

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION  
38th Legislative Day  
Wednesday, May 2, 2018

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

Prayer by Honorable Christopher W. Babbidge, Kennebunk.

National Anthem by Honorable Scott M. Hamann, South Portland.

Pledge of Allegiance.

Doctor of the day, Amy Madden, M.D., Rome.

The Journal of Wednesday, April 18, 2018 was read and approved.

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The SPEAKER: At this time I would ask for all the Members of this body to take a moment of silence in memory of Corporal Eugene P. Cole of the Somerset County Sheriff's Office, who was killed in the line of duty.

The Chair recognizes the Representative from Skowhegan, Representative Austin, who wishes to address the House on the record.

Representative **AUSTIN**: Good morning, Ladies and Gentlemen of the House and Speaker of the House. I've known this family for a long, long time. When Eugene was just a young teenager, we would, my family and his family, would get together and we'd play guitar and sing, and music has been a big part of their life, all of their lives. And I just thought it would be good to let you folks know that this family has really suffered a great loss; not just this one, but Eugene's mother, Gloria, has lost three sons and only has one son left. Her first son passed away many years ago from a car accident when he was in boot camp in Texas. Her second son was -- died from cancer several years ago. And now this with Eugene; and Tom is left, and the whole family is suffering over this. And the family also, several years ago, I don't know if you remember, there was another sheriff's deputy who was killed in a car accident, and this was Eugene's uncle, Charlie Baker. So, this family really needs all of our support, our prayers and concerns and whatever we can do for this family. Thank you.

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

Representative **FARRIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. To echo the words of Representative Austin from Skowhegan is that this family and this community has taken a great hit, but it's one of the things that's really amazing, is how the sense of community comes together; and I want to thank everybody that reached out to the community, the law enforcement across the state, and throughout New England. And I think one of the things that comes out with something like this is that Corporal Cole was a hero long before any of you heard about his name in the paper last week. When you hear the way that he was described as calm, respectful, compassionate, he was even-handed, even with deputies that had a lot more experience than he did, and he also showed up -- living in Norridgewock, he'd show up at the ball fields and checking in. He was a staple of the community and so well-respected, by people on both sides of the law, believe it or not. And this has been a terrible tragedy, and we always look for that light, and I just want to say on behalf of Norridgewock and the surrounding communities, thank you to the entire State of Maine for the support that has

been shown, and as Representative Austin talks about, to extend that to this family that needs this in their thoughts and prayers every day going forward. Thank you, Madam Speaker.

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

Representative **PERKINS**: Thank you, Madam Speaker. I would be remiss if I did not stand and speak for Eugene Cole. I served and worked beside him on many a night shift, and I'm proud to say that he was a good, good man. And as the Representative over here said that he was respected by both sides of the law, and he very much was. I can remember many instances where he'd show up and deescalate the whole situation, and it was very calming and very good. So, again, thank you for everyone reaching out. Thank you for our law enforcement community of how they went out and apprehended the suspect. Our community of law enforcement fellow officers should be very proud of how they did that, and they did a great job. But, most off, thank you, Eugene Cole, for your service.

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At this point, the Members of the House stood and joined in a moment of silence in honor of Corporal Eugene P. Cole, of Norridgewock, who was killed in the line of duty.

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#### COMMUNICATIONS

The Following Communication: (H.C. 533)

#### STATE OF MAINE 128TH MAINE LEGISLATURE

May 1, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine 04333

Dear House and Senate Members of the 128th Legislature:

Pursuant to SP 747, the Legislature will reconvene on May 2, 2018 at 10:00 in the morning for the purpose of considering objections of the Governor, in accordance with 3 MRSA, Section 2.

Following action by both Chambers on the Governor's objections, the Legislature may, by a vote of 2/3 of the members of each House present and voting, extend the date for adjournment for the Second Regular Session.

During the 108th Legislature the Attorney General's Office issued an opinion dated July 15, 1977 stating that the Legislature may vote to extend a session by a 2/3 vote pursuant to 3 MRSA Section 2 even after the statutory day of adjournment. This includes passing an extension order on the same day the Legislature is in to consider objections of the Governor.

Should the 128th Legislature vote to extend the Second Regular Session, additional business including unfinished bills in the Chambers may be taken up. If an extension order does not garner 2/3 support, we anticipate that the Second Regular Session will adjourn sine die.

Sincerely,

S/Sara Gideon

Speaker of the House

S/Michael D. Thibodeau

President of the Senate

**READ and ORDERED PLACED ON FILE.**

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

Representative **HERBIG**: Thank you, Madam Speaker. I'd like to pose a question through the Chair. Just to be clear, in this Communication, item 2-1, it suggests that today we will just be voting on vetoes unless we pass an extension order. We will not be taking up any other items, and in fact, we cannot take up any other items without an extension order.

The SPEAKER: The Chair would answer in the affirmative. Although we have a full calendar that lists all of the items still pending before the 128th Legislature, the only items that we will be taking up this morning are the vetoes, the 13 vetoes that are in front of us. We do anticipate that we will likely present an extension order. Should that fail, that will be the end of our business and the adjournment without day for the 128th Legislature.

The Following Communication: (H.C. 520)

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

April 20, 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 1848, "An Act To Extend Arrearage Management Programs".

This bill extends programs at CMP and Emera which help low income residential customers clear up amounts they owe to both T&D utilities to September 30, 2021. Despite the bill's good intentions, the data shows that the program didn't work, and that efforts to fix it will likely add cost and not benefit.

The PUC testimony on the Arrearage Management Program (AMP) states: "The Commission does not believe that the desired outcome of improved payment performance during and after participation in an AMP by customers can be achieved with the current AMP structure and that extending the program another three years will not change this conclusion." Participating customers' bill payment patterns did not improve after their participation in the program, and were not substantively different or better than bill payment patterns of customers that did not participate in the program. While this bill changes the expired program by adding financial and budgetary guidance for participants, adding these changes will likely only increase the administrative costs of the program.

This bill is another example of the legislature trying to insert itself where it does not belong and substitute its judgement for that of expert regulatory bodies. For these reasons, I return LD 1848 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 Extend Arrearage Management Programs

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'll be brief. I believe that the Chief Executive's veto is based on the original bill that was put before us. It was a pleasure, I must say, working with Representative Riley on this bill to put teeth in it. I think this will actually lower electric rates for the people of the State of Maine, as well as help some of our poorest customers get out of debt and on the right track. Thank you, Madam Speaker.

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. 645V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hamann, Handy, Hanington, Hanley, Harlow, 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, Marean, Martin J, Martin R, Mason, Mastraccio, McCreia, McCreight, McElwee, McLean, 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, Sampson, Sanborn, 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, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Battle, Haggan, Sanderson, Sherman.

Yes, 147; No, 0; Absent, 4; Excused, 0.

147 having voted in the affirmative and 0 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 521)

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

April 23, 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 257, "An Act to Allow Microgrids That Are in the Public Interest."

LD 257 is a potentially dangerous and expensive path. Since 1913, the Maine Legislature has recognized the importance of regulating public utilities both for public safety and consumer protection purposes. 35-A M.R.S.A. §101 states that the purpose of this utility oversight is to ensure "safe, reasonable and adequate service." However, LD 257 allows a microgrid operator to perform the same functions as an electric utility, but without applying a similar obligation to the microgrid operator to provide safe and adequate service. In fact, LD 257 requires the PUC to approve any microgrids that meet only a handful of conditions in the bill and goes further to specify that microgrids are not public utilities and are not subject to regulation as public utilities.

Supporters of this bill have argued that this radical departure from more than 100 years of utility regulation will allow microgrids that can lower costs, improve reliability, and promote renewable generation. However, the supporters of LD 257 have not provided any explanation of how microgrids could simultaneously improve reliability and lower costs. At this point, there is simply no magic solution that will create a more reliable grid for less money.

Supporters have also not addressed how incorporating small-scale renewable generation, which depends on the wind to blow or the sun to shine and lacks economies of scale, would improve system reliability or lower costs. Neither have supporters addressed why Maine's nearly 20-year-old policy of prohibiting vertical integration in the ownership of electric distribution infrastructure and generation should be ignored for microgrids.

In addition, LD 257 does not include protections for continuing customers of an incumbent utility who, when other customers leave to that utility to join a microgrid, could be asked to pay for the utility's stranded investments.

Most important, however, LD 257 presents serious public safety concerns. Utilities are governed by a variety of laws carefully crafted over decades to ensure that utilities operate safely. For example, utilities and other entities are required to share poles in order to limit the number of fixed hazards along the roadway. It is critical to the safety of the employees working on the poles, as well as the general public, that the electric lines be reliably de-energized when necessary. Increasing the number of entities that might be the responsible for de-energizing the electric wires could easily introduce an additional, and dangerous, level of confusion.

In addition, while LD 257 does allow the Public Utilities Commission (PUC) to oversee operations and impose conditions at the time of approval of a microgrid, it does not provide explicit provisions for enforcement if those conditions are subsequently violated.

By allowing the creation of *de facto* electric utilities that are not required to follow the same rules and safety regulations applied to electric utilities, LD 257 would create dangerous situations, enforcement loopholes, and bad policy.

For these reasons, I return LD 257 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 Allow Microgrids That Are in the Public Interest

(H.P. 190) (L.D. 257)  
(C. "A" H-720)

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, I rise in support of an override of this veto, and I do so to honor a lot of work by our Committee on the topic of microgrids.

I think everyone recalls, all too vividly, the storm that we experienced in late October of the past year. Other states who have experienced extreme weather, New York and Connecticut, most notably after Superstorm Sandy, took the lessons of those storms and decided to go forward with allowing microgrids. A microgrid is, as defined in this bill, and it's a federal definition, a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the electric grid, and can connect and disconnect from the electric grid to enable the new microgrid to operate in both electric grid connected mode and non-grid connected mode, also referred to as island mode, and that is constructed after April 1, 2018.

Essentially, these can become islands and can have redundant capacity, so that critical infrastructure, hospitals, schools, community centers, key economic engines of our state, could, with a microgrid arrangement, be protected from the ravages of being without power for days or even weeks. As I stated, other states have gone forward with allowing microgrids using that federal definition that I just read; and I want to emphasize that the Chief Executive, in his veto message, seems to not fully comprehend what the bill as amended would do. This was a bill that we did a lot of work on, it was carried over over the summer, there were many sessions, and I think that may be the reason for the confusion. But, in the bill, there is a very clear concern raised about protecting reliability and security, which seems to be the concern of the Chief Executive, so much so that the PUC cannot allow a microgrid unless it is found not to interfere with reliability and security, and I emphasize the word security, of the electrical system. That is part G of Section 3 of the bill.

The Chief Executive has stated, in a previous veto message that we just voted on, the concern about the Legislature trying to insert itself where it does not belong and substitute its judgement for that of expert regulatory bodies, and by that I assume that the Executive means the PUC. This bill actually provides wider latitude to the Public Utilities Commission, our expert regulators, to allow microgrids where they find affirmatively that it is in the public interest to do so. So, we're opening a door, but only if our regulators decide that security is improved, that reliability is improved, that the decentralized nature of a microgrid is advantageous for the state as a whole. So, if we're going to not insert ourselves,

Madam Speaker, between the expert regulators and what is in the public interest, then our best course of action is to vote yea at the present moment. Thank you, Madam Speaker.

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

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, this is an idea that's just really not quite ready for primetime. In 2000, the State of Maine deregulated T&D utilities and forced them to sell off their generation assets. Now this bill is an end-run on that decision. This bill would allow small T&D utilities of up to approximately 5,000 members to own generation. You know, I thought we don't want that. Please sustain this veto.

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

Representative **RYKERSON**: Thank you, Madam Speaker, Men and Women of the House. We live in a big state with a lot of weather, and it's a state that could definitely use microgrids for resiliency. In the face of the increased cyberterrorist threats, we need to have a case where we can actually turn on the power when the grid is down. We live also in a state where there's a history of essentially microgrids in paper mills, where locally generated electricity was used either on the grid or off the grid in both ways. That was a microgrid in everything but in name. So, we need to investigate the further use of microgrids. It's going to increase our stability and our safety. So, I urge you to override the veto. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'll be voting to sustain the Chief Executive's veto and I ask that you follow my light.

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 yea, those opposed will vote no.

**ROLL CALL NO. 646V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, 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, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Sanderson, Sherman.

Yes, 80; No, 68; Absent, 3; Excused, 0.

80 having voted in the affirmative and 68 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED**.

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

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

The Following Communication: (H.C. 522)

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

April 23, 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 1187, "An Act To Amend the Child Protective Services Statutes."

Nothing in my role as Governor is a higher priority than the safety of our children. While I am sure the authors of this bill share my concern for our children's safety, I believe this bill may have serious unintended consequences. The changes in this bill prioritizes kinship placements in a way that may not necessarily be in the best interest of the child.

The Department of Health and Human Services is currently investigating the horrific death of a child who was in a kinship placement. The Department already places a priority on placement with kin and will continue to do so, as long as the placement is believed to be in the best interest of the child. Maine is currently above the national average for kinship placements.

While well-intentioned, this bill prioritizes the rights of relatives over the best interest of a child, as it makes a predetermined judgment that a relative placement out of state or after a long vetting process better serves the child than expeditious placement of a child in a safe and loving home. The State must retain the flexibility to prioritize kinship placements only when it is truly in the best interest of the child.

For these reasons, I return LD 1187 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 Child Protective Services Statutes

(H.P. 824) (L.D. 1187)  
(C. "A" H-724)

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. 647V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hanington, 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, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Hanley, Prescott, Sutton.

ABSENT - Battle, Hawke, Sanderson, Sherman.

Yes, 144; No, 3; Absent, 4; Excused, 0.

144 having voted in the affirmative and 3 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence. **ORDERED SENT FORTHWITH**.

The Following Communication: (H.C. 523)

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

April 23, 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 1756, "An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities."

In my view, allowing the Maine Educational Center for the Deaf and Hard of Hearing ("MECDHH") to enter into a lease with Disability Rights Maine ("DRM") would violate the spirit of the deed of gift from Governor Percival Baxter. Governor Baxter's gift of property on Mackworth Island outlined that the property be used for educational purposes for children, not to be leased to third parties.

In addition, a lease with DRM would require that the facility comply with all federal and state laws to protect and accommodate persons with disabilities. This will require a significant capital investment to bring the facility into compliance—an investment beyond the limited financial

resources of the MECDHH. Without an estimate of the required improvements included in the fiscal note, it is unknown whether the rent would cover the cost of the renovations in addition to the regular facility costs.

For these reasons, I return LD 1756 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 Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities (EMERGENCY)

(H.P. 1209) (L.D. 1756)

(C. "A" H-577)

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. 648V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, 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, Hanington, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Cebra, Chace, Hanley, Johansen, Kinney J, Lockman, Lyford, Malaby, Reed, Sampson, Seavey, Sirocki, Stetkis, Strom, Sutton, Theriault, Turner, Wallace, Winsor.

ABSENT - Battle, Sanderson, Sherman.

Yes, 129; No, 19; Absent, 3; Excused, 0.

129 having voted in the affirmative and 19 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence. **ORDERED SENT FORTHWITH**.

The Following Communication: (H.C. 525)

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

April 25, 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 1874, "Resolve, To Ensure the Continued Provision of Services to Maine Children and Families."

This bill sets inappropriate limitations on the ability of the Executive to manage, enter, and exit specific contracts. Without appropriate flexibility, the team at DHHS is left with little ability to ensure a contractor meets basic performance expectations.

Regarding the specific contracts in question, the legislature's meddling is completely unnecessary and inappropriate. The Department has already engaged in conversations with the providers to further extend the contracts and to determine what aspects of these services fulfill unmet needs and should continue to be ongoing.

It is the responsibility of the State to provide adequate and appropriate services, but also that the services we pay for are of the highest quality, are not duplicative, and are absolutely necessary for the wellbeing of Mainers. This proposed resolve interferes with the ability to meet those goals.

For these reasons, I return LD 1874 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 Resolve, To Ensure the Continued Provision of Services to Maine Children and Families (EMERGENCY)

(H.P. 1307) (L.D. 1874)  
(C. "A" H-738)

After reconsideration, the House proceeded to vote on the question, 'Shall this Resolve 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 Resolve become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 649V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hanington, Hanley, Harlow, 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, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor,

O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - McElwee, Prescott, Seavey, Sirocki, Sutton, Turner, Winsor.

ABSENT - Battle, Sanderson, Sherman.  
Yes, 141; No, 7; Absent, 3; Excused, 0.

141 having voted in the affirmative and 7 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence. **ORDERED SENT FORTHWITH.**

The Following Communication: (H.C. 524)

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

April 25, 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 1866, "An Act to Increase Youth Mental Health Awareness in Schools."

To be perfectly clear, the loss of one child to suicide is an unacceptable tragedy. For a child not to feel they have a safe place, a friend, a teacher or a professional to reach out to in their despair is unfathomable. As recently as this spring we saw two beautiful lives end when they believed their only pathway was resorting to suicide. As their families, communities, and schools reacted to these tragedies, there was an intense examination of what procedures, training, and resources were available to identify and assist our children and their parents.

In 2013, I signed into law LD 609, An Act to Increase Suicide Awareness and Prevention in Maine Public Schools. LD 609 required all public school personnel in Maine to complete Suicide Prevention Awareness training and at least two members of the school to be trained as suicide prevention gatekeepers, with larger schools required to train extra gatekeepers. The bill went on to require that these trainings must be renewed by school personnel every five years. It also said every new hire must receive this training within six months of hire. Recognizing that our children spend a great deal of time in our schools, Maine's public education system was designated as an integral repository for the training to help identify at-risk students and to provide support and direction to the professional resources available to our children and their families.

In the past year, the Legislature has put forth a number of bills regarding suicide prevention and student mental health, the goal of which was to direct the administrators in our School Administrative Units (SAUs) to be proactive rather than reactive. LD 1355, which became law in the First Regular session of the 128th Legislature, instructed SAUs to have their health instructors trained in Youth Mental Health First Aid. To their credit, some SAUs immediately sought the training, expanding it in some cases to all adults in their system. In the

Second Regular Session, LD 1866 was proposed to amend the newly enacted statute, again requiring the SAUs to obtain this training to send a "we really mean this" message to SAUs. Also in this Second Regular Session, LD 1694 came before the Legislature. This bill was enacted as "Resolve, Directing the Department of Education to Adopt Protocols Designed to Prevent Youth Suicide." The Amendment directed the Department to require that SAUs have protocols for suicide prevention, intervention and follow-up in place beginning with the 2019–2020 school year.

By way of background, protocols for suicide prevention and intervention have been a recommendation in Department of Education Rules since at least 2002 when the first protocol guidance was published. A new edition was published in 2009 and updates are made and shared at all trainings. Since 2013, the Maine School Suicide Prevention Protocols Development trainings have been offered to 82 school districts, with other agencies also presenting these trainings. At the time LD 1694 was presented to the Legislature, it was estimated that fewer than 25 percent of the districts had adopted Protocols for Suicide Prevention.

As parents, schools, and communities reel from the incomprehensible loss of a young life to suicide, it becomes apparent that even with the passage of laws and resolves meant to build a safety net for our at-risk students, the action necessary to do so comes slowly and sometimes not at all or only after the devastation has occurred. It should not take another statute to get our schools to do the right thing when such resources as I have described herein already exist.

For these reasons, I return LD 1866 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 Increase Youth Mental Health Awareness in Schools

(H.P. 1302) (L.D. 1866)  
(C. "A" H-740)

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

Representative **GINZLER**: Thank you, Madam Speaker. Madam Speaker, I stand in opposition, or actually, I stand to sustain the veto, and the reason for that is that this bill, though well-intentioned, really follows on the heels of many previous bills that have been enacted and mandates that have gone to our public schools, and I think the Chief Executive spoke very well, very thoroughly, and very cogently in his veto message to us; and I agree with that and would like us to follow the previous bills that we already have enacted before we put another mandate before the public schools. Thank you, Madam Speaker.

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

Representative **HANDY**: Thank you, Madam Speaker, Members of the House. This legislation is not a mandate. The Education Committee worked very hard to craft a bill that would come out of Committee without any cost to it, so the idea that this is a mandate is erroneous.

Since the so many school shootings that we've had, we hear continually from those who do not want to address the issue of gun control in any manner want to address the issue of mental health. And that's what this legislation does. It addresses the issue of mental health. We have a long way to go. It does fall on the heels of a number of pieces of

legislation, but there's not one remedy to the issue of school shootings. There are many aspects that need to be addressed and this is probably one of the most important aspects, to empower educators to recognize the signs of someone who might do harm to someone else or themselves. So, it goes well beyond suicide, as suggested by the Chief Executive. So, I urge you to vote green to override this veto. Thank you, Madam Speaker.

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. 650V**

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

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

ABSENT - Battle, Sanderson, Sherman.

Yes, 82; No, 66; Absent, 3; Excused, 0.

82 having voted in the affirmative and 66 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED. ORDERED SENT FORTHWITH.**

The Following Communication: (H.C. 526)

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

April 25, 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 1892, "An Act to Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists."

LD 1892 is an effort to undermine the Maine Board of Pharmacy's efforts to adopt reasonable rules—grounded in public safety—for when and to whom licensed pharmacists may prescribe and dispense naloxone. The bill effectively

negates the need for pharmacy rules on this subject because it would allow pharmacists to prescribe and dispense naloxone without limitation to anyone, anywhere, under any circumstances. This bill makes any reasonable rule unnecessary. Is this sound public policy? The simple answer is no.

No health policy rationale supports the extreme position espoused by the Legislature that every resident of Maine, including children, must have access to naloxone. This bill reflects a lack of understanding about effective ways to reduce deaths resulting from opioid overdose. The Legislature must be under the mistaken impression that deaths from opioid overdose cannot be reduced unless naloxone is provided to anyone and everyone. That will not be the case.

Maine is fortunate, however, to have many licensed pharmacists who will use their experience and professional judgment to determine when and to whom to dispense naloxone. They don't need the Legislature's permission to make professional decisions. Licensed pharmacists will do the right thing under the rules promulgated by their oversight body, the Pharmacy Board.

For these reasons, I return LD 1892 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 Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists (EMERGENCY)

(H.P. 1325) (L.D. 1892)  
(C. "A" H-744)

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. 651V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Espling, Gerrish, Guerin, Hanington, Hanley, Johansen, Kinney J, Lockman, Lyford, Parry, Prescott, Reed, Sirocki, Theriault, Turner, White.

ABSENT - Battle, Sanderson, Sherman.  
Yes, 132; No, 16; Absent, 3; Excused, 0.  
132 having voted in the affirmative and 16 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence. **ORDERED SENT FORTHWITH.**

The Following Communication: (H.C. 527)

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

April 27, 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 1587, "Resolve, To Study the Feasibility of the Establishment of Paid Family Leave in the State."

This resolve directs the University of Maine System to conduct a study to examine the costs and benefits of implementing a paid family leave program in the State, if resources are available to enable the University of Maine System to conduct such a study, and to submit a report of its findings to the joint standing committee of the Legislature having jurisdiction over labor matters. The committee is authorized to report out a bill based on the report to the First Regular Session of the 129th Legislature.

This resolve is yet another unfunded mandate. It not only burdens the University of Maine System with undertaking, at a minimum, a comprehensive and expensive study, it also requires UMS to procure the funding necessary to pay for it. Furthermore, this isn't just a study. This is a foot in the door—creating the opportunity to bring a paid leave bill back in the next Legislature at a serious cost to our State. A paid family leave program requires a contribution and payment system similar to the way the traditional unemployment system functions. Establishing such a system is a tremendous undertaking, both technically and fiscally, one which I do not believe our State is poised to do.

For these reasons, I am returning LD 1587 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 Resolve, To Study the Feasibility of the Establishment of Paid Family Leave in the State

(H.P. 1091) (L.D. 1587)  
(C. "A" H-699)

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have read the Chief Executive's veto letter, and I will be voting to sustain the veto and ask that you follow my light.

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. 652V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, 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, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Sanderson, Sherman.

Yes, 80; No, 68; Absent, 3; Excused, 0.

80 having voted in the affirmative and 68 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (H.C. 528)

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

April 27, 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 1719, "An Act To Implement a Regulatory Structure for Adult Use Marijuana."  
Under federal law, marijuana is a Schedule 1 controlled substance. As a Schedule 1 drug, the federal government has deemed that marijuana has a high potential for abuse and has no currently accepted medical use in treatment in the United States. In Maine, doctors cannot legally prescribe marijuana to patients; they only "certify" its use. Possession of any amount of marijuana under federal law is a misdemeanor crime. In 2011, I took an oath to support the Constitution of the United States, and I cannot in good conscience support a law that, on its face, violates federal law.

Even if federal law were of no concern, there are other significant issues that must be addressed. This bill does not adequately address the failings of the medical marijuana program. It moved the oversight of the program from DHHS to DAFS, but then fails to truly integrate the two programs. The drafters of this bill chose to largely ignore the significant effects on medical marijuana of a recreational program—a program that still has different levels of regulatory oversight and a different tax structure.

As I have stated previously, a concurrent medical program with weaker regulation and a lower tax rate will undermine the regulations established by this bill. The two programs must be fully integrated. In the run-up to the 2016 referendum, the medical program saw a significant increase in the number of registered caregivers, as well as the exploitation of loopholes in medical marijuana regulations to broaden the sales base for medical marijuana, which has a much lower tax rate.

The need for policymakers to get this issue correct has never been higher. As this administration looked to other states that have legalized adult-use marijuana, we noticed a gruesome similarity. In the few short years since marijuana has been legalized by some states, those same states have seen staggering increases in motor vehicle fatalities resulting from marijuana impairment. After one of the worst years in recent memory for crashes, fatalities, and pedestrian fatalities, we should take every step to ensure safety on Maine roads instead of making them more hazardous. No branch of government has a monopoly on good ideas; if Maine is going to legalize and regulate marijuana, it will require our joint efforts to get this important issue right.

For these reasons, I return LD 1719 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 Implement a Regulatory Structure for Adult Use Marijuana (EMERGENCY)

(H.P. 1199) (L.D. 1719)  
(C. "A" H-733)

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. 653V**

YEA - Ackley, Austin B, Austin S, Babbidge, Berry, Bickford, Black, Bryant, Campbell, Cardone, Cebra, Chace, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grohman, Guerin, Haggan, Handy, Hanley, Harrington, Harvell, Head, Herrick, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parry, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis,

Stewart, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Alley, Bailey, Bates, Beebe-Center, Blume, Bradstreet, Brooks, Casas, Chapman, Collings, Devin, Doore, Fredette, Grant, Grignon, Hamann, Hanington, Harlow, Hawke, Herbig, Hickman, Johansen, Lockman, Lyford, Madigan C, O'Connor, Parker, Perkins, Reed, Strom, Sutton, Sylvester, Talbot Ross, Turner, Wadsworth, Wallace, Ward, Warren, White.

ABSENT - Battle, Sanderson, Sherman.

Yes, 109; No, 39; Absent, 3; Excused, 0.

109 having voted in the affirmative and 39 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence. **ORDERED SENT FORTHWITH**.

The Following Communication: (H.C. 530)

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

April 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 1063, "Resolve, To Reduce the Number of Substance-exposed Infants."

If bills truly reflected the title they are given, I would not be vetoing this bill today. I share the concern of the Legislature that Maine's youngest, smallest citizens not be exposed to damaging and addictive substances. It is unconscionable that nearly 10 percent of Maine babies are born today affected by drugs.

This bill mandates the Department of Health and Human Services conduct outreach to make sure providers and recipients are aware that Medicaid reimburses for both contraceptive counselling and the placement of long-acting, reversible contraception. The bill provides no resources for the Department to do this new outreach, and asks them to duplicate work that has already been done.

This bill is unfunded, it is duplicative, and it is not necessary. For these reasons, I return LD 1063 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 Resolve, To Reduce the Number of Substance-exposed Infants

(H.P. 746) (L.D. 1063)

(S. "B" S-460 to C. "B" H-678)

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

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. I rise to urge you to vote green and override this veto.

According to DHHS, nearly a thousand babies are born drug-affected each year in Maine. I don't need to repeat myself, we all know it's a crisis, we all want to stop it. We also know there is an under-utilized program available that helps

women battling substance use disorder hold off on starting a family until they're clean. Nearly all women in this situation do not want to become pregnant. So, you have a population that doesn't want to become pregnant, because if they do their fetus and infant are at high risk, and at the same time you have a family planning benefit --

The SPEAKER: The Representative will defer. It's very difficult to hear in the House. Just a reminder that the House is in order. Conversations can be taken outside. The Representative may proceed.

Representative **HAMANN**: Thank you, Madam Speaker. At the same time, you have a family planning benefit, passed by this body in the 127th, that helps her avoid unplanned pregnancy. So, what's the issue? The program is under-utilized, and that's where this resolve comes in. The bill provides outreach to women at risk of giving birth to a substance-exposed infant. It raises awareness of the benefit before it's too late.

The veto letter states that the bill is unfunded, duplicative, and not necessary. During the public hearing, the Department indicated that they do not conduct targeted outreach in this manner for this purpose. So, no, the bill is not duplicative. Unfunded? Well, the bill, in its final form, had the fiscal note removed. That was because it was determined that the Department could perform this outreach by enhancing current efforts rather than contracting with an organization equipped to do this work. A fiscal note was no longer necessary; so, no, it does not come with a fiscal note or a cost to taxpayers. The letter says that the bill is unfunded, and that is why.

Again, the letter says it's duplicative, and that is incorrect. And, finally, the veto letter says it is not necessary. We have a thousand drug-affected babies born each year, but it's not necessary? If we aren't promoting the heck out of the most cost-effective solution, then we are not doing everything we can for the well-being of those families. Not necessary? Madam Speaker, over the years, you and I have spoken at length about my personal experience as a foster parent. I've fostered a number of kids, and the one commonality I found was that in every single case, the issue was heroin and poverty. Those kids' biological mothers struggled and their struggle --

The SPEAKER: The Representative will defer. A reminder to people in the gallery, the House is in order. The Representative may proceed.

Representative **HAMANN**: Thank you. Those kids' biological mothers struggled, and their struggle inspired me to bring forward this bill to help low income women battling addiction access the most effective method of birth control on the market. This benefit empowers them with the ability to make the choice that they already want to make: to avoid getting pregnant while still addicted. It's not the right time for them. Treatment needs to come first.

I raised one foster child from infancy and watched as he detoxed for the first six months of his life in my home. Watched as he grew up and his challenges became evident; challenges caused because his biological mother was addicted to heroin, and did not want to become pregnant, but she did, and when she did, she knew that quitting heroin cold turkey could cause her to lose her baby. At that time, she had limited options. This bill would have been there to inform her of her family planning options ahead of time. Instead, she lost custody of her third child for the same reason as the first two. Yes, she has regrets, but the good news is she's doing really well now that she's successfully in treatment. In fact, with her life back on track due to treatment, she has a job, stable

housing, a support network, and health insurance. This would have been a much better time for her to start a family than seven years ago when she was in active addiction.

I'm also happy to report that her son is doing well. Thanks to the miracle workers at Barbara Bush Children's Hospital, occupational therapy, physical therapy, home health nurses, a myriad of other services, and hundreds upon hundreds of thousands of taxpayer dollars spent on remediation and medical care that would not have been necessary if his mother had access to healthcare, treatment, and effective family planning options like the ones this bill promotes. This is about life. This is about quality of life. Men and Women of the House, a green vote will reduce the number of substance-exposed infants. It targets women most at risk, and simply educates them that they are eligible for long-acting reversible contraception, LARCs. For example, an IUD is a tiny device that's put into a woman's uterus to prevent pregnancy. It's long-term, reversible, and one of the most effective birth control methods out there. Let's make sure women at risk are aware of the benefit. Let's override this veto and begin conducting outreach before it's too late. Thank you, Madam Speaker.

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. 654V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, 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, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Sanderson, Sherman.

Yes, 80; No, 68; Absent, 3; Excused, 0.

80 having voted in the affirmative and 68 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 531)

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

April 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 1876), "An Act Regarding Financial Orders Requested by the Attorney General."

The Maine Constitution divides power into three distinct branches of government: the legislative, executive, and judicial. The supreme executive power of this state is vested with the Governor, not the Attorney General or any other agency head.

This bill would give this Attorney General and all future Attorney Generals sole authority to approve compensation for their office with no oversight. Likewise, this bill would eliminate my financial oversight entirely. In fact, I, as Governor, would have only one choice: approve all salaries for Attorney General attorneys, period. If a Governor does not approve one of the Attorney General's requests, after 30 days the financial order would be deemed approved anyway.

Second, this bill would prohibit me and all future Governors from imposing upon the Attorney General any preconditions on financial orders. Many administrations, including my own, have put preconditions into place due to economic conditions or anticipated structural gaps.

I am charged with exercising responsible financial management of the state. The Attorney General's office is but one financial silo of state government. Ultimately, it is my responsibility to monitor the state budget in its entirety.

The Attorney General has overspent her accounts and I have been forced to find money in order for her to not break the law. For these reasons, I return LD 1876 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 Regarding Financial Orders Requested by the Attorney General

(H.P. 1308) (L.D. 1876)

(C. "A" H-763)

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. 655V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio,

McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

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

ABSENT - Battle, Sanderson, Sherman.

Yes, 80; No, 68; Absent, 3; Excused, 0.

80 having voted in the affirmative and 68 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (H.C. 532)

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

April 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 1907, "Resolve, To Continue a Review of the State Employee and Teacher Retirement Plan."

This resolve directs the Maine Public Employees Retirement System, the Administration, and other stakeholders to continue working to evaluate and design new retirement plan options for all state employees and teachers.

The working group has completed its mission by drafting a report that assesses possible retirement plan options. Maine does not need yet another task force to study a problem that has already been addressed and certainly does not rise to the level of an emergency measure.

Furthermore, this resolve is yet another unfunded mandate. It not only burdens MPERS and the Administration with continuing an unnecessary study, but also requires both organizations to procure the funding necessary to pay for it.

I agree that state pension reform is needed. I have worked throughout my administration to shore up our state's pension system and more remains to be done. However, it is ultimately the Legislature and the Governor that will decide what shape such reform should take. We do not need another report to address an issue we know all too well.

For these reasons, I am returning LD 1907 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 Resolve, To Continue a Review of the State Employee and Teacher Retirement Plan (EMERGENCY)

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

After reconsideration, the House proceeded to vote on the question, 'Shall this Resolve 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 Resolve become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 656V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hanington, Hanley, Harlow, 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, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, 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, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Strom, Turner.

ABSENT - Battle, Sanderson, Sherman.

Yes, 146; No, 2; Absent, 3; Excused, 0.

146 having voted in the affirmative and 2 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence. **ORDERED SENT FORTHWITH**.

The Following Communication: (S.C. 1018)

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

April 18, 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 1747, "Resolve, To Establish a Task Force To Examine Agricultural Issues."

This resolve is an emergency measure directing the Commissioner of Agriculture, Conservation and Forestry to convene a task force to study agricultural issues in the State, including the recommendations presented in the 2003 "Blaine

House Conference on Maine's Natural Resource-based Industry: Charting a New Course" report.

The creation of a task force to study an issue does not rise to the level of an Emergency Measure. As I reject this loose definition of what constitutes an emergency, I cannot support this resolve being classified as such.

Maine does not need another task force to study a problem for which there is an existing study already completed. This matter would seem to be a topic that either the Joint Standing Committee on Agriculture, Conservation, and Forestry or, if it wishes, a sub-committee could update using the 2003 report as a starting point and by requesting additional input from stakeholder groups.

This resolve will also place a heavy burden on the natural resources departments in terms of staff time, which comes at a cost to the departments. Passing a resolve without allocating resources means that those funds for staff time and materials will need to come from the departments' budgets. Since departments having finite resources, each diversion of funds will necessarily come at the expense of some other essential functions or duties. While each individual task force or study group may not by itself divert significant funds from a department, the cumulative effect of all the studies, resolves and task forces does.

Government cannot use money that it has not first taken from citizens and businesses in the form of taxes and fees. For Mainers to prosper, we need to lower the burden that state government places upon them.

For these reasons, I return LD 1747 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

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

The accompanying item Resolve, To Establish a Task Force To Examine Agricultural Issues (EMERGENCY)

(S.P. 646) (L.D. 1747)  
(H. "A" H-690 to C. "A" S-388

In Senate, April 18, 2018, this Resolve, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Resolve become a law notwithstanding the objections of the Governor?'

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

After reconsideration, the House proceeded to vote on the question, 'Shall this Resolve 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 Resolve become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 657V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Herbig, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J,

Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

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

ABSENT - Battle, Sanderson, Sherman.

Yes, 75; No, 73; Absent, 3; Excused, 0.

75 having voted in the affirmative and 73 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED. ORDERED SENT FORTHWITH.**

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The Following Communication: (S.C. 1024)  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**AUGUSTA, MAINE**

April 25, 2018  
The 128th Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 128<sup>th</sup> 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 1771, "An Act to Stabilize Vulnerable Families."

While the intentions of this bill are good, I cannot in good conscience let this bill become law. I have two primary objections. First, this bill is yet another example of the Legislature stepping in to require things of the Executive Branch that it can already do. This bill requires DHHS to seek proposals and implement a program to provide integrated substance abuse treatment and recovery for families, which can be done within the administrative authority that exists today. There is no need for a bill.

Second, I believe we sometimes race too quickly to reunify a child with his or her family when that may not be what is best for the child, and I am concerned this bill perpetuates that trend. The best place for children is in a safe, loving home with their parents; that said, child welfare programs in our State and nation have over-emphasized reunification, sometimes to the detriment of our youth. Children should be reunified with their parents only when that reunification is in the best interest of the child. We have dealt with several significant child welfare cases in the past few months, and I believe that some tragedy may have been avoided if we had first focused on the welfare of the child and only considered reunification if it was truly the best and safest option for the child.

I am concerned the program imagined by this bill will serve once again to inappropriately prioritize reunification over the welfare of the child. For these reasons, I return LD 1771 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

**READ** and **ORDERED PLACED ON FILE** in concurrence.  
The accompanying item An Act To Stabilize Vulnerable Families

(S.P. 658) (L.D. 1771)  
(C. "A" S-449)

In Senate, May 2, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 658V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hanington, Hanley, Harlow, 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, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, 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, Sampson, 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, Ward, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Battle, Sherman, Warren.

Yes, 148; No, 0; Absent, 3; Excused, 0.

148 having voted in the affirmative and 0 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence. **ORDERED SENT FORTHWITH**.

The Following Communication: (S.C. 1025)

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

April 23, 2018

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128<sup>th</sup> 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 166, "An Act To Increase Reimbursement for Child Care Services."

In 2016, the Department provided subsidies for over 9,000 children from over 5,600 families through the Child Care Subsidy program and the Temporary Assistance for Needy Families program. Maine has the flexibility to determine the appropriate percentile for reimbursement. Currently, Maine is among the top 10 states for reimbursement of child care providers based on the actual dollar amount of monthly reimbursement paid to families, and only South Dakota and West Virginia reimburse child care providers at the 75th percentile of current market rates as proposed by this bill. Passage of this bill will serve to push up market rates for child care for everyone.

In addition, Maine is already one of the five most generous states when it comes to eligibility limits for the subsidy – a family can earn more than 250% of the Federal Poverty Level and still qualify for a subsidy. The Department estimates that this increase would cost nearly \$10 million dollars. Maine already has a generous child care subsidy and we do not need a new law to increase it even further.

For these reasons, I return LD 166 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

**READ** and **ORDERED PLACED ON FILE** in concurrence.  
The accompanying item An Act To Increase Reimbursement for Child Care Services

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

In Senate, May 2, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

31 voted in favor and 3 against, and 31 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. I just want to remind people of a few things about this bill. One is that family-based childcare providers already got an increase, this would just bring them up to the same amount. This would bring the center-based family -- I mean, center-based childcare providers up to that level. In addition, this cost is borne by the Federal Government, so I think that making childcare more available to some of our most vulnerable

families, families that are receiving TANF so they can go to work, is a good thing. Thank you.

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. 659V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Wallace, Ward, White, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Ginzler, Harrington, Johansen, Kinney J, Lockman, Lyford, Parry, Perkins, Prescott, Reed, Sampson, Sanderson, Sirocki, Stetkis, Strom, Sutton, Turner, Vachon, Wadsworth, Winsor, Wood.

ABSENT - Battle, Sherman, Warren.

Yes, 119; No, 29; Absent, 3; Excused, 0.

119 having voted in the affirmative and 29 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence. **ORDERED SENT FORTHWITH.**

The Following Communication: (S.C. 1026)

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

April 23, 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 1740, "An Act Regarding Criminal Forced Labor, Aggravated Criminal Forced Labor, Sex Trafficking and Human Trafficking."

LD 1740 seeks to create a new violation of "criminal forced labor" by attaching substantial criminal liability to a wide variety of conduct undertaken to compel a person to provide services or labor. The bill further provides a civil cause of action for victims of this behavior and initiates a public awareness campaign around the issue of human trafficking.

I support efforts to combat forced labor and human trafficking. These are reprehensible acts. However, there are numerous

problems with LD 1740. First, some of the acts criminalized by this bill should not be crimes at all. I find it hypocritical and disingenuous the Legislature's action on this bill, while also failing to act to criminalize the mutilation of Maine's young girls. Second, many acts falling within LD 1740 are already prohibited by Maine statutes. Third, LD 1740 provides for heightened liability for minors, but once again sets a non-uniform age of majority. Fourth, this bill imposes yet another mandate on governmental agencies and businesses without providing funding. Finally, this bill imposes civil monetary liability on certain Maine businesses without adequately identifying to which businesses this liability applies.

First, enactment of LD 1740 makes criminal some activities that should not be crimes. Consider the following examples:

- An employer who confiscates alcohol from an alcoholic employee at the beginning of the work day. That employer refuses to return the bottle until the end of the job, demanding a sober day's work in exchange for the day's pay. Under LD 1740, the employer may face Class C liability.
- A cigarette shop owner handed what purports to be a government identification document, but which the shop owner suspects is fake. The uneasy young patron furnishing the ID takes flight and knocks over a display in the store. The shop owner then offers to accept restitution so long as the patron reorganizes the mess in exchange for the return of the ID and not calling the police. Under LD 1740, the shop owner may face substantial criminal liability.

Second, the following statutes already prohibit conduct substantially similar to that described in LD 1740:

1. 17-A M.R.S.A §357 provides criminal liability for theft where one deprives a person of payment after using deception, threats, force, or otherwise causing another person to provide labor or services.
2. 17-A MRSA §301 provides criminal liability for kidnapping where threats of violence are made to cause a victim to perform labor or services, or where withholding or destroying immigration or identification documents is used as a tool to control a victim.

3. To the extent the labor conduct of the person forced to perform it is criminal, 17-A MRSA §57 provides for accomplice liability of the one forcing that person to engage in such acts.

Third, LD 1740 defines the undertaking of the prohibited conduct against a person under the age of 18 as aggravated criminal forced labor. This Legislature recently raised to 21 the age at which individuals can buy cigarettes. If this Legislature believes that anyone under 21 is not adult enough to purchase cigarettes, they should treat people under 21 as children for all other purposes and offer criminal enhancements for actions taken against them.

Fourth, this bill provides an unfunded mandate that the Department of Labor create and provide to the Department of Transportation, the Maine Turnpike Authority and businesses in the state signs to promote public awareness of human trafficking. The bill, again without providing funding, then directs that these signs are to be posted conspicuously at rest areas, highway stops and businesses. The Legislature's repeated attempts to spend money without providing funding is an abdication of their responsibilities.

Finally, businesses failing to post signage in regards to human trafficking are subject to a \$300 fine per violation. In order to assure that these businesses have the opportunity to comply, it

is incumbent upon the Legislature to identify with understandable specificity exactly which businesses must post signage. Maine law already mandates employers post nine posters and recommends five more; the federal government requires another six. Too many workplace posters not only makes it harder for workers to find the information they need about employment rights, but also dilutes the messages of all such posters. I also question the efficacy of business signage to address the serious issues this bill seeks to remedy, and that the same sign for a business would carry the appropriate message for rest areas.

For these reasons, I return LD 1740 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

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

The accompanying item An Act Regarding Criminal Forced Labor, Aggravated Criminal Forced Labor, Sex Trafficking and Human Trafficking

(S.P. 639) (L.D. 1740)  
(C. "A" S-385)

In Senate, May 2, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 660V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, 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, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Mearan, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Ginzler, Hanley, Johansen, Kinney J, Lyford, Perkins, Sirocki, Stetkis, Turner, Wallace, Winsor.

ABSENT - Battle, Sherman, Warren.  
Yes, 136; No, 12; Absent, 3; Excused, 0.

136 having voted in the affirmative and 12 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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The Following Communication: (S.C. 1027)  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**AUGUSTA, MAINE**

April 20, 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 1388, "An Act To Prohibit the Falsification of Medical Records."

Healthcare records are relied upon by healthcare professionals to make decisions that can mean the difference between life and death. False entries in a healthcare record can and will alter the decision-making process of doctors with potentially fatal consequences for patients. As a result, the integrity of healthcare records is of the utmost importance.

Extremely sick or injured patients find themselves in an incredibly vulnerable state. They may even be unable to communicate or comprehend what is happening at the moment. They are not in a position to ensure their records are accurate at precisely the time that an inaccuracy could lead to disaster. Instead, patients place their entire trust in the people who care for them during their time of need.

Intentional falsification of records to cover up medical errors or to avoid reporting in the prescription monitoring program is a breach of that trust. This breach would not come to the attention of the patient, or their next of kin, until damage resulting from that breach is already done. This sort of behavior by a healthcare provider must be treated as a serious crime.

A healthcare provider who intentionally falsifies medical records for the purpose of deceiving another person should know that serious injury, or even death, are the reasonably foreseeable consequences of these actions. In other statutes where death or serious bodily injury are reasonably foreseeable consequences of one's actions, penalties are higher. For example, felony murder is a Class A crime. Manslaughter provides for Class A criminal liability where one's reckless activity results in death. Kidnapping provides for Class A criminal liability where one's actions expose another to risk of serious bodily injury. Yet LD 1388 provides only Class C liability for intentional acts that, in fact, result in serious injury.

The penalty for falsification of healthcare records where the result is serious injury, or worse, should be classified as more serious crime than a Class C offense.

For this reason, I return LD 1388 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

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



The accompanying item An Act To Prohibit the Falsification of Medical Records

(S.P. 475) (L.D. 1388)  
(C. "A" S-162)

In Senate, May 2, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 661V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, 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, Hanington, Hanley, Harlow, 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, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, 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, Sampson, 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, Ward, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Battle, Sherman, Warren.

Yes, 148; No, 0; Absent, 3; Excused, 0.

148 having voted in the affirmative and 0 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence .

The Following Communication: (S.C. 1030)

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

April 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 1743, "An Act To Increase the Number of Agency Liquor Store Licenses in Larger Municipalities."

In my view, the bill is a short-term fix to the statutorily mandated population standards that allocate the number of agency store liquor licenses available in a municipality. The bill, as drafted, would only create an additional agency store liquor license for the City of Portland. The Legislature could have taken a longer-term view and reviewed the current population standards but instead opted for a short-term fix.

In addition, this bill appears to have been brought to the Legislature in an effort to grant a license to a single, Portland-based retailer. I do not believe the Legislature should be playing favorites.

For these reasons, I return LD 1743 unsigned and vetoed. I strongly urge the Legislature to sustain it. I also suggest that the Legislature review the current population standards.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Increase the Number of Agency Liquor Store Licenses in Larger Municipalities

(S.P. 642) (L.D. 1743)  
(C. "A" S-382)

In Senate, May 2, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

23 voted in favor and 11 against, and 23 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 662V**

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

NAY - Ackley, Alley, Austin S, Black, Bradstreet, Campbell,

Cebra, Chace, Craig, Devin, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grant, Grignon, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hogan, Hymanson, Johansen, Kinney J, Kinney M, Lockman, Luchini, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parker, Parry, Perkins, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns,

Stetkis, Stewart, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle, Sherman, Warren.

Yes, 74; No, 74; Absent, 3; Excused, 0.

74 having voted in the affirmative and 74 voted in the negative, with 3 being absent, and accordingly the Veto was **SUSTAINED**.

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The Following Communication: (S.C. 1033)

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

May 2, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 532, Legislative Document 1507, "An Act To Establish a Student Loan Bill of Rights To Regulate Student Loan Servicers," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

18 voted in favor and 16 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 1034)

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

May 2, 2018

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 644, Legislative Document 1745, "An Act To Establish the Wood Energy Program," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

22 voted in favor and 12 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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

Representative HERBIG of Belfast assumed the Chair.

The House was called to order by the Speaker Pro Tem.

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**ORDERS**

On motion of Speaker GIDEON of Freeport, the following Joint Order: (H.P. 1353)

ORDERED, the Senate concurring, that, in accordance with emergency authority granted under the Maine Revised Statutes, Title 3, section 2, the Second Regular Session of the 128th Legislature is extended for up to 4 legislative days.

**READ.**

The SPEAKER PRO TEM: The Chair recognizes the Representative from Freeport, Speaker Gideon.

Speaker **GIDEON**: Thank you, Madam Speaker, Women and Men of the House. Thank you for the privilege of addressing you today as a member of this body, the Maine House of Representatives.

I step down from the rostrum right now because I want, more than anything, to do right by the people of this state. I believe that is how every single last member of this body feels; but I also know that the course that we are on right now gives us no assurance that we will be able to complete that task. I've heard members in the past two weeks, from both parties, say we are talking past each other, and if I am honest and look inside my own heart, that same voice resonates and says we are talking past each other. And the terrible irony in all of this is that there is actually so much that we agree on. There are so many things that we both want to do. There are so many opportunities for us to do good. That includes issues that both of us have been talking about in this building and outside the building: funding direct care workers; making sure that money we have appropriated to public education is actually allocated and gets to our school districts; fighting the opioid crisis, turning those numbers from 418 back down and making sure that more people live to get treatment. But I also know that there are things that we disagree on, and maybe that's part of our impasse today. And what I want to say clearly, to every member of this body, is that I believe, if we are able to extend session and if we are able to give ourselves the chance to sit around horseshoes together, to sit around tables together, that we can overcome those differences; that we can find compromise the way not only this 128th Legislature has been able to do in the past, but the way 127 Legislatures have been able to do before us.

That's why today I want to outline a possible different path for us to go down. This path does require something from each of us, and it's a hard thing to do, Madam Speaker, I admit it. It's hard for me, and I know it's hard for others. It would require us to retreat from positions that we have put ourselves in already. It requires compromise. But that is something that we know how to do. Last week we voted on a five-day extension. I don't want to ask people to vote on the same thing that they have already voted on before. So, today, instead, I propose a four-day extension of the current legislative session. Such an extension would have a distinct beginning and a distinct and predictable end, with the restraints of no more than four legislative days in front of us. It would put pressure on us to do our work. We would have goalposts that we are working within, helping guide us to find agreement, helping make sure that we finish our work without extra cost and unnecessary cost to taxpayers.

Now, a couple of details about this. First of all, it is my pledge as Speaker that each one of these days would actually

be scheduled in conjunction, with all four caucus leaders agreeing on the days. This is not something that would automatically happen otherwise. Number two, I want to lay out what these session days would actually look like. Everyone in this body, if being asked to vote on it, deserves to have a sense of what it would actually mean, what it would actually look like, and how we would accomplish our work. So, on day one, we would come into our chambers and we would work through the rest of the items that remain on the calendar. We can look on our own House Calendar today and we can see the work that is still unfinished; but I propose an additional thing happen on that first day. I propose, and I pledge that I would send my authorization to make it happen, that the Appropriations Committee goes down to their room and that they work on and vote out two bills, LD 967 and LD 643. I don't think there's a person in this chamber that doesn't remember those bills, that doesn't remember that last year, when we finalized an agreement on the biennial budget, we only funded one year of rate reimbursement for direct care workers who serve our elderly and our intellectually disabled. We did that looking each other in the eye, and we did that looking them in the eye and promising that we would fulfill our obligation to them in year two; because, as we all know well by now, on July 1st, if we have not done that, at the very best, those workers would receive a pay decrease, but at the very worst, those homes would be shuttered and those people would be left without anybody to care for them.

My proposal, to be clear, is that we send the AFA Committee to do their work, to vote out those bills, and to get them to the Governor's desk immediately. Should this extension order pass, further, I propose that the Appropriations Committee immediately begins work before even that first legislative day, and that they do that work in the public and on mic, that they sit there and work together to come up with an agreement on what items should be included in any agreement on spending. Further, Madam Speaker, I would suggest that the Taxation Committee go back and complete its work that has not been finished yet, and that is an agreement on tax conformity. Those two things would need to be happening immediately upon our leaving this Chamber today in order for us to be able to get agreements and come back on day two; and day two would be a very long day, make no mistake, because we would be working on those bills from the AFA Committee, we would be working on the bills from the Tax Committee, we would additionally be working on all of the bond bills which have received no attention thus far, and we would be working on the study table bills. That's what day two would look like.

Day three would be a day reserved for what we anticipate will come back to us from the Chief Executive's desk, line item vetoes, and day four, finally, our final day, would be a day for vetoes returned to us from the Chief Executive.

This proposal has a number of advantages when compared with adjourning today with the potential for a special session. First, I think it's important, because I know I've heard a lot of questions about what is the difference between extending session and a special session. Well, there are some pretty important differences, so I just want to make sure everyone understands.

Number one, convening a special session is not a foregone conclusion. It is not something that we will definitely be able to come back and do. If we adjourn without day today, we could find ourselves in a position where all the work that is on this calendar and on the table in AFA is literally stranded.

There are two ways we could get into special session. The first is the Chief Executive could call us in. As we all know, he has stated to the media, stated publicly, that he will not call us in. I believe his quote had something to do with "They should figure out how to do their jobs." His quote, not mine, Madam Speaker. If the Chief Executive fails to call us in for special session, there is another option. We could call ourselves in for special session. But, make no mistake, that would require a majority of caucuses, each caucus voting, that includes Democrats and Republicans in the House and Senate, it also includes the Member of the Green Independent Party here in the House.

Second, as the presiding officers have made everyone aware through correspondence, a special session is a significant additional expense borne solely by the taxpayers and compared with the extending the current legislative session, and let me just make sure that everyone in this Chamber knows what that price difference is. It is \$18,000 per day. It is \$18,000 per day difference between a legislative day through extending session or a special session day. And, Madam Speaker, I don't know if you know or others in this Chamber know why that \$18,000 difference exists, but I want to make sure that every one of us understands and I want to make sure all the taxpayers understand, the \$18,000 difference is what legislators are paid for coming into special session. So, the question I pose to you, Madam Speaker, is do we really want to choose an uncertain special session where we pay ourselves \$18,000 a day at the expense of taxpayers instead of simply choosing to extend our session today?

Third, an extension may be made, as we've already talked about, with the consent of this body, for a very specific number of days. Were we to come in for a special session, whether that special session is called by the Chief Executive or whether it is called by us, there are no parameters around the number of days that we come in for special session. We are available to do any work, any day, as many days as we want, as much work as we want. We could literally stay in special session, Madam Speaker, until my birthday, December 4, 2018. That's uncertainty.

Finally, and perhaps most importantly, Madam Speaker, I ask us all to consider: what message does it send to the people of Maine if we cannot make a decision to stay at the table together, to give this another chance, to look at the work that's in front of us and have certainty that we will be working on it and completing it?

Madam Speaker, there is only one other time that I've stepped down from the rostrum in this legislative session to address the body. I do it today, and I do it humbly, asking all of my fellow Members in this body to please consider giving ourselves a chance to do the hard work that's in front of us. And I do it also, Madam Speaker, humbly and with the understanding that ultimately the success of the work that we do and the well-being of the people of Maine is not just the responsibility of all of us members here, but as Speaker that I feel that it is my personal responsibility; and that should we fail to do it, that failure will be mine, and that I am willing to take any accountability for any mistakes that have been made along the way, and to offer, finally, this one idea and sentiment: that of all the pledges and proposals I have made while I have spoken today, the most important one for members of this body to know is that I will sit down at a table and negotiate in good faith and with an open mind. Thank you, Madam Speaker.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. And, while I appreciate the words of the good Representative from Freeport, Representative Gideon, I cannot humbly agree with her proposal. We don't have a right to rewrite the facts and rewrite history. Last year, in a process whereby state government got shut down for three days, we were finally able to come together to pass a two-year budget for the State of Maine, but it took a state government shutdown to get there. So, here we are today, roughly a year later, government has been funded to the extent of \$7.2 billion, our economy has never been better, unemployment is at a record all-time low, and Maine is moving forward. There is no crisis; and while we talk about the need to fund direct care workers, which people on this side of the aisle support, that problem was created by a Committee of Conference which was created a year ago that forced us to vote on a budget that we didn't necessarily support. And so here we are today to try to fix that problem.

Now, the reality is, is that when we were last here in this body, voting on whether or not to adjourn, we probably didn't do two hours' worth of work. Now, I know I'm getting older, but I can remember sitting around this building for most of the day wondering what was going to happen next. And I kept thinking, well, maybe Approps would go downstairs and Approps would vote to send some bills upstairs so that we could vote on them, bills like funding direct care workers. And had we done that that day, we would've dealt with that on maybe a veto and we would've likely overridden that, and that problem would've been resolved today. But we didn't do that. We largely sat around here for two hours tabling bills, and then at the end of the day, indefinitely postponing bills. And, so, while there was supposedly a crisis to get the people's work done, it wasn't then, and all of a sudden it's now. And, so, let's talk about what happened in the meantime, what's happened between then and now. How many meetings have the Appropriations Committee had on mic? None. How many meetings has the Taxation Committee had on mic since then? None. How much work has gotten done since, then to now? And the answer is none. I was here virtually every day, checking in; what's going on, what's up? We had one leadership meeting to talk about what might happen, which was not productive; and, to be honest, at the end of the day, there's been a real lack of trust in this body, a lack of trust in terms of sitting down honestly, trying to figure out what work needs to get done, can't get done. People on this side of the aisle have come out with a list of bills, spending bills, that we will support, some \$70 million. It's about the same list that's been around for the last two months. It's not a mystery to anybody. We've had conversations about tax conformity. Maybe there's a little tweak in there that needs to get done. Again, that's not a mystery to anybody. We haven't had any conversations about bonds, we know that we need to do that. So, what's the path forward? That's the question. If we're not going to support the extension, what is the path forward? And I would suggest to you that there is a path forward, and there are two paths forward, and the Speaker alluded to both of those. One of which, the Chief Executive may or may not call us in, and another whereby which 50% of each of the caucuses can agree to come back in session. And I would suggest that we opt for that option. And why am I suggesting that? Because I believe that if we're going to come in and do some meaningful work, the Committees or whoever it is that needs to sit down and meet, works on those bills, so that we

come to a final consensus on where we're at, including conversations on bonds, whether it be for transportation or a higher ed bond or wastewater. We can have those conversations and we can agree to come back, and people on this side of the aisle, I will suggest, will agree to come back, once we know what the bills look like, what the parameters are, how bills are going to be bundled or not bundled. These are all big conversations, but they're conversations that can occur and can be solved in a relatively short period of time.

We have 60 days between now and the end of the first year of the biennium. That's plenty of time to sit down and be serious to get the work done; but it is going to take people coming to the table, and it's going to take people saying these are the parameters, these are the guidelines, these are the goals; and in the normal course of business, just like we've done, we'll take an up and down on those, the Chief Executive will decide whether or not to veto them, and then we'll come back for a veto day, I suspect, and then we will be done. That's not magic, it's not, you know, horrible or anything else like that. It's a plan to finish up the work that we need to get done. And I must say I was disappointed, I was disappointed that while we were in talking in our caucus, no more than half an hour ago, the good Representative from Freeport was having a press conference in her room about this very issue; and that's part of the problem, Ladies and Gentlemen of the House. We want to talk past each other and we want to talk to the press rather than sitting down at the table and having honest conversations about stuff, and it doesn't help. And so, while I am saddened, Madam Speaker, to vote not to extend today, we will be back here again to do the people's business, and I will be here virtually every day, checking in on what it is that we need to do, what our appropriators need to do, what our Tax Committee people will need to do. All those people will be here ready to work to get the people's business done. Thank you, Madam Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. On March 1st, we started at 10:44 a.m., we finished at 12:05. February 1st, we started at 10:34 a.m., we were done at 11 a.m. February 20th, 10:17 a.m. to 11:15 a.m., 11:57 a.m.; February 22nd, 10:53 a.m. to 11:45 a.m.; January 30th, 10:45 a.m. to 11:27 a.m. The work was here; we were not.

Representative **POULIOT** of Augusta **PRESENTED House Amendment "A" (H-787)**.

The **SPEAKER PRO TEM**: The Clerk will defer. The Chair inquires as to why the Member rises.

Representative **FREDETTE**: Thank you, Madam Speaker. If I may pose a question through the Chair?

The **SPEAKER PRO TEM**: The amendment is not properly before the body. Will the Member please defer? It is properly before the body, but it has not been laid before the House. The Clerk will read the House Amendment "A."

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Jay, Representative Riley and inquires the Point of Order as to why the Member rises.

Representative **RILEY**: I'm not able to bring up this amendment, so I'm not able to read it. Could we either have the Clerk read it or pass it around on paper?

The **SPEAKER PRO TEM**: By now all members should have received House Amendment "A" with a filing number of (H-787), HP 1353. That was also emailed to all members, so everyone should now have that in possession.

Subsequently, **House Amendment "A" (H-787)** was **READ** by the Clerk.

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

Representative **POULIOT**: Thank you, Madam Speaker. This is a pretty straightforward amendment, extend for one day. We've been here since like ten this morning, we didn't really even start doing anything until probably about 11, and we dealt with about 19 bills in an hour and a half. I think 24 hours is plenty of time for us to get our business done. Despite what many people are saying, the Republican Caucus is not an obstructionist caucus; we want to get work done. And, I'm not speaking for the caucus, but I'm speaking as a Republican member of the Legislature. I'm interested in taking up these bills that are important that we have to deal with, but we don't need four days to do that. The Legislature can extend up to two times, so this amendment would allow us to extend once, and then we can have another decision whether we want to or not. Many people might not do that. Many people might not even support this. But I think it's important for people to understand that there are individuals in this body that are interested in continuing to do this work, and this amendment would allow us one day to do that. Thank you, Madam Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Freeport, Speaker Gideon.

Speaker **GIDEON**: Thank you, Madam Speaker, Women and Men of the House. I rise first of all to thank the Representative from Augusta, Representative Pouliot, for his words and also the offer of this amendment. I think it is offered in good faith and meant to convey the willingness of members to continue work, and I take it as such.

I do, however, rise to also say that I will not be voting for this amendment, and I'd like to explain why. There's a very specific reason. We are in a situation right now where we are - - so, just as a reminder for everyone, the way this works, today we are actually exercising our veto day. According to statute, this day is available to us at the end of the first session and at the end of the second session. But that is only one day that is allowed. When we chose -- when we have used that day up, when we choose to extend session, we have to build in a new veto day. A new veto day doesn't automatically exist because we are actually using up that day right now, as we speak. So, I would like to indicate my willingness to consider an even shorter extension on the legislative session than the one originally offered today, the four-day, but I want to explain why one day won't work; because if we were to come in for one day, if we were to pass legislation, send it to the Governor's desk, there would be no ability to consider either line item vetoes or vetoes that would be returned to us. So, in essence, without a guarantee that there would be additional days, we would be sending some legislation, potentially, to a certain death, without the chance to reconsider it as a body, as a separate but equal branch of government.

So, I regretfully inform the body that I will be voting against the Representative's amendment. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker. I am new to this place in the last two years, and I am frustrated and I'm appalled at the lack of stuff that we do. It cost me 350 bucks a day to come to this place. I come to vote. I come to vote for direct care workers, education funding, and anything else that comes my way. My frustration is that I've been here for weeks and I go home early. That's not right. We should

vote now, today, right now. Let's do it today, let's get it all done now. And I'm ready to go on record and say I'll stay all night and love it. Thank you.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **ADOPT** House Amendment "A" (H-787).

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

Representative **GOLDEN**: Thank you, Madam Speaker. I just wanted to take one quick moment to clarify that, because of previous Attorney Generals' opinions, we are not in a position where we could choose, at this moment, to take up work and move forward with it at this time. We are only in the position to do a couple of things here, to handle vetoes, which we have done, and to consider these orders for extensions which we are voting on at this moment. So, I just wanted to make clear that if people want to continue to do work then we need to vote to extend session, and as our Speaker of the House told us earlier, one day is not going to work because we would not be leaving this chamber with enough time to consider any vetoes from the Chief Executive. Thank you very much, Madam Speaker.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I think this is a good idea. We can get a lot of work done in one day. We can call it "Tax Conformity Day."

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

Representative **MALABY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I seek permission to pose a question through the Chair to the Representative from Freeport, Speaker Gideon.

The **SPEAKER PRO TEM**: The Member has requested to pose a question through the Chair. The Representative may proceed.

Representative **MALABY**: Madam Speaker, in outlining the four-day extension which you seek, you indicated you would have all the bills voted. Would they be voted individually on their merit, or would they be voted collectively?

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Freeport, Speaker Gideon.

Speaker **GIDEON**: I would like to start by thanking the Representative from Hancock, Representative Malaby, for his question. I'm going to outline again, and I'll maybe be a little bit more specific, what the extension would look like, since it appears that we're under consideration for that extension, and hopefully members are listening closely and basing a decision on what they think is best individually.

My proposal with the four-day extension is that on day one the Senate and the House return to their respective chambers and they pick up all the items that are left on -- each of us pick up all the items that are left on our respective calendar; and we would work through those calendar items the way we would on any other legislative day. That means some bills will receive a majority vote and pass, some will not, some will die, some could be indefinitely postponed, and any number of other outcomes. Additionally, I propose that on that very first legislative day, as a gesture of good faith to the people to whom we made a promise, the people who represent the direct care workers in two specific fields, the home care workers who take care of our elders, our seniors, and the workers who take care of those with intellectual disabilities, whose reimbursement we funded only for one year in the biennial budget last year, a very unusual move, I propose that we have

the Appropriations Committee immediately convene, vote those bills out, I would hope and think it's very likely that that would be a unanimous vote, and get them to the Chief Executive's desk. Additionally, I would propose that, as we have often done our work here, and even as we manage our household budgets at home, that the Appropriations Committee would be authorized by all the four leaders of all the four caucuses to exercise their intellect, their institutional knowledge, their negotiating ability, in public, on mic, that they would consider... and I have lost track of exactly the exact number of bills on the Appropriations Table, but close to 200 bills, I believe, on the Appropriations Table, and they would work through a process where they consider how much money the State of Maine has in revenue surplus, and they would consider what bills are on the table, and they would put those bills together in a responsible investment and package for the rest of us to consider.

Further, I would propose that the Tax Committee meet in person around the horseshoe, on mic. I think they've gotten some significant work done. I can imagine that there is a way that we come to full agreement on tax conformity, and they send that to us for consideration as well. And as that happens, on day two, we would also be considering all of the other bills that are coming out of AFA, bonds, and additional table bills. So, I hope that answers the question. Again, I just want to outline, day three would be necessary to consider line item vetoes, which needs its own day, and day four would be to consider a final veto. That was what I had originally outlined in a four day. I understand the one day is in front of us still, but I thought it was important to outline that fully, to answer the Representative's question, and I would just like to indicate that I think that there's possibility here for us to move even further if there is willingness. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockport, Representative Casás.

Representative **CASÁS**: Thank you, Madam Speaker. Can I pose a question to the Chair?

The SPEAKER PRO TEM: The Member requests to pose a question to the Chair. The Member may proceed.

Representative **CASÁS**: Thank you. Are we voting on the one-day extension or the four-day extension first or second? I'm just trying to catch up where I'm at currently.

The SPEAKER PRO TEM: The Chair would answer on the amendment, which is a one-day extension.

The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. I just want to offer the perspective of a lowly rank-and-file member. This institution revolves around a lot of words. Generally, different than business, words are reduced to writing so you can actually see what's being proposed. And, as we meet as caucus members, we listen to words amongst ourselves, we listen to words from our leaders, we even listen to the words that come from the walls of the halls. So, I find it very helpful to hear the words of the good Representative from Freeport today about the preface to her proposal: basically, words like "no assurance;" "talking past each other;" "sit around a table together;" "I pledge." But, unfortunately, words not reduced to writing tend to be responded to based on history, and in reflecting the history leading up to the statutory date of adjournment, we were seeing a lot of bills being tabled, and then those same bills being brought back up and indefinitely postponing the bill and all accompanying papers. Most of us who have been around a while understand it's all about votes. If you can count

your votes, you work the procedure to make what happened -- make happen what you want to happen. So, reflecting on the end of session, we would be talking to members of the important Committees, Appropriations, Taxation, are you meeting, are you meeting, are you meeting? We've heard testimony from one side of the aisle that we were working hard, working hard, working hard, and we have another member of the same Committee saying we haven't been doing anything for four weeks. So, words are good, but all we can do is respond to history. The good Representative from Freeport talked about the four-day extension, and it pledges that all four leaders would get together and session days will look like this, one, two, three, four: a list of items on the calendar that we can look at, pledge that Appropriations will work, pledge that Tax will work, work and vote out LD 967 and 643. What assurances do we have that that's going to happen?

Madam Speaker, may I ask a question, or two questions through the Chair, of the Good Representative from Freeport?

The SPEAKER PRO TEM: The Member has requested to pose a question through the Chair. The Representative may proceed.

Representative **CAMPBELL**: Thank you, Madam Speaker. The first question: why didn't all this happen leading up to statutory date of adjournment? The second question: what concrete assurances can you provide that this proposal will, in fact, happen? Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Freeport, Speaker Gideon.

Speaker **GIDEON**: Thank you, Madam Speaker. Thank you to the Representative from Orrington, Representative Campbell, for your remarks and for your direct questions.

I think, to answer the first question, as often happens in this institution, we could point to a whole number of factors or we could finger-point about how we got to a certain place, what authorization members are given from their leaders to conduct business, to negotiate, and why we end up in the place that we are. I wish that it weren't so. I wish that I could go back to a time which pre-dated my time in this Legislature -- rather, pre-dated my time in leadership, because in the 126th Legislature, the process of the Appropriations Committee, being authorized and empowered to do their work with their expertise was still fully in place, and that process has disappeared. And I wish that it weren't so, because I think that those folks are our best and our brightest, and I think that they are the people who can get the job done, rather than four leaders negotiating in a room with closed doors. That's what I would like to see happen, and, Representative, I can't offer you a better explanation than that, but I can tell you that, instead of trying to give you excuses, that I stand here in this seat, before this body, when I give you my word, I put my integrity on the line as a human being, as a Representative, as the Speaker of this House. I broadcast to potentially every person in the State of Maine or in this country or in this world who would like to go back and see what Sara Gideon said and what promises she made. If I could promise you what exact days those legislative days would be, I would give you those promises today, but that would be a promise that I can't deliver. What I promise is that my members of Appropriations and my members of Taxation will be on call, ready to work every single day. What I can promise you is that I will sit down personally in those rooms, in the audience, in rooms with leaders, in rooms with any one of you, to negotiate in good faith and with an open mind. What I can promise you, Representative, and Madam Speaker, is that we know clearly what work is left in front of us; and I disagree with the Representative from Newport, Representative Fredette, my

colleague, when he said that this isn't a crisis. I think it is a crisis. I think it's a crisis of this institution, of this branch of government, of our faith in ourselves, of people's faith in us, and I know -- I know that we all know this, because of the work that we do both here in this building and with all the people that we talk to and love or know outside of this building, who have very real needs, who depend on the decisions we make to reach them. I can't say any more clearly but I'm going to try to make sure I say it clearly. For any fault that has been mine in getting us to this place, I take responsibility. And for any actions that we can have going forward, I take responsibility, and I ask all of you with a clear heart -- clear eyes and an open heart, please give us that chance by voting to extend today and continuing our work. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Madam Speaker. I have heard a lot said here today, and first of all, I want to compliment the Representative from Augusta in trying to come up with another path. It seems like there are a lot of paths. I realize there may be some problems with that path, but in listening to this debate, it seems like there might be a solution; that if we just took a few minutes break and come up with another amendment that incorporated everybody's intentions that have been said here, we might have a solution. I'm not going to make the motion to table, but I certainly think that that might be in our best interests. Thank you, Madam Speaker.

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

Representative **HICKMAN**: Thank you, Madam Speaker. I request permission to pose a question through the Chair to anyone who cares to answer it.

The SPEAKER PRO TEM: The Member has requested to pose a question through the Chair. The Representative may proceed.

Representative **HICKMAN**: Thank you, Madam Speaker. So, based on what I'm hearing in this discussion, which I appreciate, it's civil and it's necessary, it sounds to me as though in order for us to finish our work expeditiously, we need at least three legislative days to vote bills to the Governor's desk, to the Chief Executive's desk, have one day for line item vetoes should they come, and another day for regular vetoes. Is that a correct assessment of the number of days that we at least need to finish all of work and give the Legislature an opportunity to have the last word, which the Constitution requires?

The SPEAKER PRO TEM: The Member has posed a question through the Chair for anyone who wishes to answer. The Chair recognizes the Representative from Freeport, Speaker Gideon.

Speaker **GIDEON**: Madam Speaker, thank you. Thank you to the Representative from Winthrop, Representative Hickman, for his question.

I would answer in the affirmative. The Representative's question was would three days allow us the ability to complete the work. So, let me be specific. There is a way that that could be done. On day one -- we would not schedule day one until we were ready to work everything, and we would probably need to plan to come in for a 24-hour day; for example, 12:01 a.m. until 11:59 p.m. That could be our day one instead, and we would do, then, all -- all of the work instead of trying to split it up into two legislative days instead. That would still afford us time to entertain what could possibly come from the Governor, line item vetoes and vetoes, because those have to be dealt with on separate occasions. I hope that answers the question.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-787) . All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 663**

YEA - Ackley, Black, Bradstreet, Casas, Collings, Corey, Fecteau, Foley, Gillway, Grohman, Harrington, Herbig, Hickman, Higgins, Hilliard, Kinney M, Lyford, Mason, Ordway, Parry, Picchiotti, Pierce J, Pouliot, Sanderson, Simmons, Stearns, Strom, Tuell, Turner, Vachon, White, Wood.

NAY - Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Campbell, Cardone, Cebra, Chace, Cooper, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fredette, Frey, Fuller, Gattine, Gerrish, Ginzler, Golden, Grant, Grignon, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harvell, Hawke, Head, Herrick, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiaga, Lawrence, Lockman, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Perkins, Perry, Pickett, Pierce T, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sirocki, Skolfield, Spear, Stanley, Stetkis, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Wadsworth, Wallace, Ward, Winsor, Zeigler, Madam Speaker.

ABSENT - Battle, Chapman, Sherman, Warren.

Yes, 32; No, 115; Absent, 4; Excused, 0.

32 having voted in the affirmative and 115 voted in the negative, with 4 being absent, and accordingly **House Amendment "A" (H-787) was NOT ADOPTED.**

The SPEAKER PRO TEM: Announcement from the Chair. I think that we have had good conversation in this chamber. I think it has been appropriate, I think that it's been cordially, I think it's been respectful and very professional. I think that right now we will put the House at ease for five minutes, until the sound of the bell, and I ask that you all walk out into the hall, stretch your legs, and think about the responsibility that you made to the people in your district, and if we can have conversations amongst ourselves to consider what we have before us.

Representative **DUCHESNE** of Hudson **PRESENTED House Amendment "B" (H-788)**, which was **READ** by the Clerk.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hudson, Representative Duchesne.

Representative **DUCHESNE**: Thank you, Madam Speaker. I was able to do a lot of thinking during our five-minute break, and I offer this amendment for three days' extension. Men and Women of the House, we can't even do gridlock right. I guide clients from all over the country, and when they find out that I'm in politics, they often ask me, is Maine as bad as our state, or Congress? And I say no, actually, we're not; we're an underpaid, part-time, term unlimited Legislature, both sides get along fine and we're all friends. Our districts are small enough that we run into our constituents in the supermarket, and if we've done something stupid, I have to explain it next to the dairy case. So, we don't have much experience at gridlock. I offer this amendment because if we are going to squabble, let's not make the taxpayers pay for it. I'm willing to stay here and work for free until we get the job done. If we can avoid having to deal with a backlog of critical issues during a special

session, let's do it. If we can squeeze it into three days, let's do it. Now, before you vote for this, I hope you know what you're in for. We'll need a day for pocket vetoes, we'll need a day for regular vetoes, so that first day is going to be abysmally long. If it works the way it normally does, we'll have brief periods of intense activity and then sit around and wait for paper to be passed back and forth between the bodies, possible floor amendments, caucuses on anything that pops up; it's going to be a long, excruciating day. Trying to cram all the remaining work into one day is going to be exhausting, and that's often when we do our worst work, but I'm game if you are. Thank you, Madam Speaker.

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

Representative FREDETTE: Thank you, Madam Speaker, Ladies and Gentlemen of the House. And I thank the good Representative, Representative Duchesne, for his amendment. And, you know, I just want to go back to -- there are a couple key points here which are, you know, shame on us for not finishing the work when we should've finished it. We had ample time, we had ample opportunity to do it when we could've and should've done it. Now, I don't necessarily think that -- the question, then, is, is what's the path forward? Is it three days, four days, five days, is it a week, is it five minutes, which is really an hour and a half? I'm not quite sure. But what I am sure of, and what people in the media and what the people in the State of Maine need to understand is, is that we are going to get the work done, and while we quibble in here about whether or not we do it as a special session or an extension, to some degree is inside baseball; yes, there's the issues of pay. But, by and large, the larger question here is just to do our job, and our folks on this side of the aisle feel that we have been here dutifully to do that, and I think there's concern, whether it's one day, two days, three days, or five days, in regards to that. I'm going to take the position, when this amendment is voted on, that I'm not going to support this amendment, nor am I going to support the four-day extension. What I am going to do is ask people to understand and acknowledge that we are committed, on this side of the aisle, to finishing the work, whether it is budget work, conformity, bonds, transportation; we're going to do all that. It's all going to get done. I will be here tomorrow if people want to meet, start that work. But, I think -- my perspective is, is that I'm not going to be supportive of extension at this time, but certainly supportive of the responsibility that we have to come in in a special session and finish the work.

The same Representative REQUESTED a roll call on the motion to ADOPT House Amendment "B" (H-788).

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "B" (H-788). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 664**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T,

Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

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

ABSENT - Battle, Sherman.

Yes, 81; No, 68; Absent, 2; Excused, 0.

81 having voted in the affirmative and 68 voted in the negative, with 2 being absent, and accordingly **House Amendment "B" (H-788) was ADOPTED.**

The SPEAKER PRO TEM: The Chair will inform the body that the board is reflecting the original title of the Joint Order, not the amendment. The title cannot be changed. The Order has been amended.

Representative FREDETTE of Newport REQUESTED a roll call on PASSAGE of the Joint Order as Amended by House Amendment "B" (H-788).

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Passage of the Joint Order as Amended by House Amendment "B" (H-788). All those in favor will vote yes, those opposed will vote no.

Pursuant to 3 M.R.S.A., Section 2, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE.**

**ROLL CALL NO. 665**

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

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

ABSENT - Battle, Chapman, Sherman.

Yes, 82; No, 66; Absent, 3; Excused, 0.



82 having voted in the affirmative and 66 voted in the negative, with 3 being absent, and accordingly the Joint Order as Amended by House Amendment "B" (H-788) **FAILED PASSAGE.**

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The Speaker appointed Representative ESPLING of New Gloucester on the part of the House to inform the Senate that the House was ready to adjourn without day.

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The Speaker appointed the following members on the part of the House to wait upon his Excellency, Governor PAUL R. LEPAGE, and inform him that the House was ready to adjourn without day:

- Representative PIERCE of Falmouth
- Representative ACKLEY of Monmouth
- Representative BICKFORD of Auburn
- Representative BLUME of York
- Representative COREY of Windham
- Representative FREY of Bangor
- Representative HAMANN of South Portland
- Representative HANLEY of Pittston
- Representative HARVELL of Farmington
- Representative HICKMAN of Winthrop
- Representative JORGENSEN of Portland
- Representative MAREAN of Hollis
- Representative MONAGHAN of Cape Elizabeth

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Subsequently, the Committee reported that they had delivered the message with which they were charged.

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At this point, a message came from the Senate borne by Senators MASON of Androscoggin and JACKSON of Aroostook of that Body, informing the House that the Senate was ready to adjourn without day.

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Subsequently, Representative ESPLING reported that she had delivered the message with which she was charged.

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On motion of Representative FREDETTE of Newport, the House adjourned without day at 6:36 p.m., in honor and lasting tribute to Dennis Curley, of Caribou and Corporal Eugene Cole, who ended his watch on April 25, 2018.