. You know, maybe it gets squandered on another sort of program that I don't necessarily agree with, and what not, but what I can say is, is that this money was set aside for the logging industry.

I had the opportunity when I was Aroostook County this weekend, simply driving along the interstate, and you can look on both sides of the interstate and you can see the impact of the logging industry. Having grown up up in the area, you

realize, sort of, how important that is to the economy. So, when I look at this particular issue, I recognize it as a rural Maine issue. I mean, it's an issue where, my guess is, we're not going to see a lot of urban loans for logging. And, so, when I recognize the need that we have in rural Maine in terms of the need for economic development, long-term sustainable jobs, I see this as an opportunity for those folks, particularly in regards to it being a loan program, a loan program which would require repayment. So, I don't see this as a subsidy program. I see it as a sustainability program. To that extent, I'll be supporting the motion and ask that you follow my light.

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

**ROLL CALL NO. 609**

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

NAY - Austin S, Espling, Foley, Gerrish, Guerin, Hanley, Kinney M, Lockman, Lyford, Marean, Mason, O'Connor, Ordway, Parry, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Sutton, Theriault, Turner, Vachon, Wallace.

ABSENT - Bradstreet, Frey, Grohman, Harvell, Herrick, Sherman, Skolfield, Ward.

Yes, 116; No, 27; Absent, 8; Excused, 0.

116 having voted in the affirmative and 27 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-464) 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-464) in concurrence.**

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Improve Efficiency through Electric Rate Design and Advanced Technology"

(S.P. 726) (L.D. 1896)

Signed:

Senator:

DION of Cumberland

Representatives:

BERRY of Bowdoinham

COOPER of Yarmouth

DeCHANT of Bath

RILEY of Jay

RYKERSON of Kittery

SANBORN of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-465)** on same Bill.

Signed:

Senators:

WOODSOME of York

CUSHING of Penobscot

Representatives:

HANLEY of Pittston

O'CONNOR of Berwick

WADSWORTH of Hiram

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY.**

**READ.**

On motion of Representative BERRY of Bowdoinham, the Majority **Ought Not to Pass** Report was **ACCEPTED in NON-CONCURRENCE** and sent for concurrence.

Seven Members of the Committee on **TAXATION** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-470)** on Bill "An Act To Encourage the Construction of Affordable Housing"

(S.P. 507) (L.D. 1461)

Signed:

Senators:

DOW of Lincoln

CUSHING of Penobscot

Representatives:

BICKFORD of Auburn

HILLIARD of Belgrade

POULIOT of Augusta

STANLEY of Medway

WARD of Dedham

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-471)** on same Bill.

Signed:

Representatives:

TIPPING of Orono

COOPER of Yarmouth

GRANT of Gardiner

TEPLER of Topsham

TERRY of Gorham

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Senator:

CHENETTE of York

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-470)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "B" (S-471)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (S-471)** in **NON-CONCURRENCE** and sent for concurrence.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District (H.P. 32) (L.D. 31) (C. "B" H-572)

**FAILED** of **FINAL PASSAGE** in the House on April 12, 2018.

Came from the Senate **FINALLY PASSED** in **NON-CONCURRENCE**.

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

The same Representative **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 Hudson, Representative Duchesne.

Representative **DUCHESNE**: Thank you, Madam Speaker, Men and Women of the House. I rise in support of the pending motion.

I wasn't born in the North Maine Woods, but I was conceived there. There are two Maines; but just about every state has two of it, except maybe Rhode Island. Basically, Rhode Island is so small you pass through both Rhode Islands as you're pulling out of your driveway. But the two Maines thing is actually pretty normal for a lot of states, so, that's why half the states that have citizen initiatives allow some kind of geographic restrictions on their requirements for petitions. The citizens' initiative process entered the Maine Constitution in 1908. Madam Speaker, when that was all decided 110 years ago, do you know why the Legislature supported the right of citizens to initiate laws but deliberately denied them the right to do Constitutional Amendments? Prohibition. Prohibition was in the Constitution, and our founding fathers back 110 years ago did not want to give citizens the ability to repeal it, and there we are. Because of this historical need to protect our sobriety, the Legislature has to take the first step if the citizens are ever going to get a chance to vote on something like this

for their Constitution, a measure that was received -- received 12:1 support in committee. Not much has changed in 110 years. We sometimes talk a good game about respecting the will of the voters; but our forefathers, just like them, we get nervous about what they voters will actually do, so we're reluctant to give them a chance to express their will. LD 31 doesn't enact anything. It just asks voters if they like this idea enough to put it in their Constitution.

So, here's why I support it. When I go around my district, there is a strong feeling that questionable initiatives are being forced on them lately, and they feel like they get no voice in it. Now, in reality, I don't think it's a north versus south thing; I think it may be more of an urban-rural thing. But it is definitely not something I feel when I'm in Bangor. But, out in the rural parts of Maine, it's there, it's real, it's angry and it's growing. You can see it here. We have about half a dozen bills every session to figure out a better way to do this. So, it is a growing problem. Here, I think, is the other reason: there is a new normal, and I think we need to take a look at how our laws and Constitution match up with the challenges of this new normal.

Over the first 60 years, only seven initiated bills got on the ballot. There were none at all in the '50s and '60s. In 1971, the dam burst. The flood started and the rising waters haven't crested yet. We've had 55 citizen initiatives since then, and now they're coming at us three, four, five at a time. There's a whole industry evolving to get initiatives on the ballot, sometimes across multiple states: paid signature gatherers, big money. It's gotten so crazy, this is the way we site our casinos, if there's any rationality to that idea. In the old normal, most initiatives were short and simple, but in the new normal, they can go on for 30 pages. In the old normal, legislators were reluctant to change what the voters approved. In the new normal, some of the legislation is so badly written or ill-conceived that we have no choice but to amend them. And I think many voters are relieved that we're doing that, because they don't get to amend anything. They just get to say yes or no, even if they have grave misgivings about part of an initiative but in general may support it otherwise. For them, there is no legislative process before, during, or after enactment. For that reason, I think legislators need to get over their reluctance to amend initiated laws. If the voters can't, and we won't, things are going to get messier. We're drinking from a fire hose. So, I don't think it's too much to ask to give voters a chance to consider tweaking the initiative process to be slightly more inclusive. I agree, it isn't much. Most of the second CD signatures will still come from Lewiston and Bangor, very few will come from Wypitlock. But, if it gives citizens just a little more comfort in this new normal, can't we at least let them decide that for themselves? There's a good chance they'll say no, because this doesn't affect us, it affects them. So, let's ask them. Let's respect the will of the voters. And, by the way, Prohibition ended in 1934, so let's vote and then go out for a cold one to celebrate. Just follow my Bud Light.

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

Representative **FREDETTE**: Thank you, Madam Speaker. I can never follow his speeches, and nor will I try.

You know, a lot has been talked about the initiative process over the last two to four years. Quite frankly, in my opinion, it's imposed a lot upon this body in terms of issues that we need to deal with, and my opinion is, is that it has taken away some ability of the Legislature and the Chief Executive to focus resources on strategic planning because we are dealing with issues being driven by the initiative process. But it is what it is.

We can't change that. Forefathers said, you know, go forth and do this. So, that's okay. I mean, we realize we are where we are. This would be my one ask of my friends on the other side of the aisle, and that is, in my opinion, this is a little bit less about the initiative process than maybe just a recognition that we have an issue. It's not a -- this is not a Democrat issue or a Republican issue, it's not even an urban versus a rural issue. It's simply a recognition that we, as the Legislature, are saying hey, maybe we need to just take one little step back in this process and let the voters decide. So, to me, it's that simple. And, you know, we have all this conversation about civility and how the Legislature should be more civil in how we deal with one another. So, if we were to pass this, I think that that would send a message that, you know what, we're willing to trust the voters to look at this, to have a more civil conversation. But if we aren't even allowing the voters to look at whether or not the simple process of gathering signatures should be equal in one district versus two districts, I really question whether or not we're really being sincere to civility. So, when I support this today, what I'm saying really is I trust the voters to look at this, that we are going forward together, as a Legislature, to say, "We trust you to look at this; and how should we move forward?"

So, Madam Speaker, Ladies and Gentlemen of the House, and particularly my friends to the other side of the aisle, I think that this is an opportunity for us to send a message of civility. Thank you, Madam 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, I have great respect for the passion of my good friend from Hudson around this bill, and I want to agree with one point that he made, which is that we do need to ban payment per signature. That is an issue. We also need to have greater transparency in disclosure requirements around ballot questions. We did a little bit of that earlier today. But these common-sense reforms are not in the bill before us. It is also true that we have had more citizens' initiatives and people's vetoes in recent years than we have had in the past in Maine history. But I think the reason for that, perhaps, could be that Maine people do not feel listened to in the way that they did before by the people who they elect to represent them.

I'm puzzled, Madam Speaker, by the change in heart around citizen initiatives that I've seen in my time here, because just eight years ago, after decades under Democratic majorities in Augusta, there were many groups who opposed any restrictions on the petition process who have since very much changed their position. So, I just want to go back eight years and listen to some of those voices that groups that now seem very concerned about the ballot process took at that time. So, here is a quotation from then-Senator David Trahan, who was the leader the year before, in 2009, of the Still Fed Up with Taxes ballot question, just before he became executive director of the Sportsman's Alliance of Maine.

The SPEAKER: The Representative will defer. The Chair recognizes the Representative from New Gloucester, Representative Espling, and inquires as to what her Point of Order is.

Representative **ESPLING**: I'm just curious about the path that the legislator is going down as to how it's germane to the wording of the item in front of us. Thank you.

On **POINT OF ORDER**, Representative **ESPLING** of New Gloucester asked the Chair if the remarks of Representative

**BERRY** of Bowdoinham were germane to the pending question.

The SPEAKER: The Chair would answer that although going into history in this case, the debate at present still seems to be germane to the question of the initiative process.

The Chair advised Representative **ESPLING** of New Gloucester that the remarks of Representative **BERRY** of Bowdoinham were germane to the pending question.

The SPEAKER: The Representative will continue.

Representative **BERRY**: Thank you, Madam Speaker. And, just to be clear, this is about the ease with which a ballot question is placed onto the ballot, the ease with which signature gatherers are able to make that happen.

Mr. Trahan said in 2010, February 2010, "Signing a petition does not mean a person must vote for the question, it just places an issue on the ballot."

Mary Adams of Garland, speaking as a CD-2 resident and a leader of the Taxpayer Bill of Rights Referendum 2006, said the following: "Past and current legislators do not seem to understand that this belongs to the people. When you want to send an issue to referendum you, legislators, all you need to do is create a bill and push a button. One wonders how you dare to interfere with the already difficult process of the citizens' right to referendum. One wonders how the Legislature even dares to handicap the people's exercise of their sovereign power to legislate."

Penny Morrell, the director of the Concerned Women for America of Maine stated the following, again in February 2010: "We live in a state that works to make it very easy for citizens to vote. We should carry that philosophy over to the citizens' initiative process. The law is currently cumbersome in that it requires collecting 55,000 signatures, equal to a percentage of the number of voters who voted in the prior gubernatorial election. The work is very difficult and time consuming. We live in a free society, and individuals, not the government, rule."

And, finally, Madam Speaker, the Chief Executive Officer of the Maine Heritage Policy Center, Tarren Bragdon, said the following about the ease with which a ballot question can be created: "As this Committee," he was speaking to the Veterans and Legal Affairs Committee, "as this Committee is well aware, the Maine Heritage Policy Center has been involved in the citizens' initiative process by drafting model legislation for four citizens' initiative questions and providing research, outreach, and advocacy in support of three ballot questions. When the right to petition was added to the Maine Constitution, it was thoughtfully considered and the bar set quite high for citizens to enact a law on their own. The threshold is very high, currently at over 55,000 signatures. It takes just 25 signatures to qualify someone to run for state Representative, and someone can be considered as our next Governor with just 2,000 signatures. But, apparently, the sponsors of this bill before you today believe that the requirement for 55,000 signatures to simply propose a law for the people is not a high enough bar?"

Madam Speaker, I think if the people feel listened to by this body, and by the other body, and by the Chief Executive, they will not see the need to put questions on the ballot directly. I would support banning payment per signature, but I cannot support the measure before us, because I do support the ability of the people to place a question on the ballot and to legislate for themselves. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The good

Representative from Bowdoinham has brought up the '09 initiative, and I believe that that was a citizens' veto, and to me there's a huge difference between a citizens' veto, which we've passed a law here and the citizens don't like what we've done, and with a special interest writing law that we don't get to say anything about before it goes out to the people. So, can -- may I ask a question through the Chair?

The SPEAKER: The Representative may proceed.

Representative **PARRY**: Could my good friend from Bowdoinham correct me if I'm wrong; wasn't that a citizens' veto process, not a citizens' initiative process?

The SPEAKER: The Representative from Arundel has posed a question to the Representative from Bowdoinham if he cares to answer. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I'm happy to answer the question from the Good Representative from Arundel, and I appreciate it. The bill that was being spoken to then, and the bills that were referred to in those quotations, were both ballot questions and people's vetoes. The threshold for both is the same, and is the threshold that is dealt with in this legislation before us today. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Madam Chair, Men and Women of the House. As much as I respect the wise Representative who was conceived in the North Woods, I would like to say that one person, one vote is now the law of the land, and I think it's not too much of a stretch to say that one signature is one signature, no matter where in Maine it's from. Thank you.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I certainly don't think we're asking for citizens of the state to be able to sign a petition more than once, but I think part of the impetus for this bill, this legislation before you is because we have heard from the people. We have heard from people, certainly people in CD-2, that would like to have their voices heard, and so they have asked that this measure be considered by us here so that their process can be changed, so that this suggestion can go out to the people on the ballot so they can decide if this process that they get to use for themselves should be changed.

I heard the good Representative on the other side of the aisle talk about how this process belongs to the people. Yes, it does. Let's give the people the opportunity to change it for themselves if they so desire. They can vote this down, but they need to have the opportunity, they have asked for the opportunity to have this placed before them. I hope that you will allow this to go out to the voters, for them to make this decision on how they can change their process for themselves. Yes, it belongs to the people, let's listen to them, listen to the concerns, make this fair for our citizens in the State of Maine and have this go out to them for them to decide. Thank you, Madam Speaker.

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

Representative **RECKITT**: Madam Speaker, if I could direct a question through the Chair to anybody who knows the information, which I sadly do not?

The SPEAKER: The Representative may proceed.

Representative **RECKITT**: Thank you. I'm curious as to whether or not there has been a history of signature gathering that has resulted in a -- numbers that were disproportionately. I mean, has this number we're looking at here ever been reached without having to change the Constitution? I just don't know where the signatures have come from for any particular question. Has there ever been a question where there was not 10% from each of the districts?

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. 610**

YEA - Alley, Austin B, Austin S, Battle, Bickford, Black, Bryant, Campbell, Casas, Cebra, Chace, Corey, Craig, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farrin, Fay, Foley, Fredette, Fuller, Gerrish, Gillway, Ginzler, Golden, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hymanson, Johansen, Kinney J, Kinney M, Lawrence, Lockman, Luchini, Lyford, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, McCrea, McElwee, Nadeau, O'Connor, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Riley, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Warren, White, Winsor, Wood, Zeigler.

NAY - Ackley, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Farnsworth, Fecteau, Gattine, Grant, Hamann, Handy, Harlow, Hogan, Hubbell, Jorgensen, Kornfield, Kumiega, Longstaff, Madigan C, Mastraccio, McCreight, McLean, Melaragno, Monaghan, Moonen, O'Neil, Pierce T, Reckitt, Rykerson, Sanborn, Schneck, Sheats, Spear, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Madam Speaker.

ABSENT - Bradstreet, Frey, Grohman, Harvell, Herrick, Sherman, Skolfield, Ward.

Yes, 93; No, 50; Absent, 8; Excused, 0.

93 having voted in the affirmative and 50 voted in the negative, with 8 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

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

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**ENACTORS**

**Emergency Measure**

An Act To Enhance the Operations of the Telecommunications Relay Services Advisory Council

(H.P. 1305) (L.D. 1872)

(C. "A" H-758)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 33 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

An Act To Enhance and Increase the Availability of Mental Health Providers in Maine

(H.P. 1311) (L.D. 1879)  
(C. "A" H-759)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

Resolve, To Continue a Review of the State Employee and Teacher Retirement Plan

(H.P. 1346) (L.D. 1907)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act To Recodify and Revise the Maine Probate Code

(H.P. 91) (L.D. 123)  
(C. "A" H-762)

An Act Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization

(H.P. 796) (L.D. 1133)  
(C. "A" H-760)

An Act To Enact the Maine Fair Chance Employment Act

(H.P. 1079) (L.D. 1566)  
(H. "A" H-750 to C. "A" H-705)

An Act Regarding Financial Orders Requested by the Attorney General

(H.P. 1308) (L.D. 1876)  
(C. "A" H-763)

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

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**Resolves**

Resolve, To 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)  
(C. "A" H-761)

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

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The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Speaker, may I have permission to speak on the record?

The SPEAKER: The Representative from Gardiner has requested unanimous consent to speak on the record. Hearing no objection, the Representative may proceed on the record.

Representative **GRANT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I know it is very unusual to speak about a bill after we have just passed it, but you will understand what I mean when I explain.

The resolve that we just passed, LD 1899, is very important to some people who are sitting in the gallery today. As you noted, it requires DHHS to submit a waiver to the federal government to change the rules for eligibility for Medicare and Medicaid for individuals with disabilities who have dependent children by disregarding qualifying retirement and education accounts.

This issue came to my attention when I received an email from Mr. Noel LeVasseur, of Farmingdale, who before November 7th was just a regular working guy, coaching in the community, active in his church, living his life, raising his kids, and he got a diagnosis that would stop anyone in their tracks. He was diagnosed with Lou Gehrig's disease, ALS; and because he needed insurance, he applied for the Medicaid insurance program, and because of his wife's retirement account, he was denied that coverage. He reached out to his Representative, his Senator, and he even reached out to the Chief Executive. All of us did everything we could to try to help him. All of us who are in these positions do everything we can to help out constituents, and it's with particular heartbreak when we find out that, no matter what we do and who we speak to, we can't help them.

But Mr. LeVasseur decided that it was important enough that this never happen to another person that he decided to pay it forward. And even though it will not help him, he wanted to make sure that, if somebody else finds themselves in this position, that they will not have to go without health insurance, they will not have to give up their spouse's retirement accounts or their children's education accounts when they know that they are going to be leaving them soon enough.

And, so, ladies and gentlemen, I just wanted to thank you for that vote and to recognize an individual who has decided, as I said, to pay it forward, and I hope that you will join me in remembering him in your thoughts and prayers, as well as his family, and we hope that some way, someday, his actions to help others will come back to help him. Thank you.

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

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The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson, who wishes to address the House on the record.

Representative **HYMANSON**: Thank you, Madam Speaker. I also had to -- it took me a moment, so forgive my delayed standing, but I also wanted to talk about Mr. LeVasseur, because I was so moved in Health and Human Services, and I want to make a particular point. Not only did he bring this forward to help other people, but he's also enrolled in a trial that -- for ALS. Because there are no treatments, effective medication treatments, and he enrolled himself in a trial that puts him either in a placebo arm, which is a nonmedication arm, or the active drug arm; again, so that people can get data about the drug that's being tested in a real way so that going forward people understand perhaps a better treatment. Having been a neurologist involved in the diagnosis and treatment of ALS, I'm aware of how brave this is, and I wanted to extend my gratitude also, in that direction, to him. Thank you.



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**SENATE PAPERS**

The following Joint Resolution: (S.P. 741)

**JOINT RESOLUTION RECOGNIZING MARCH 2018 AS  
BLEEDING DISORDERS AWARENESS MONTH**

WHEREAS, bleeding disorders, which are distinguished by the inability to form a proper blood clot, are characterized by extended bleeding after injury, surgery, trauma or menstruation and can lead to significant morbidity and can be fatal if not treated effectively; and

WHEREAS, many individuals with hemophilia became infected with HIV and hepatitis C in the 1980s due to the contamination of the blood supply and blood products; and

WHEREAS, the federal Department of Health and Human Services designated March 2018 as National Bleeding Disorders Month, a designation that formalizes and expands upon the designation 32 years ago of March 1986 as Hemophilia Awareness Month by President Ronald Reagan; and

WHEREAS, Bleeding Disorders Awareness Month will generate greater awareness and understanding of not only hemophilia but all inheritable bleeding disorders, including von Willebrand disease, which alone affects an estimated one percent of the U.S. population, or more than 3.2 million individuals; and

WHEREAS, Bleeding Disorders Awareness Month will foster a greater sense of community and shared purpose among all individuals with inheritable bleeding disorders; and

WHEREAS, Bleeding Disorders Awareness Month will elevate awareness of and engagement in the inheritable bleeding disorders journey for the general public, enabling the prevention of illness, unnecessary procedures and disability; 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 March 2018 as Bleeding Disorders Awareness Month.

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

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**ENACTORS**

**Emergency Measure**

An Act To Establish the Wood Energy Program

(S.P. 644) (L.D. 1745)

(C. "A" S-464)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 20 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act To Promote Prescription Drug Price Transparency

(S.P. 484) (L.D. 1406)

(C. "B" S-452)

An Act To Establish a Student Loan Bill of Rights To Regulate Student Loan Servicers

(S.P. 532) (L.D. 1507)

(C. "B" S-405)

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

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**Emergency Measure**

Resolve, To Recognize the 100th Anniversary of the American Legion on the Capitol Grounds

(S.P. 731) (L.D. 1901)

(C. "A" S-462)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act To Amend Career and Technical Education Statutes

(S.P. 696) (L.D. 1843)

(C. "A" S-466)

An Act To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State Regarding Respectful Language

(S.P. 714) (L.D. 1871)

(C. "A" S-463)

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

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

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On motion of Representative WINSOR of Norway, the House adjourned at 5:08 p.m., until 10:00 a.m., Wednesday, April 18, 2018, in honor and lasting tribute to Gregory Ellis, of Pittston.