

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Monday
April 9, 2018

In Senate, April 4, 2018, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-707)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

On motion by Senator **WOODSOME** of York, the Senate **INSISTED**.

Senate called to order by President Pro Tempore Garrett P. Mason of Androscoggin County.

Non-Concurrent Matter

Bill "An Act To Establish Universal Home Care for Seniors and Persons with Disabilities"

I.B. 3 L.D. 1864

In Senate, April 2, 2018, **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill and accompanying papers were **INDEFINITELY POSTPONED**.

On motion by Senator **COLLINS** of York, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Prayer by Reverend Annie Baker-Streevy, Calvary United Methodist Church in Lewiston.

REVEREND BAKER-STREEVY: Let us be in the spirit of prayer. Holy God, be with us as we gather here this day. Bless these public servants seeking to do good as they are led into their calling. Bless their thoughts, conversations, and decision making, and give them the strength, courage, inspiration, and peace of mind to accomplish the tasks and goals ahead. We thank You for their service to the communities in Maine and we pray for Your continued guidance. Amen.

Pledge of Allegiance led by Senator Lisa M. Keim of Oxford County.

Reading of the Journal of Thursday, April 5, 2018.

Doctor of the day, Romeo Lucas, D.O., of Cumberland.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Laws Governing Expedited Permitting for Wind Energy Development" (EMERGENCY)

H.P. 1255 L.D. 1810
(C "A" H-707)

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-707)** (5 members)

Non-Concurrent Matter

An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Freedom of Access Training for Public Officials

H.P. 1263 L.D. 1821
(C "A" H-680)

In Senate, April 3, 2018, **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby **FAILED ENACTMENT**.

On motion by Senator **KEIM** of Oxford, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on 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
(C "A" H-666; S "A" S-428
to C "A" H-666)

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-666)** (6 members)

In Senate, April 3, 2018, on motion by Senator **VOLK** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **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**.

Comes from the House, that Body having **ADHERED** to its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

On motion by Senator **VOLK** of Cumberland, the Senate **ADHERED**.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Reimbursement for Child Care Services"

S.P. 58 L.D. 166
(C "A" S-407; S "A" S-423
to C "A" S-407)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-407)** (8 members)

Minority - **Ought Not to Pass** (5 members)

In Senate, April 4, 2018, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-407) AS AMENDED BY SENATE AMENDMENT "A" (S-423)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-407)** in **NON-CONCURRENCE**.

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

Senator **LIBBY** of Androscoggin moved the Senate **RECEDE** and **CONCUR**.

On motion by Senator **BRAKEY** of Androscoggin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the motion to Recede and Concur. If we were to adopt this motion, essentially, what we would be doing was, as a Body, would be saying we recognize a problem and what we're going to do is we're going to throw more money at it and we're going to have no reform. No reform, just throw more money at it. I'm sad to say that I think this is often the position we find ourselves in. When we're confronted with a problem in our state, the solution

always seems to be, in government, more money. More money. More taxpayer money. Yet, when we are - when we have ideas come forward to reform the system and to make it work better, those solutions are often completely off the table and we don't get very far with them. You know what? When you're just shoveling more money into a broken system, that doesn't necessarily always fix the problem. In fact, sometimes that makes the problems worse. So we have an opportunity to do both reform and to make more money available to providers. We can do that by rejecting the motion before us today. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The motion in front of the Senate is to Recede and Concur. If you are in favor of it you will vote yes. If you are opposed you will vote no. Is the Senate ready for the question?

The Chair noted the absence of the Senator from Kennebec, Senator **KATZ**, the Senator from Waldo, Senator **THIBODEAU**, the Senator from Cumberland, Senator **BREEN**, and the Senator from York, Senator **CHENETTE**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#595)

YEAS: Senators: BELLOWS, CARPENTER, CARSON, CHIPMAN, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HILL, JACKSON, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME

NAYS: Senators: BRAKEY, COLLINS, HAMPER, KEIM, ROSEN, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

25 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **LIBBY** of Androscoggin to **RECEDE** and **CONCUR PREVAILED**.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 964

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES**

April 3, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Peter M. SeeHusen of Corinna, for reappointment to the Maine Outdoor Heritage Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Saviello of Franklin
	Representatives	10	Tucker of Brunswick, Campbell of Orrington, Duchesne of Hudson, Fay of Raymond, Harlow of Portland, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville
NAYS		0	
ABSENT		2	Sen. Gratwick of Penobscot, Sen. Volk of Cumberland

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Peter M. SeeHusen of Corinna, for reappointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed,

S/Thomas B. Saviello
Senate Chair

S/Ralph L. Tucker
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following:
"Shall the recommendation of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#596)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, CARPENTER,
CARSON, CHIPMAN, COLLINS,
CUSHING, CYRWAY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL,
DION, DOW, GRATWICK, HAMPER,
HILL, JACKSON, KEIM, LANGLEY,
LIBBY, MAKER, MILLETT, MIRAMANT,
ROSEN, SAVIELLO, VITELLI, VOLK,
WHITTEMORE, WOODSOME,
PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Peter M. SeeHusen** of Corinna for reappointment to the Maine Outdoor Heritage Fund Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 965

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES**

April 3, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Jack Witham of Arrowsic, for reappointment to the Maine Outdoor Heritage Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Saviello of Franklin
	Representatives	10	Tucker of Brunswick, Campbell of Orrington, Duchesne of Hudson, Fay of Raymond, Harlow of Portland, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville
NAYS		0	
ABSENT		2	Sen. Gratwick of Penobscot, Sen. Volk of Cumberland

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jack Witham of Arrowsic, for reappointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed,

S/Thomas B. Saviello Senate Chair	S/Ralph L. Tucker House Chair
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READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#597)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jack Witham** of Arrowsic for reappointment to the Maine Outdoor Heritage Fund Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 966

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON JUDICIARY**

April 5, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Bernard G. O'Mara of Dyer Brook, for appointment as an Active Retired Judge of the District Court .

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Keim of Oxford, Hill of York
	Representatives	9	Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Guerin of Glenburn, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland
NAYS		0	
ABSENT		2	Sen. Whittemore of Somerset, Rep. Sherman of Hodgdon

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Bernard G. O'Mara of Dyer Brook, for appointment as an Active Retired Judge of the District Court be confirmed.

Signed,

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

S/Lisa Keim
Senate Chair

S/Matthew W. Moonen
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following:
"Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#598)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Bernard G. O'Mara** of Dyer Brook for appointment as an Active Retired Judge of the District Court was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 967

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON JUDICIARY**

April 5, 2018

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Andre G. Janelle of Saco, for appointment as an Active Retired Judge of the District Court .

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Keim of Oxford, Hill of York
	Representatives	9	Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Guerin of Glenburn, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland
NAYS		0	
ABSENT		2	Sen. Whittemore of Somerset, Rep. Sherman of Hodgdon

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Andre G. Janelle of Saco, for appointment as an Active Retired Judge of the District Court be confirmed.

Signed,

S/Lisa Keim
Senate Chair

S/Matthew W. Moonen
House Chair

READ and ORDERED PLACED ON FILE.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to pause very, very briefly. I think Judge Janelle, Andy Janelle, who I knew back when he was first appointed, I believe he's one of those unique individuals who has been appointed to the bench by - twice by a Democrat, twice by a Republican, and twice by an Independent, and now, as an Active Retired Judge, by a Republican again. Andy Janelle exemplifies the best that there is in public service. He sat in the District Court in York County now for over 30 years, doing terrific work, and he's just one of those people that labor in the vineyards every day to make our government run well, and I was delighted

to have some time to spend with him last week prior to his confirmation. I thank the Judiciary Committee, for their work. Thank you.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#599)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Andre G. Janelle** of Saco for appointment as an Active Retired Judge of the District Court was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 968

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON JUDICIARY**

April 5, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Patricia G. Worth of Belfast, for appointment as an Active Retired Judge of the District Court .

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Keim of Oxford, Hill of York
	Representatives	9	Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Guerin of Glenburn, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland

NAYS 0

ABSENT 2 Sen. Whittemore of Somerset, Rep. Sherman of Hodgdon

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Patricia G. Worth of Belfast, for appointment as an Active Retired Judge of the District Court be confirmed.

Signed,

S/Lisa Keim
Senate Chair

S/Matthew W. Moonen
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#600)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE, KATZ, THIBODEAU

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Patricia G. Worth** of Belfast for appointment as an Active Retired Judge of the District Court was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 969

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES, AND TECHNOLOGY**

April 3, 2018

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Energy, Utilities and Technology has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1700 An Act To Protect Maine Residents and Businesses from Rising Electricity Costs

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome
Senate Chair

S/Rep. Seth A. Berry
House Chair

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

The Following Communication: S.C. 970

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

April 3, 2018

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1097 An Act To Develop and Distribute Work Training Pamphlets To Educate State Agencies, Private Businesses and Other Organizations about Dementia

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair

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

The Following Communication: S.C. 971

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

Letter of Transmittal

Honorable Michael D. Thibodeau
President of the Senate

Honorable Sara Gideon
Speaker of the House of Representatives
The Honorable Paul R. LePage
Governor of Maine

I am pleased to submit the Single Audit of the State of Maine for the Fiscal year ended June 30, 2017. The audit was conducted in accordance with Government Auditing Standards, issued by the Comptroller General of the United States; the requirements of the Single Audit Act Amendments of 1996; and Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Our audit complies with 5 M.R.S.A. §243 and is also a prerequisite for the receipt of Federal financial assistance. During fiscal year 2017, \$3.0 billion in Federal financial assistance was received by the State of Maine.

This document contains the following reports and schedules:

- Independent Auditor's Report
- Basic Financial Statements, Management's Discussion and Analysis, Notes to Financial Statements, and Required Supplementary Information
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements performed in accordance with Government Auditing Standards
- Independent Auditor's Report on Compliance for Each Major Program and on Internal Control over Compliance Required by the Uniform Guidance
- Schedule of Expenditures of Federal Awards
- Schedule of Findings and Questioned Costs
- Financial Statement Findings
- Indexes to Federal Program Findings
- Federal Findings and Questioned Costs
- Corrective Action Plan
- Summary Schedule of Prior Audit Findings

On behalf of the Office of the State Auditor, I thank employees throughout Maine Government who assisted us during the audit.

Please contact me if you have questions or comments about the 2017 Single Audit of the State of Maine.

Respectfully submitted,

S/Pola A. Buckley
State Auditor

March 30, 2018

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

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Orders

Expression of Legislative Sentiment recognizing:

Harold Casey, of Surry, SkillsUSA Maine State Director, who received the Outstanding Career and Technical Educator Award in June 2017. Mr. Casey, who achieved his Director Certification in August 2015, champions SkillsUSA programming and services in Maine and demonstrates quality leadership. We extend to Mr. Casey our congratulations and best wishes;

SLS 815

Sponsored by Senator LANGLEY of Hancock.
Cosponsored by Representative: CHAPMAN of Brooksville.

The Joint Order was **READ**.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President and men and women of the Senate. It's Champions' Day at the State House. I hope as you've walked through the halls and the Hall of Flags today you've seen all these red jackets and medals hanging around the students' necks. They are the winners from the SkillsUSA Championships that were held in March. We're very, very pleased to have them here in the State House today as they represent, from Presque Isle to Kittery, students who have competed. But, Mr. President and men and women of the Senate, it's my honor and privilege to rise today to recognize a professional accomplishment of Mr. Harold Casey, who is the SkillsUSA Maine State Director. Mr. Casey's involvement started with SkillsUSA in 1989 when he came to work as a colleague of mine in Hancock County Technical Center and he was the school advisor for the SkillsUSA program. We taught together for about 20 years and then he left Hancock County Technical Center and joined Eastern Maine Community College. But he continued on in that role as the Director, State Director. He organizes the statewide competitions held in March every year, which over 700 students compete. The red jackets that you see here today are the gold medal winners who will be representing the very best of what Maine has to offer and they will compete for the national gold medals - for national gold medals in Louisville, Kentucky in June. Men and women of the Senate, these competitions don't happen by themselves. It takes a leader to organize a convention of 700 plus competitors in over 20 skill areas. Now Casey's been doing that for nearly two decades, as he organizes the trip to Louisville for hundreds of our competitors that will be leaving in June.

In August of 2015, Mr. Casey successfully completed the final requirements of the SkillsUSA process for Director Certification. Mr. Casey is among an elite group of his peers in this accomplishment and has paved the way for the professional development of participation of his colleagues. He is an exemplary role model in the SkillsUSA organization, has demonstrated this by successfully managing a SkillsUSA State Association in which he has been awarded a Certified State

Director. The certification process is defined by program competencies that represent a body of skills considered vital to the effective management of an association. Areas of concentration include membership involvement, conference management, communication, image and media, industry partnerships, personnel management, operations management. Assessment of competence included a portfolio presentation and interview process by examination team. The team included key stakeholders in the SkillsUSA organization who reviewed Mr. Casey's credentials, conducted an extensive interview, and deemed the candidate competent. SkillsUSA recognizes how critical the State Association Directors are to the health and effectiveness of the organization. Mr. Casey champions SkillsUSA and CTE programming and services in Maine, delivers the message and mission through quality leadership. In addition, because the educational contributions at local, state, and national levels, as well as the significant educational positions held by Mr. Casey, he was presented the Outstanding - the National Outstanding Career in Technical Educator Award in 2017.

Now, it sounds like he's a one-man show. Men and women of the Senate, he is not. What Mr. Casey also does is brings in a student-led organization. Sits on tops, oversees, but these conferences and the organization are student run. So, we've been colleagues for a long time, so I don't brag about him too much. I'm so pleased that he is here today and, frankly, he didn't know I was doing this to him today. So this is kind of a surprise to him as well. So he's here with all of the students that you see and there are some in the House as well. So this is a very well-deserved recognition. Thank you very much, men and women of the Senate.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber and in the balcony Harold Casey of Surry and the Maine SkillsUSA students who will be representing Maine at the National Competition in June. They are the guests of the entire Senate. Would they please all rise and accept the greetings of the State Senate.

The Following Communication: S.C. 972

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

6 April 2018

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

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 389, "An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law."

This bill would allow a credit union organized under the laws of the State of Maine to obtain private share insurance in lieu of share insurance provided by the National Credit Union Administration (NCUA). The intent of the bill is to expand the availability of financial services for marijuana-related businesses and their employees.

When I took the oath of office as Maine's Governor, I swore to uphold the Constitution of the United States and the Constitution of the State of Maine. Marijuana remains illegal under federal law and I cannot in good conscience support this bill because it would serve to facilitate illegal activity.

It has not become easier for financial institutions to work with marijuana businesses. The current U.S. Attorney General recently rescinded Obama-era guidance that provided financial institutions some protection from prosecution when offering marijuana-related accounts. A privately-insured marijuana credit union would operate under this threat of federal criminal prosecution. This is an inappropriate level of risk for a state-chartered financial institution. Federal prosecution of the credit union, or its members, could end with the failure of the institution.

Currently, Maine credit unions with NCUA insurance are co-regulated by state and federal authorities, who examine credit unions for safety and soundness and compliance with applicable laws. The NCUA has strong and tested federal liquidation authority to protect credit union members in the event of a credit union failure, which would not be available to members with a privately insured credit union.

Further, there is no guarantee that a credit union with private share insurance would be able to operate in Maine. Credit unions need a Master Account at the Federal Reserve Bank in order to gain access to the federal payments system. Without access to a Master Account, a financial institution is unable to conduct the business of banking. A marijuana-focused credit union organized in Colorado attempted to gain access to the federal payments system two years ago, only to be denied a Master Account on the grounds that its plans to handle marijuana proceeds would violate federal law. It was only after the credit union changed its business model to exclude deposits from marijuana growers and retailers that it was allowed access to a Master Account. LD 389 is unlikely to solve the problem marijuana businesses have in accessing financial services. It is clear that a true solution to the problem resides with the federal government.

For these reasons, I return LD 389 unsigned and vetoed. I strongly urge the Legislature to sustain this veto.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law

S.P. 130 L.D. 389

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I rise to encourage the Body to overturn the Governor's veto on this legislation. I just want to very briefly speak to one item that's mentioned in the Governor's veto letter. We had a long debate about the policy, this proposal, when it first came to us. But there's a suggestion in the veto letter that the bill may be unconstitutional and I just want to say, with much respect for the Chief Executive, I think his reading of the Constitution is a little different than mine. You know, in our State Constitution our powers, as a Legislature, are defined very broadly. Our powers are defined - you know, Article IV, Part 3, Section 1 of the State Constitution says the Legislature shall have full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this state not repugnant to this Constitution nor to that of the United States. That's how our powers are defined in the State Constitution. It's very broad. It essentially says we can set policy on any matter we choose so long as it's not expressly prohibited in the Constitution elsewhere. But in the United States Constitution it's the exact opposite for Congress. In the United States Constitution, in Article 1, Section 8, there's a very specific list of enumerated powers that we give to Washington D.C. and if it's not on that list the Tenth Amendment of the Constitution says the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people. Now, in the Chief Executive's veto letter he suggests because cannabis is illegal on the federal level, therefore, we have no jurisdiction and we should not be setting policy on this, that that is somehow unconstitutional. But that is a complete misreading. The Tenth Amendment says very differently. This is absolutely, that something is within our jurisdiction as the State of Maine to set policy on and, you know, some might say, 'Well, you know, the - what about the commerce clause in the U.S. Constitution? The interstate commerce clause gives the federal government authority.' But we're talking about State chartered credit unions doing business with State businesses who only do business with Maine people. That is intra-state commerce. Intra-state commerce is our prerogative here in the State Legislature. So, I think that we had the debate on the policy of this proposal before. I think that this Body agreed that this is good policy and I just say this is absolutely within our constitutional authority and I hope that we overturn the Governor's veto. Thank you very much.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Kennebec, Senator Cyrway.

Senator **CYRWAY:** Thank you, Mr. President Pro Tem. Ladies and gentlemen of the Senate, I just wanted to clarify that my colleague said that it was unconstitutional - it wasn't unconstitutional, but we do have a case where the federal government claimed that marijuana is not medicine. In *Gonzales v. Raich* in 2005 the United States Supreme Court held that the federal government has the constitutional authority to prohibit marijuana for all purposes. So I wanted to stand for correctness. Thank you, Mr. President Pro Tem.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I'll be very brief. You know, there's a reason - when alcohol was prohibited there was a constitutional amendment passed in order to do it because the federal government, in the innumerate powers under Article 1, Section 8, has no authority to prohibit things like this. That's why a constitutional amendment had to be passed for alcohol prohibition and actually we, thankfully, not too many years later, came to our better senses and passed another amendment to repeal that authority. There was never a constitutional amendment passed to give the federal government this authority over cannabis. They simply don't have it and under our State and federal constitution, when there is - when Washington D.C. seeks to operate with a power that we have not given to them, State power comes first. Thank you.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#601)

YEAS: Senators: BELLOWS, BRAKEY, CARSON, CHIPMAN, DION, GRATWICK, HAMPER, HILL, KATZ, MILLETT, MIRAMANT, SAVIELLO, VITELLI, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: CARPENTER, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, ROSEN, THIBODEAU, VOLK, WHITTEMORE, WOODSOME

EXCUSED: Senators: BREEN, CHENETTE

14 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 2 Senators being excused, and 14 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED.**

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 973

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

6 April 2018

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

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 1279 "An Act to Ensure Patient Protections in the Health Insurance Laws."

Once again, the Legislature is second-guessing the federal government by passing this bill to embed provisions of the Affordable Care Act that it favors in Maine law. However, as long as the ACA is still the law of the land, this bill has no practical effect. I will not sign a bill into law based on speculation. The unintended consequences could be as disastrous to Maine as the ACA has been at the federal level. Moreover, I see no fiscal analysis to indicate the true cost of the bill if it were to go into effect in the absence of the ACA.

Without knowing what economic and federal regulatory conditions will drive health policy in the future, I will not limit the discretion of policy makers.

For these reasons, I return LD 1279 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 Bill:

An Act To Ensure Patient Protections in the Health Insurance Laws

S.P. 431 L.D. 1279

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I'm having a little bit of déjà vu, you know, because this is the second bill I think we've had come before us on a veto, another bill seeking to preserve in State law the - some of the mandates of Obamacare, which have driven up the cost of insurance for Maine people and people across America. I don't think that we want to be enshrining in State law these failed Obamacare mandates. This does not help people get more access to insurance. It drives up the cost of insurance and it gives people less choice. So I hope

that we will sustain the Chief Executive's veto on this and thank you very much, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Carson.

Senator **CARSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, the three provisions of the Affordable Care Act which this piece of legislation seeks to put into Maine law are to require coverage of dependent children if a policy, health insurance policy, otherwise covers children up to age 26. It keeps those young people in their early 20s who are still dependent of their parents, who may be at Community College or in school or in a job but are not making enough money to be able to afford health insurance on their own, on their parent's policy. The second piece is that it prevents health insurance companies from declining or cutting off people because of a pre-existing illness. Ladies and gentlemen of the Senate, we all know people who, but for that provision of the Affordable Care Act, would not have health insurance, people who need it. The third piece is eliminating lifetime limits. If you have a serious illness, like cancer, a heart bypass with complications, you need not to face lifetime limits on your insurance coverage so that, if you have to spend more money, you choose between putting food on the table, paying your rent or your mortgage, or paying your medical bills. This is not a partisan issue. This is about putting into Maine law common sense protections with respect to health insurance and healthcare coverage for the men and women and young people of the State of Maine. Please follow my light and let's do what is right for the people of Maine on health insurance. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. You know, to respond to that, let me hit a few points. Well, first of all, let me say on this mandate that individuals to age 26, insurance plans must cover individuals to the age of 26 if on their parent's plan. There is no reason, there is no reason why, in private contracting and private arrangements, that insurance companies, and if there is a real consumer demand for this, there's no reason why that can't be offered. There's nothing in law saying that this cannot be offered. That can certainly be offered. Of course, if people want that, they'll have to pay more for insurance for it. But right now we are mandating it so people have to pay to more for insurance for it, their premiums are going up, rather than having the choice whether or not that's something that they want to pay extra for or not. That's what these policies do. Now, in regards to pre-existing conditions, I think we can all recognize there are complicated problems with pre-existing conditions. I think there's a desire of every single member of this Body, and I think every single person who's on every side of the issue on the federal level, around tackling the problems of pre-existing conditions. In fact, when there was debate on the federal level about repealing parts of Obamacare that always seemed to be the thing that was completely off the table on even touching. So I don't think that there's any imminent danger of that piece of Obamacare, or the Affordable Care Act, being repealed. That's - I don't see any conversation about that taking place on the federal level. Personally, I think that there are certainly ways that that could be improved, to fix that piece, but those conversations don't even

seem to be happening. So there's no danger of people with pre-existing conditions suddenly having this policy changed on them and the rug being pulled out from under them. If that's all this legislation did then maybe we could talk about this, but this puts into place some very troubling mandates from Obamacare that drive up people's insurance premiums, and that's not something that we should be putting into State law.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#602)

YEAS: Senators: BELLOWS, CARPENTER, CARSON, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, HILL, JACKSON, LIBBY, MILLETT, MIRAMANT, SAVIELLO, VITELLI, WOODSOME

NAYS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KATZ, KEIM, LANGLEY, MAKER, ROSEN, THIBODEAU, VOLK, WHITTEMORE, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senators: BREEN, CHENETTE

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being excused, and 17 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 974

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

6 April 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 1735, "An Act To Authorize Regional Medical Control Committees to Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement."

Under current law, data collected by Maine Emergency Medical Services allows identifying information of persons receiving emergency medical treatment to be released for purposes of research, public health surveillance and linkage with patient electronic medical records. Prior to any release of data, the Director of Emergency Medical Services, the Medical Direction and Practices Board, and the Emergency Medical Services Board must review the data and approve the release of the data. These are essential safeguards to prevent the release of confidential patient information from entering the public domain.

This bill strips away the three-step approval process under current law. Maine Emergency Medical Services would have no way of ensuring that protected, private, patient information would continue to be protected and private. I am very concerned that without adequate safeguards, confidential patient information will be released into the public domain.

For these reasons, I return LD 1735 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 Bill:

An Act To Authorize Regional Medical Control Committees To Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement (EMERGENCY)
S.P. 634 L.D. 1735

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#603)

YEAS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: None

EXCUSED: Senators: BREEN, CHENETTE

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: H.C. 481

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

March 30, 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 1656, "An Act To Allow Free Admission to the Maine State Museum."

I veto this bill not because I disagree with its goal, but because legislation is not necessary. At the public hearing on the bill, the Director of the State Museum acknowledged that he already has the authority to waive admission for veterans' entry to the Museum but is simply choosing not to do so. I believe he has made the wrong decision and I encourage the Board of the State Museum to review that decision. However, it is the purview of that Board to determine whether or not that can be accomplished with truly no cost to the Museum or the state as this bill has represented by containing no appropriation. I do not believe the Legislature should get into the habit of micromanaging every

policy or minor decision of the Museum or other quasi-governmental entities without including funds for lost revenues.

Further, I find it hard to reconcile that the State Museum regularly advocates for more funding to grow its collection, expand and upgrade storage and launch new programming but suddenly the Museum represents that it can absorb incremental costs with no problem.

The Museum ought to waive entrance fees for veterans who have served this country because it is the right thing to do to honor our nation's heroes. They have that authority already and I believe they should do it without the Legislature intervening.

For these reasons, I return LD 1656 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 Bill:

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

H.P. 1141 L.D. 1656

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#604)

YEAS: Senators: BELLOWS, BRAKEY, CARPENTER, CARSON, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: None

EXCUSED: Senators: BREEN, CHENETTE

33 Senators having voted in the affirmative and No Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

SENATE PAPERS

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

S.P. 731 L.D. 1901

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Senators: BRAKEY of Androscoggin, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, COLLINS of York, CUSHING of Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, DION of Cumberland, DOW of Lincoln, GRATWICK of Penobscot, HAMPER of Oxford, HILL of York, JACKSON of Aroostook, KATZ of Kennebec, KEIM of Oxford, LANGLEY of Hancock, LIBBY of Androscoggin, MAKER of Washington, MASON of Androscoggin, MILLETT of Cumberland, MIRAMANT of Knox, ROSEN of Hancock, SAVIELLO of Franklin, President THIBODEAU of Waldo, VITELLI of Sagadahoc, VOLK of Cumberland, WHITTEMORE of Somerset, WOODSOME of York,
Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, AUSTIN of Gray, BABBIDGE of Kennebunk, BAILEY of Saco, BATES of Westbrook, BATTLE of South Portland, BEAR of the Houlton Band of Maliseet Indians, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLUME of York, BRADSTREET of Vassalboro, BROOKS of Lewiston, BRYANT of Windham, CAMPBELL of Orrington, CARDONE of Bangor, CASÁS of Rockport, CEBRA of Naples, CHACE of Durham, CHAPMAN of Brooksville, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, CRAIG of Brewer, DANA of the Passamaquoddy Tribe, DAUGHTRY of Brunswick, DeCHANT of Bath, DENNO of Cumberland, DEVIN of Newcastle, DILLINGHAM of Oxford, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Old Town, ESPLING of New Gloucester, FARNSWORTH of Portland, FARRIN of Norridgewock, FAY of Raymond, FECTEAU of Biddeford, FOLEY of Wells, FREDETTE of Newport, FREY of Bangor, FULLER of Lewiston, GATTINE of Westbrook, GERRISH of Lebanon, Speaker GIDEON of Freeport,

GILLWAY of Searsport, GINZLER of Bridgton, GOLDEN of Lewiston, GRANT of Gardiner, GRIGNON of Athens, GROHMAN of Biddeford, GUERIN of Glenburn, HAGGAN of Hampden, HAMANN of South Portland, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HARRINGTON of Sanford, HARVELL of Farmington, HAWKE of Boothbay Harbor, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JOHANSEN of Monticello, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFIELD of Bangor, KUMIEGA of Deer Isle, LAWRENCE of Eliot, LOCKMAN of Amherst, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MADIGAN of Waterville, MADIGAN of Rumford, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MONAGHAN of Cape Elizabeth, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDDWAY of Standish, PARKER of South Berwick, PARRY of Arundel, PERKINS of Oakland, PERRY of Calais, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta, PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, SAMPSON of Alfred, SANBORN of Portland, SANDERSON of Chelsea, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHEATS of Auburn, SHERMAN of Hodgdon, SIMMONS of Waldoboro, SIROCKI of Scarborough, SKOLFIELD of Weld, SPEAR of South Thomaston, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STROM of Pittsfield, SUTTON of Warren, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIMBERLAKE of Turner, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WHITE of Washburn, WINSOR of Norway, WOOD of Greene, ZEIGLER of Montville.

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

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Amend the Retirement Laws Pertaining to Participating Local Districts"

H.P. 180 L.D. 247

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-716)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-716)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-716) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on 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)

H.P. 1288 L.D. 1851

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-722)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-722)**.

Report **READ** and **ACCEPTED**, in concurrence.

Resolve **READ ONCE**.

Committee Amendment "A" (H-722) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Resolve **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Authorize the Treasurer of State To Facilitate the Establishment of ABLE Accounts for Qualified Persons"

H.P. 1314 L.D. 1881

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-717)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-717)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-717) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Implement the Recommendations of the Commission To Streamline Veterans' Licensing and Certification Regarding Licensed Practical Nurses"

H.P. 1294 L.D. 1857

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-718)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-718)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-718) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-710)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-710) AND HOUSE AMENDMENT "A" (H-721)**.

Report **READ**.

On motion by Senator **VOLK** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** 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

Reported that the same **Ought Not to Pass**.

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-719)**.

Signed:

Representatives:

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

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-719)**.

Reports **READ**.

On motion by Senator **ROSEN** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate

Ought to Pass Pursuant to Public Law

Senator DOW for the Committee on **TAXATION** on Bill "An Act To Improve the Effectiveness of the Major Business Headquarters Expansion Tax Credit"

S.P. 733 L.D. 1903

Reported that the same **Ought to Pass**, pursuant to Public Law 2017, Chapter 297, Section 3.

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

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass

Senator ROSEN for the 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

Reported that the same **Ought to Pass**.

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

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Maine Medical Use of Marijuana Act"

S.P. 84 L.D. 238

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-443)**.

Report **READ**.

On motion by Senator **VOLK** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**.

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County

S.P. 257 L.D. 812

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-444)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-444) **READ** and **ADOPTED**.

Under suspension of the Rules, Resolve **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator WHITTEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Maine Life and Health Insurance Guaranty Association Act"
S.P. 718 L.D. 1875

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-442)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-442) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator MASON for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Broaden Educational Opportunities for Members of the Maine National Guard"
S.P. 635 L.D. 1736

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-445)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-445) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House As Amended

Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2018-19" (EMERGENCY)

H.P. 1297 L.D. 1862
(C "A" H-712)

READ A SECOND TIME.

On motion by Senator **VOLK** of Cumberland, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Mandate

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

H.P. 607 L.D. 858
(C "A" H-706)

The Chair noted the absence of the Senator from Kennebec, Senator **KATZ**, and the Senator from Waldo, Senator **THIBODEAU**, and further excused the same Senators from today's Roll Call votes.

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 29 Members of the Senate, with 2 Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

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)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

An Act Authorizing the Deorganization of the Town of Atkinson
H.P. 1023 L.D. 1484
(C "A" H-698; S "A" S-432)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT** in concurrence.

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

H.P. 1193 L.D. 1713
(C "A" H-663)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT** in concurrence.

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)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT** in concurrence.

An Act To Extend Arrearage Management Programs

H.P. 1285 L.D. 1848
(C "A" H-708)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

All matters thus acted upon were ordered sent down forthwith for concurrence.

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (3/27/18) matter:

Emergency Measure

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Strengthen Requirements for Water Testing for Schools" (EMERGENCY)

S.P. 20 L.D. 40
(C "A" S-406)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-406)** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - March 27, 2018 by Senator **BRAKEY** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

On motion by Senator **VOLK** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Add Domestic Violence against the Victim as an Aggravating Factor in Sentencing for Murder

S.P. 151 L.D. 449
(C "A" S-79)

Placed on the Special Appropriations Table - May 24, 2017 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-79).**)

(In House, **PASSED TO BE ENACTED.**)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Authorizing the Deorganization of Cary Plantation
H.P. 560 L.D. 780
(C "A" H-592)

Placed on the Special Appropriations Table - February 27, 2018 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-592)**, in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Prohibit the Falsification of Medical Records
S.P. 475 L.D. 1388
(C "A" S-162)

Placed on the Special Appropriations Table - June 6, 2017 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-162)**.)

(In House, **PASSED TO BE ENACTED.**)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Selling Public Land

Resolve, Directing the Bureau of Parks and Lands To Transfer Land in the Town of Pittston

H.P. 1222 L.D. 1773
(C "A" H-620)

Placed on the Special Appropriations Table - March 20, 2018 by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-620)**, in concurrence.)

(In House, **FINALLY PASSED.**)

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 31 Senators having voted in the affirmative and no Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, this Resolve was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Implement Recommendations Resulting from a State Government Evaluation Act Review of the Department of Environmental Protection by the Joint Standing Committee on Environment and Natural Resources

H.P. 1254 L.D. 1808
(C "A" H-608)

Placed on the Special Appropriations Table - March 15, 2018 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)**, in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

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

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

Placed on the Special Appropriations Table - March 29, 2018 by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-657)**, in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

**Pursuant to Joint Order
Joint Standing Committee on Education and Cultural Affairs**

The **Joint Standing Committee on Education and Cultural Affairs**, pursuant to Joint Order, H.P. 1323, asked leave to report that the accompanying Bill "An Act To Repeal Proficiency-based Diplomas"

H.P. 1338 L.D. 1900

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Resolve
Joint Standing Committee on Education and Cultural Affairs**

The **Joint Standing Committee on Education and Cultural Affairs**, pursuant to Resolve, Chapter 26, Section 7, asked leave to report that the accompanying Bill "An Act To Implement Certain Recommendations of the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services"

H.P. 1339 L.D. 1902

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by Senator **VOLK** of Cumberland, **ADJOURNED** until Tuesday, April 10, 2018 at 10:00 in the morning.