

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
SECOND SPECIAL SESSION
6th Legislative Day
Monday, July 9, 2018

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

Prayer by Honorable Martin J. Grohman, Biddeford.

National Anthem by Honorable Seth A. Berry, Bowdoinham.

Pledge of Allegiance.

The Journal of Tuesday, June 26, 2018 was read and approved.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Beth Ashcroft, of Litchfield, who is retiring after many years of service to the Legislature as Director of the Office of Program Evaluation and Government Accountability. The Office of Program Evaluation and Government Accountability became operational in 2005 and is part of a unique organizational arrangement within the Legislature that ensures both independence and accountability, supporting legislative oversight by conducting independent reviews of State Government from an unbiased perspective through performance audits, evaluations and studies. As Director from the office's inception, Ms. Ashcroft has overseen projects analyzing numerous aspects of State Government, including public utilities, child care licensing and regulation, tax expenditures, passenger rail service and psychiatric services. We recognize Ms. Ashcroft's dedication to making the Office of Program Evaluation and Government Accountability a credible source of objective information that contributes to good government and benefits Maine's citizens, extend to her our appreciation for her service to the State and offer her our congratulations on her retirement;

(HLS 1463)

Presented by Representative MASTRACCIO of Sanford. Cosponsored by Senator KATZ of Kennebec, Representative ACKLEY of Monmouth, Senator MASON of Androscoggin.

On **OBJECTION** of Representative MASTRACCIO of Sanford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: As a reminder to visitors in the Gallery and Members, if people can please keep their conversations; take conversations outside. Otherwise, it becomes difficult for us to hear in the chamber.

The Chair recognizes the Representative from Sanford, Representative Mastraccio.

Representative **MASTRACCIO**: Madam Speaker, Women and Men of the House, I rise today to thank Beth Ashcroft, director of OPEGA, for her years of service, and wish her well in her retirement.

Beth's first day of employment was January 18, 2005. She is OPEGA's first director and she literally built the agency from

nothing. When Beth arrived on her first day, she did not have an office or a staff. She started out at a work station in the executive director's office. Once office space was found, Beth hired staff and developed OPEGA into the successful organization it is today. OPEGA has made, and is continuing to make, a real difference in how effectively and efficiently Maine's government works. Indeed, it is a national model, and under Beth's leadership, OPEGA has received six Impact Awards from the National Conference of State Legislatures National Legislative Program Evaluation Society for OPEGA's reports on economic development programs in Maine, emergency communication in Kennebec County, Healthy Maine Partnership's fiscal year '13 contracts and funding, Maine Turnpike Authority, Child Development Services and Pine Tree Development Zones. Beth has always been committed to increasing OPEGA's value to the Legislature and the people of Maine while staying true to the purpose for which OPEGA was created. She will truly be missed. Please join me in wishing both her and her husband, Steve, the very best during her well-earned retirement. Thank you, Madam Speaker.

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

In Memory of:

Evelyne Myrtle Alley, of Beals. Mrs. Alley was known for her strength and determination through the best and worst of times, her great love for her family and her impressive cooking ability. She will be long remembered and sadly missed by her extensive family, her many friends and all those whose lives she touched;

(HLS 1462)

Presented by Representative GOLDEN of Lewiston. Cosponsored by Speaker GIDEON of Freeport, Representative HERBIG of Belfast, Representative ALLEY of Beals, Representative TUELL of East Machias, Representative PERRY of Calais, Senator MAKER of Washington.

On **OBJECTION** of Representative PERRY of Calais, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I am honored to rise today to remember Evelyn Alley, the mother of my friend and our colleague, the Representative from Beals.

The strongest testament to her is how much she is loved by Representative Alley, his brothers, their families, and all her many loved ones and members of her community. She had her share of challenges in life and she met them with faith, strength, and grace. I think she will be remembered for lifting up those around her through the tough times as well as the good times. She was a loving and tough mother and grandmother, great-grandmother, great-great-grandmother, wife, aunt, and friend; and, I understand, a very good cook. I know I speak for all of us here in this body, Madam Speaker, when I share our most heartfelt condolences with the Representative from Beals and his family.

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

Representative **TUELL**: Thank you, Madam Speaker. I rise today to extend my condolences to my old herring choker buddy Beals, as I call the Representative from Beals.

Over the past four years we've gotten to become pretty good friends. We've ridden to and from home together and had a lot of great conversations. And, I didn't have the privilege of meeting Robert's mother, but I can tell you what: he's one stand-up fellow and it's no great surprise that he's here, because of what she was and how she lived her life. He's a great family man. That's something that passes down from generation to generation. And it's a somber occasion, it sort of puts into perspective what all this stuff we have to do here today; but if we do nothing else but pray for Robert and his family, I would simply just ask that. Thank you, Madam Speaker.

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

Representative **GOLDEN**: Thank you, Madam Speaker. I just wanted to take a moment to rise today as well to offer my sympathy to my friend and colleague, Representative Robert Alley, and his family, on the recent passing of his mother, Evelyn.

I never had the pleasure of meeting Evelyn but from all I've heard, she was a very remarkable woman. Widowed when her youngest child was still in school, she showed great strength and love of her family to continue to raise him and hold together a family of four boys; and Bob said to me just a few minutes before we started, "Jared, I think you're a tough guy, and so was my mother, Evelyn." I think that's a funny comment coming from Representative Alley, who's as tough as nails, in my opinion, but I guess that's no surprise given who his mother was and how tough she surely was.

But, not a common practice for me to get up and speak on a sentiment such as this one, but I did just want to say that I'm sure everyone here agrees with me. You come here and you meet a lot of great people but you also make some special friends, and in the case of Representative Bob Alley, I'm sure there are many here on both sides of the aisle who count him among those very special friends that you meet and make here in this building; and so I'm hoping that everyone will take a moment today to show him that love and friendship and offer their condolences and best wishes to him. I know that this has been a very difficult loss, so thank you very much for that.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had the honor of being invited to Beals Island and eating, I believe it was, a macaroni and lobster casserole that Mrs. Alley had prepared, and she is a good cook. And, Mr. Alley, as they say, the fruit does not fall far from the tree, is a good man, and my condolences to his family. Thank you, Madam Speaker.

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

Representative **SKOLFIELD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like to echo all the fine statements that have been made here this morning. In addition to that, I would like to point out to Brother Alley, you are part of a larger family, the family not only of this Legislature but also your Masonic brethren, who feel for you and know that your mom is in a better place, and your Masonic brethren are there for you. Thank you.

The SPEAKER: The Chair recognizes the Representative from Beals, Representative Alley.

Representative **ALLEY**: I'd like to thank all the people that have said something good about my mother. And, she had four sons and they're all veterans. Not easy to talk about this,

but she raised four good boys and she had a big family, she came from a big family of nine; but she stood strong and she stayed strong right to the end, and she said, "I want you to be there," you know, so -- I love my mother, the other three boys did, and we had a funeral yesterday, and we did the funeral, and I appreciate all you people and the people that did come. It's something that I wouldn't miss, but she said that she was ready to go and we was ready for her to go. Thank God for that.

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

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

Representative **GROHMAN**: Madam Speaker, May I have permission to speak on the record?

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, The Representative may proceed on the record.

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I rise to recognize a truly exceptional Mainer; someone who works every day to protect us and make us safer in our beautiful state. I hope all of you will join me in recognizing Detective Lauren Edstrom, this year's Maine State Police Trooper of the Year.

This honor is the highest award given to a member of the Maine State Police. Detective Edstrom resides in Biddeford and she's been on the force for 21 years. She was promoted to Detective in 2012 after patrolling York County's highways for many years. She's someone -- she told me that -- and I know this to be true, she's never worked an eight-hour shift, she's always there extra time, solving cases. She could not be here on the day when we initially had this sentiment on the calendar because duty called her back to work. She's as dedicated as they come, with many, many accomplishments behind her and I'm sure many ahead of her. And Detective Edstrom is also the first woman to be named Trooper of the Year in our state's history. So, thank you for your service, Detective, and your continued excellence. York County and all of Maine are lucky to have you.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, June 26, 2018, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Hall-Dale High School Boys Baseball Team, of Farmingdale

(HLS 1435)

TABLED - June 25, 2018 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - **PASSAGE**.

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

Representative **WARREN**: Thank you, Madam Speaker, Madam Speaker, Women and Men of the House, it gives me such pleasure and pride to congratulate this team. This team has been an amazing team throughout this entire season. I will tell you that in addition to being like a team, they are actually like a family. In fact, their rallying cry is one, two, three, family. They take that seriously, they've had it printed

on their t-shirts. They are coached by an amazing coach who actually earned the Kennebec Journal Coach of the Year, Coach Sinclair. He's also here. These are just a great group of kids and I'm so happy to congratulate them.

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

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

At this point, the Speaker recognized the Representative from the Houlton Band of Maliseet Indians, Representative BEAR, the Representative from Newcastle, Representative DEVIN, the Representative from South Portland, Representative RECKITT, the Representative from Hollis, Representative MAREAN, and the Representative from Athens, Representative GRIGNON, and they were added to the roll call of the Second Special Session of the 128th Legislature.

COMMUNICATIONS

The Following Communication: (H.C. 549)

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

July 2, 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 105, "An Act To Create the Substance Use Disorders Cabinet."

This bill is politically driven, not funded, and asks people who are already overworked to manage additional bureaucracy. The bill would simply create another committee—made up largely of commissioners and high-level government executives—to meet and, among other things, communicate and collaborate on issues that are already being discussed collaboratively and implemented in state government.

While communication and coordination between state entities is important, this bill creates an unwieldy bureaucratic committee and is based on the premise that government is the solution to substance abuse. Growing government, creating additional bureaucracy, and conducting more meetings is rarely the answer, and it is not the answer this time either.

For this reason, I return LD 105 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 Create the Substance Use Disorders Cabinet

(H.P. 73) (L.D. 105)
(C. "A" H-645)

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker. I rise to request an override of this veto.

This bill came unanimously from State and Local Government, unanimous under the hammer in the chambers, and this is really the first time we've talked about this bill.

In May of 2016, the Maine Opiate Collaborative, which was formed by the Chief Executive and organized by Tom Delahanty, the US Attorney, John Morris, the Commissioner of Public Safety, and Attorney General Janet Mills, formed a collaborative, and one of the recommendations from the collaborative was to create a central authority in charge of the efforts. This is a bill that came out of that effort. It went to State and Local Government and was carried over to this year. For me, as the --

The SPEAKER: The Member will defer. The Chair will remind members and also our friends and visitors in the gallery, the House is in session, the House is in order. If you have conversations, please take them outside of this chamber altogether. The member may proceed.

Representative **HYMANSON**: Thank you, Madam Speaker. To work on it as the bill's sponsor. Our own National Convention of State Legislatures did a review of all 50 states and how they handled having a central authority in charge of the efforts for our opiate epidemic. The purposes that came out of this bill were directed to not grow government, to use existing resources, and to give the structure to the doers in charge of the programs and the projects. The bill does this, and it turns out that the federal government agrees. In fact, the Federal Secretary of Department of Health and Human Services on February 24, 2018, gave a talk to the National Governor's Association and stated, "This crisis requires new levels of coordination across levels of government and sectors of our society." In fact, he said that there's a \$1 billion grant that will be given to state-targeted responses, and that he's looking for and the Department is looking to give this money to states that have a coordinated response. This bill represents that coordinated response. So, I wanted to read the summary of this bill, if I can find it. The cabinet consists of the Commissioners of Corrections, Education, Health and Human Services, Labor and Public Safety, the Chief Justice of the Supreme Judicial Court and, at the discretion of the Chief Executive, one member of the public. The initial chair of the cabinet is the Commissioner of Health and Human Services. The cabinet is established to promote interdepartmental collaboration on substance use disorders, policy development, program implementation and service delivery in an integrated fashion.

Please help me to override this veto so we have an organized structure that dovetails with federal government expectation, so we can draw down federal grants that will be available and communicate and coordinate between existing state entities to effectively and efficiently bend the curve of our opiate crisis. 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. 696V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Guerin, Hamann, Handy, Harlow, Harrington,

Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

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

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 87; No, 56; Absent, 8; Excused, 0.

87 having voted in the affirmative and 56 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 550)

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

July 2, 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 170, "An Act To Allow and Recognize a Legal Name Change upon Marriage."

This bill is a solution in search of a problem. For generations, married couples have utilized their marriage license as documentation to make a name change and that can still be done today. Certainly, the process of notifying Social Security, the DMV, banking institutions, insurance companies and all the organizations where the name must be updated is arduous, but it is doable. The Office of Data, Research, and Vital Statistics does not see the need for this change and believes it may just further complicate the process.

A longer, more complicated marriage application form will not create simplicity and will not make life better or easier for Mainers. We should stick with what we have today—it works.

For this reason, I return LD 170 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 and Recognize a Legal Name Change upon Marriage

(H.P. 126) (L.D. 170)

(C. "A" H-274)

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. 697V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Guerin, 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, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, 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, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pierce J, Pouliot, Prescott, Reed, Sampson, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

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

83 having voted in the affirmative and 60 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 551)

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

July 2, 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 837, "An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government."

I previously vetoed Medicaid expansion six times, and I count those six vetoes among the most important acts of my governorship. I believe it was the right thing to do, unless it is sustainably funded into the foreseeable future.

The Medicaid expansions of past administrations were some of the most destructive public policies in modern Maine history, creating hundreds of millions of dollars in hospital debt, crowding out funding for critical budget priorities, regularly creating massive budget shortfalls, hurting the state's credit rating, creating upward pressure on the state's tax burden, and perpetuating a culture of dependency that once solidified Maine's status as a welfare state.

When voters approved the expansion initiative, I disagreed with the wisdom of the decision but have always recognized

that it is the law. However, when the ballot question was presented to voters, it did not include any funding mechanism to pay the \$50 million annual price tag of expansion, which is only expected to rise in future years. The initiative could have included a funding mechanism—as other initiatives have—but it did not. It was thus understood by voters and the Legislature that further implementing appropriations were necessary to cover the projected state costs.

This funding was left to the ordinary appropriations process, of which the Governor is an important part. After failing to even pass a funding bill during the ordinary legislative session, the special session has produced a hasty, ill-conceived proposal drawing upon two unsustainable budget gimmicks: use of one-time money from the State's tobacco settlement, and the diversion of part of the current surplus. This is precisely the type of last-minute spending that caused so much trouble in the past.

It is shameful that we are discussing the provision of Medicaid benefits to able bodied, childless adults while failing to identify adequate, sustainable funding to clear existing waitlists for intellectually disabled Mainers. Nonetheless, Medicaid expansion is the law, and the Legislature needs a sustainable method of funding to cover the hundreds of millions of dollars that will be needed in the coming fiscal year. The people of Maine deserve no less. It can easily be done if the Legislature had the will to do so. Our job should be to protect Maine people, not simply seek re-election votes.

For these reasons, I return LD 837 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government

(H.P. 586) (L.D. 837)
(S. "C" S-502 to C. "A" H-751)

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. 698V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Foley, 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, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, McElwee,

O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 85; No, 58; Absent, 8; Excused, 0.

85 having voted in the affirmative and 58 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED.**

The Following Communication: (H.C. 552)

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

July 2, 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 842, "Resolve, To Support Home Health Services." This bill provides a rate increase specific to just one type of Home Health services—Section 40 in the Maine Care Benefits Manual. Section 40 services are similar to Home Health services available under Section 96 and Section 19, but are intended to be relatively short-term, such as rehabilitation after a hospital stay. Over the past couple of years, DHHS has done significant work related to rates for Home Health services. It is imperative that an agency with a more than \$3.5 billion budget makes rate adjustments in a thoughtful, rational manner. In setting rates, it is vital that proper rates be determined using information from an outside, unbiased expert in actuarial analysis specializing in Medicaid—not anecdotal information heard by legislators.

The rates for Section 40 Home Health services have had a thorough review by such an outside entity over nearly a two-year period. The result of the review conducted was that the rates should receive a reduction, not an increase. While it would have been appropriate, based on the rate study, to propose a decrease to the rates, the department opted to leave the current rates in place. This bill ignores the review of outside experts and the decision of the department to maintain rates in the face of a recommended decrease. Instead, the bill inappropriately provides an increase to providers who should not receive one.

For this reason, I return LD 842 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 Support Home Health Services

(H.P. 591) (L.D. 842)
(C. "B" H-728)

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON:** Thank you, Madam Speaker. I was reading over the Chief Executive's veto letter,

and this bill he talks about there's a rate reduction by the review of rates, which was true, but it really stumped us because the rates hadn't been increased, I think, since 2007, and this is for people who have rehabilitation after a hospital stay and go home and need home services. So it was really unclear how the rate study could show a decrease if there had been no increase since 2007, and so, we really tried to parse through that, and decided that the rate study didn't take into effect many factors that should have been; and based on that and the inability to redo a rate study at that point, we did the best we could as a Committee and came out with a very strong vote out of Committee for the rates that are here. So, I wanted to tell people that and have them understand that dynamic in the face of the wording in the veto letter, and I ask you to override this veto. Thank you.

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. 699V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Farnsworth, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Golden, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Campbell, Chace, Craig, Espling, Farrin, Fredette, Gillway, Ginzler, Guerin, Hanington, Hanley, Harvell, Johansen, Kinney J, Lockman, Lyford, McElwee, O'Connor, Ordway, Parry, Prescott, Reed, Sampson, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Timberlake, Turner, Wadsworth, Wallace, Ward.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 105; No, 38; Absent, 8; Excused, 0.

105 having voted in the affirmative and 38 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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 843, "An Act to Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges."

This bill seeks to change the way in which Moose Permits are distributed so as to issue some permits directly to hunting lodges. The biologists determine the annual number of available moose permits. There are always more applicants for Moose Permits than there are permits available, this is why the Department of Inland Fish and Wildlife runs the annual Moose Permit Lottery.

Although current law does set aside a small percentage of permits for hunting lodges, that set-aside is not triggered until a particular threshold of available permits is met. The hunting-lodge set-aside has never been triggered because the Department's biologists have never authorized that threshold of available permits. These experts strictly regulate the available permits each year based on the conditions of the moose herd. This is as it should be.

LD 843 would decrease the number of moose permits issued to nonresidents from 10 percent of the available moose permits each year to 8 percent and allocate 2 percent to hunting lodges. This bill will reduce the chances for individual hunters to obtain a Moose Permit and allow hunting lodges to profit off a dedicated stream of permits.

Right now, if a hunting lodge wants to market a moose hunt, they encourage moose-permit lottery winners to book the hunt with their lodge. Under LD 843, the lodge would market a package deal tied to the Moose Permit, although the permit still must be purchased from the state. This will be a fundamental shift in the Moose hunt, and put outfitters without Moose Permits at a disadvantage to those with Moose permits.

People who want to hunt Moose enter the lottery. This is a fair and simple process. There is no need to reinvent the wheel. For this reason, I return LD 843 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 Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges

(H.P. 592) (L.D. 843)
(C. "A" H-217)

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. 700V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Cebra, Chace, Chapman, Collings, Cooper, Craig, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Farrin, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C,

The Following Communication: (H.C. 553)

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

July 2, 2018

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

Dear Honorable Members of the 128th Legislature:

Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCreagh, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Bickford, Casas, Corey, Dillingham, Espling, Harlow, Lockman, Malaby, Sirocki, Sutton, Tuell, Turner.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 131; No, 12; Absent, 8; Excused, 0.

131 having voted in the affirmative and 12 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 554)

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

July 2, 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 924, "An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government," and LD 925, "An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government."

Both of these bills provide significant funding to help ensure adequate treatment and services for many of Maine's most vulnerable. I have no desire to enter into a debate about the details in either of these bills. Truthfully, I largely agree with the Legislature's assessment that something needs to be done. Our seniors and our people with disabilities need more direct care workers, home health services and nursing facilities. Rate changes are necessary to attract and keep quality workers to provide care. However, although some of the need for higher reimbursement rates is being driven by the tight labor market—especially in Southern Maine, much of the demand is caused by the mandated statewide increase in the minimum wage.

Maine's labor markets should be able to set wages according to local demand for the skills each worker brings to the table, not the government. The inflexible, statewide, one-size-fits all minimum wage law has taken the flexibility out of the market.

To keep up with the increases set in the minimum wage law, the State will need to increase reimbursements to non-profit healthcare agencies to compensate for rising wages. These two bills attempt to do that, but they do not address the root cause of the problem, as I asked the Legislature to do.

Increasing the reimbursement rates effective July 1 is a short-term compromise that fails to resolve the ongoing pressure to raise wages. Year after year, these non-profits will need more money to keep pace with the raises required by statute, a

dollar next year and another the year after, with permanent, unpredictable, ongoing increases each year thereafter tied to the Consumer Price Index. The wage for January 1 of each year starting in 2021 will not be known until October, forcing the Legislature to come into session and pass retroactive increases to reimbursement rates.

This is no way to budget. It will continue to place these nonprofit healthcare agencies in economic limbo. It will do the same to our businesses.

Not slowing the rise of the minimum wage is having a detrimental effect on our labor shortage. We don't have enough people. Employers need the flexibility to pay market rates to attract workers to Maine and to rural areas. In some cases, because an employer needs a certain specialized skill, that employer may have to pay above-market rates. Having the government dictate what other workers must be paid lessens that employer's flexibility to pay that higher wage.

When employers are forced to provide mandated increases in the minimum wage, this also removes their flexibility to provide other benefits and additional types of compensation. Vacation pay, sick pay and benefits such as health or disability insurance and annual or merit bonuses are additional—and valuable—forms of compensation that employers may offer in lieu of higher hourly wages. Employees at all levels lose out on these benefits when government mandates wages for entry-level workers.

We are beginning to see the impact to our economy. Our economy has been largely able to absorb the increases to \$10 until now because of already rising wages due to our improving economy and tight labor market. But our economy is starting to overheat and the increases to \$11 and \$12 push our labor market into new territory. In 2020, when Maine's minimum wage is \$12, only the states of California, New York, Massachusetts and Washington will have a higher minimum wage than ours, and only Oregon, Arizona and Colorado will be at \$12. Our economy and industry sectors are completely different than those of these states. Maine's businesses will be at a competitive disadvantage on the cost of labor alone, never mind the other detrimental effects of this government mandate.

Wage compression caused by the state's minimum wage increases are putting real pressure on businesses. Workers who've been in jobs for a couple years longer than new hires want raises on par with recent increases in the minimum wage. They rightly believe their experience and loyalty should be reflected in their wages. If an employer cannot keep pace, it has a negative impact on the morale of a workforce.

In this tight labor market, wage compression is making it harder for employers to keep workers. When employers cannot match those pay increases, they adjust their operations to decrease labor costs. By shifting responsibilities, an employer with 10 employees may now get by with eight, or the employer may decrease the number of hours the shop is open or may close one day a week. As a result, workers lose jobs, hours and pay.

A study that came out just a year ago looked at the labor market in Seattle and found that workers' paychecks were more than \$100 smaller on average because of lost hours as the minimum wage increased. Maine does not have the economy of Seattle, so expect the effects to be worse, especially in our rural areas.

Maine employers have testified to LCRED that they'll cut hours and raise prices if the minimum wage increases. The Legislature ignores this testimony at the peril of our economy.

Maine's overly complicated labor laws also tie the paychecks of salaried overtime-exempt workers to the minimum wage. As of

January 1 of this year, any worker classified as salary exempt must be making at least \$30,000; next January that will climb to \$33,000, and January of 2020 it will climb to \$36,000. This will put further pressure on employers because the federal requirement for a salaried overtime-exempt worker is about \$24,000, as it was in Maine until 2017. Although this likely only affects overtime-exempt workers in the lower salary ranges, this is one more governmental requirement that makes Maine a more difficult place to do business and decreases our competitiveness. This tie to the salary range also affects the health care non-profits these bills are intended to help.

The Speaker is insistent on sending our economy into a recession from the compounding headaches caused by the minimum wage. She is more concerned about votes than protecting the jobs and paychecks of the people of Maine.

For this reason, I return LD 924 and 925 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 Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government (EMERGENCY)

(H.P. 652) (L.D. 924)
(S. "A" S-529 to C. "A" H-790)

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. 701V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, 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, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, 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, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 143; No, 0; Absent, 8; Excused, 0.

143 having voted in the affirmative and 0 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 555)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

July 2, 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 924, "An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government," and LD 925, "An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government."

Both of these bills provide significant funding to help ensure adequate treatment and services for many of Maine's most vulnerable. I have no desire to enter into a debate about the details in either of these bills. Truthfully, I largely agree with the Legislature's assessment that something needs to be done. Our seniors and our people with disabilities need more direct care workers, home health services and nursing facilities. Rate changes are necessary to attract and keep quality workers to provide care. However, although some of the need for higher reimbursement rates is being driven by the tight labor market—especially in Southern Maine, much of the demand is caused by the mandated statewide increase in the minimum wage.

Maine's labor markets should be able to set wages according to local demand for the skills each worker brings to the table, not the government. The inflexible, statewide, one-size-fits all minimum wage law has taken the flexibility out of the market.

To keep up with the increases set in the minimum wage law, the State will need to increase reimbursements to non-profit healthcare agencies to compensate for rising wages. These two bills attempt to do that, but they do not address the root cause of the problem, as I asked the Legislature to do.

Increasing the reimbursement rates effective July 1 is a short-term compromise that fails to resolve the ongoing pressure to raise wages. Year after year, these non-profits will need more money to keep pace with the raises required by statute, a dollar next year and another the year after, with permanent, unpredictable, ongoing increases each year thereafter tied to the Consumer Price Index. The wage for January 1 of each year starting in 2021 will not be known until October, forcing the Legislature to come into session and pass retroactive increases to reimbursement rates.

This is no way to budget. It will continue to place these nonprofit healthcare agencies in economic limbo. It will do the same to our businesses.

Not slowing the rise of the minimum wage is having a detrimental effect on our labor shortage. We don't have enough people. Employers need the flexibility to pay market rates to attract workers to Maine and to rural areas. In some cases, because an employer needs a certain specialized skill, that employer may have to pay above-market rates. Having the

government dictate what other workers must be paid lessens that employer's flexibility to pay that higher wage.

When employers are forced to provide mandated increases in the minimum wage, this also removes their flexibility to provide other benefits and additional types of compensation. Vacation pay, sick pay and benefits such as health or disability insurance and annual or merit bonuses are additional—and valuable—forms of compensation that employers may offer in lieu of higher hourly wages. Employees at all levels lose out on these benefits when government mandates wages for entry-level workers.

We are beginning to see the impact to our economy. Our economy has been largely able to absorb the increases to \$10 until now because of already rising wages due to our improving economy and tight labor market. But our economy is starting to overheat and the increases to \$11 and \$12 push our labor market into new territory. In 2020, when Maine's minimum wage is \$12, only the states of California, New York, Massachusetts and Washington will have a higher minimum wage than ours, and only Oregon, Arizona and Colorado will be at \$12. Our economy and industry sectors are completely different than those of these states. Maine's businesses will be at a competitive disadvantage on the cost of labor alone, never mind the other detrimental effects of this government mandate. Wage compression caused by the state's minimum wage increases are putting real pressure on businesses. Workers who've been in jobs for a couple years longer than new hires want raises on par with recent increases in the minimum wage. They rightly believe their experience and loyalty should be reflected in their wages. If an employer cannot keep pace, it has a negative impact on the morale of a workforce.

In this tight labor market, wage compression is making it harder for employers to keep workers. When employers cannot match those pay increases, they adjust their operations to decrease labor costs. By shifting responsibilities, an employer with 10 employees may now get by with eight, or the employer may decrease the number of hours the shop is open or may close one day a week. As a result, workers lose jobs, hours and pay.

A study that came out just a year ago looked at the labor market in Seattle and found that workers' paychecks were more than \$100 smaller on average because of lost hours as the minimum wage increased. Maine does not have the economy of Seattle, so expect the effects to be worse, especially in our rural areas.

Maine employers have testified to LCRED that they'll cut hours and raise prices if the minimum wage increases. The Legislature ignores this testimony at the peril of our economy. Maine's overly complicated labor laws also tie the paychecks of salaried overtime-exempt workers to the minimum wage. As of January 1 of this year, any worker classified as salary exempt must be making at least \$30,000; next January that will climb to \$33,000, and January of 2020 it will climb to \$36,000. This will put further pressure on employers because the federal requirement for a salaried overtime-exempt worker is about \$24,000, as it was in Maine until 2017. Although this likely only affects overtime-exempt workers in the lower salary ranges, this is one more governmental requirement that makes Maine a more difficult place to do business and decreases our competitiveness. This tie to the salary range also affects the health care non-profits these bills are intended to help.

The Speaker is insistent on sending our economy into a recession from the compounding headaches caused by the minimum wage. She is more concerned about votes than protecting the jobs and paychecks of the people of Maine.

For this reason, I return LD 924 and 925 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 Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government (EMERGENCY)

(H.P. 653) (L.D. 925)
(C. "A" H-791)

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. 702V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, 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, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, 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 - Lockman, Sirocki, Sutton, Turner.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Sanderson, Simmons, Winsor.

Yes, 139; No, 4; Absent, 8; Excused, 0.

139 having voted in the affirmative and 4 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 556)

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

July 2, 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 1095, "An Act To Establish the Maine Coastal Risks and Hazards Commission."

This bill creates an unnecessary commission to study coastal hazards. New Hampshire had a similar group that consumed significant resources over a two-year timeframe to develop a report and recommendations for their 16 miles of coastline. Maine has over 3,400 miles of coastline. Additionally, with no sunset provision in this bill, there is no incentive for the commission to produce meaningful results in a timely manner. Coastal communities concerned with these issues are already addressing topics like storm surge and adaptation strategies. Federal and state agencies such as the Shoreland Zoning program within the Department of Environmental Protection; the coastal program within the Department of Marine Resources; the Maine Geological Services within the Department of Agriculture, Conservation and Forestry; the Maine Prepares program within the Maine Emergency Management Agency; National Oceanic and Atmospheric Administration; and the National Nonstructural Committee within the Army Corps are all working with Maine communities to develop adaptation and mitigation strategies.

It does not make sense to create a legislative mandate for work already being done, particularly if part of that work will result in additional statewide legislation for municipalities to have to comply with that may be contrary to the individual, specific needs of a particular municipality.

Since much of this work is already being addressed, I am returning LD 1095 to you 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 Establish the Maine Coastal Risks and Hazards Commission

(H.P. 769) (L.D. 1095)
(C. "A" H-625)

The SPEAKER: The Chair recognizes the Representative from York, Representative Blume.

Representative **BLUME**: Thank you, Madam Speaker. Madam Speaker, I ask that you override this veto. Here in Maine, we've commissioned a lot of studies on many levels concerning the threats to our coastline. We've also had a few towns and regions actually implement strategies for hazard resilience. The problem is that these studies and implementation strategies have not been consolidated or evaluated for use by our coastal communities. The questions and challenges that threats such as storm surge and sea level rise raise are complex, and are getting harder to ignore in light of the evidence of more frequent and intense storms. The state surely has an interest in helping all of our towns implement strategies to protect, adapt, and sustain our precious assets. This bill creates a broad-based working group with representatives from municipalities, state agencies, regional authorities, legislators, experts and other coastal stakeholders, such as representatives from Tourism and Fisheries. They will take all the studies of the most current --

The SPEAKER: The Representative will defer. I think it's the third time today that I've asked people to please take their conversations outside. Everyone in this chamber expects that when they stand and speak, they are able to communicate clearly with their colleagues in this chamber. I ask all of you to please be respectful in that way. The next time I'll ask Sergeant at Arms to individually come to people in the chamber. The member may proceed.

Representative **BLUME**: Thank you. They will take all the studies and the most current science to assess our vulnerabilities, evaluate our existing policies, implement adaptive strategies and recommend state legislation that leads to positive actions to reduce vulnerability, and adapt a future, and current coastal hazards. We have 141 towns along the coast and an enormous stake in the success of our coastal economy; the 45,000 jobs it creates, the taxes it produces, and the lives of the people who live there. We cannot afford an ad hoc approach. We need this working group to help protect what we have. Madam Speaker, I urge you to overturn this veto.

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. 703V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, 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, Vachon, Warren, Zeigler, Madam Speaker.

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

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 85; No, 59; Absent, 7; Excused, 0.

85 having voted in the affirmative and 59 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 557)

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

July 2, 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 1133, "An Act Regarding Access to Appropriate

Residential Services for Individuals Being Discharged from Psychiatric Hospitalization."

This bill authorizes a residential service provider to apply to the Department of Health and Human Services for temporary services in order to meet the needs of patients that are ready for discharge from psychiatric hospitalization, but need reasonable accommodations or a higher level of care. The bill also states that if those services are reimbursable by the MaineCare program, the provider must seek MaineCare reimbursement first and directs the Department to provide technical assistance.

This bill is completely unnecessary for three reasons. First, existing MaineCare policy provides for a rate increase for instances in which reasonable accommodation or a higher level of care is necessary. It is unclear whether the intent of the bill is to supplement the existing increase.

Second, it is also existing policy that if a service is eligible for reimbursement under MaineCare, then MaineCare shall be billed instead of paying for that service with General Funds. This already accomplishes the MaineCare reimbursement component of the bill.

Third, the Department already provides technical assistance to providers regarding MaineCare billing and other issues with which the provider may need support.

Another state law simply reiterating current policy and practice is duplicative and superfluous. For these reasons, I return LD 1133 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 Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization

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

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise to ask you to override the Chief Executive's veto.

If you have spoken with people who work in hospitals in your district, you know that we have people stuck in emergency rooms, and you may also know that we have people stuck in psychiatric hospitalization because there is no accommodation for them to go to residential placement. This is specifically for those who are clinically ready for discharge, who need a reasonable accommodation to be cared for in a residential setting that is under a DHHS contract. I worked with DHHS, the residential providers, and members of the community of disabled adults. What we came up with is an amendment to the original bill which was unanimously approved in the HHS Committee, went before Appropriations, and because it's most likely to save money, was taken off the Appropriations table. What this bill does is allow a provider to ask DHHS for temporary assistance to meet the reasonable accommodations for someone clinically ready for discharge from a psychiatric hospital. This is temporary. This is not already covered by Medicare funding. This would be additional. And, again, DHHS supported this proposal because it saves money and it saves people from suffering when they're ready for discharge, and it releases beds for people who are waiting. So I respectfully disagree with the Chief Executive's veto letter and

ask you to agree and to support an override of the veto. 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. 704V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, 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, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Sheats, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Seavey, Turner.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 142; No, 2; Absent, 7; Excused, 0.

142 having voted in the affirmative and 2 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 558)

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

July 2, 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 1190, "An Act Regarding Driver's License Suspensions for Non-driving-related Violations."

Actions have consequences. Failing to pay a fine for a non-moving violation is just as serious as failing to pay fines for speeding. The suspension of a driver's license is a long-standing and well-known consequence for this behavior and serves as a strong motivator to pay fines when they are due. LD 1190 would substantially undercut that motivation, leaving violators with no sense of urgency to pay these fines when due.

For this reason, I return LD 1190 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 Regarding Driver's License Suspensions for Nondriving-related Violations

(H.P. 827) (L.D. 1190)
(H. "A" H-550 to C. "A" H-532)

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. 705V

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

NAY - Cebra, Dillingham, Head, Herrick, Johansen, Kinney J, Lyford, Parry, Perkins, Reed, Sanderson, Sirocki, Tuell, Turner, White.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 129; No, 15; Absent, 7; Excused, 0.

129 having voted in the affirmative and 15 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 559)

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

July 2, 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 1345, "An Act to Amend the Laws Governing

Employer Recovery of Overcompensation Paid to an Employee."

Current law allows for an employer to collect, through various means, an overpayment that an employee has knowingly accepted. LD 1345 attempts to make an employer's recovery of overcompensation paid to an employee a longer process with more limitations. The existing statute states, "An employer who has overcompensated an employee through employer error may not withhold more than 10% of the net amount of any subsequent pay without the employee's written permission, except that, if the employee voluntarily terminates employment, the employer may deduct the full amount of overcompensation from any wages due."

Furthermore, the ability to reclaim overcompensation does not even apply to all employers under current law: "If an employer with over 25 employees violates this section, that employer forfeits any claim to the overcompensation."

Here is yet another attempt not only to fix what is not broken but also make it more complicated for our small employers to do business in Maine. Employers with fewer than 25 employees often wear many hats. Our goal should be to ensure the employee is paid what is due and employers compete on a level regulatory playing field instead of increasing penalties and the complexity of regulations on small businesses when they recognize that they made a mistake and attempt to recoup money paid in error.

For these reasons, I return LD 1345 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 Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee

(H.P. 935) (L.D. 1345)
(C. "A" H-610)

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. 706V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, O'Neil, Parker, Perry, Picchiotti, 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, Casas, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pierce J, Pouliot, Prescott,

Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Kinney M, McLean, Nadeau, Pickett, Simmons, Winsor.

Yes, 75; No, 68; Absent, 8; Excused, 0.

75 having voted in the affirmative and 68 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 560)

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

July 2, 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 1566, "An Act to Enact the Maine Fair Chance Employment Act."

This bill prohibits state government from requesting criminal history information on initial employment application forms, unless a federal or state law prohibits individuals with certain criminal histories from holding the position and prohibits a public employer from requesting any criminal history information until the prospective employee is interviewed or after they have been otherwise qualified for the position. At the same time, the Act exempts school administrative units, municipalities, counties, and other political subdivisions of the State from this requirement.

LD 1566 requires the Bureau of Human Resources to modify their employment application forms—including online application forms—and requires the State to gather and maintain certain information which is not currently gathered or maintained. There is little chance the State will be able to comply with this legislation without making the necessary changes and updates to the computerized systems. These changes include modification to electronic data processing programs and capabilities, all at a cost to the Maine taxpayer.

In this time of record-low unemployment, an employer should consider hiring outside of the box. This means employers should consider a wider range of candidates and look at restructuring jobs or realigning tasks to accommodate such workers as teens, people with disabilities, and people with a criminal conviction. Employers do not need a law to do this. This is what they should be doing, and many resources exist at the Department of Labor to help them do so.

However, while I support hiring outside the box and actively did so in my past management roles, as Governor I cannot conscientiously support taking the steps towards making individuals with criminal convictions a protected class and adding another layer of complexity to the hiring process.

For these reasons, I return LD 1566 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 Enact the Maine Fair Chance Employment Act

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

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Talbot Ross.

Representative **TALBOT ROSS**: Thank you, Madam Speaker, Men and Women of the House. I rise to ask you to override the Chief Executive's veto.

There seems to be quite a lot of confusion about the jurisdiction of this bill and I want to make sure that everyone in this chamber knows that this bill only applies to state employment. Representing nearly every region of the country, a total of 31 states, the District of Columbia, and over 150 cities and countries have adopted a fair chance policy. Tallying up the population of these states and localities that have adopted a fair chance law or policy, now over 236 million people in the United States, nearly three-fourths of the US population, live in a jurisdiction with some form of a fair chance policy. Fair chance policies benefit everyone, not just people with records, because they're good for families, local communities, and the overall economy.

Madam Speaker, these policies strive to remove any overt bias from job applications and allow employers to judge all applications on the merit of their qualifications first. Background checks and conviction history questions from the application simply delays until later in the hiring process. This creates a fair chance in competing for jobs so that conviction information is used fairly, and it ensures that employers make individualized assessments instead of blanket exclusions, and consider the age of the offense and its relevance to the job. On May 3, 2018, just this year, Republican Governor Jeff Colyer of Kansas signed an executive order banning state agencies from asking job seekers about their criminal history during the initial phase of the hiring process. Surrounded by Republicans and Democratic lawmakers, the Governor said those with criminal convictions deserve an opportunity to explain what happened before they are automatically disqualified for a position. He said offenders who are able to find gainful employment lead better lives and become full members of the community.

I ask that we give full consideration of this bill. Again, it only applies to state employment. It does not prohibit the university system or schools or any other public employer from seeking full employment records. 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. 707V

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

Schneck, Sheats, Sherman, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

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

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 84; No, 60; Absent, 7; Excused, 0.

84 having voted in the affirmative and 60 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 561)

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

July 2, 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 1676, "An Act Expanding the Authority of the Maine Elder Death Analysis Review Team To Investigate Deaths and Serious Injuries of Persons with Intellectual Disabilities or Autism."

DHHS welcomes oversight that will improve our system of care and prevent any possible death or serious injury, but this bill does not achieve that goal. Instead, it invests significant resources into the Office of the Attorney General, in a duplicative manner, and is ultimately not an efficient use of our limited resources.

The bill creates three positions within the Office of the Attorney General: one Attorney General Detective, one Assistant Attorney General, and one Paralegal. In addition, the bill would add the director of the Office of Aging and Disability Services to the membership of MEDART.

At present, MEDART examines deaths and serious injuries associated with suspected abuse or neglect of elderly adults and vulnerable adults. This bill would charge the Office of the Attorney General with preliminary examination of all deaths and serious injuries of persons with intellectual disabilities or autism receiving adult developmental services, and select cases would be referred to the full membership of MEDART for further review.

At present, Maine regulation requires that providers immediately report the deaths of adults with intellectual disabilities or autism to DHHS. When this occurs, the report is referred to Adult Protective Services for review and investigation as necessary. DHHS OADS staff meet with providers on a quarterly basis to review Reportable Events, including deaths. The Mortality Review Committee at the Office of Aging and Disability Services analyzes aggregate data related to the deaths of Individuals Receiving Services to

identify patterns and trends and make recommendations to improve care based on trend analysis.

As described above, current policies and statutes require that deaths be reviewed by both DHHS and MEDART, which is already under the auspices of the Office of the Attorney General. Expanding the Office of the Attorney General to investigate deaths that are already investigated by DHHS and often law enforcement is unnecessary and duplicative.

For this reason, I return LD 1676 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 Expanding the Authority of the Maine Elder Death Analysis Review Team To Investigate Deaths and Serious Injuries of Persons with Intellectual Disabilities or Autism

(H.P. 1164) (L.D. 1676)
(C. "B" H-770)

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Denno.

Representative DENNO: Thank you, Madam Speaker. I'll be very brief. This bill had a bit of a complicated trail and I'm not going to walk the members through this in recognition of the amount of work we have before us. But, approximately one year ago, the US Office of Inspector General came in and found that Maine failed to demonstrate that it has a system to ensure the health, welfare, and safety of people with intellectual disabilities and autism who qualify for Medicaid services. They failed to investigate deaths of over a hundred people, they failed to follow up on over 15,000 serious injuries that were suspicious, and so this bill is really seeking the legislative oversight role of making sure that we look out for these folks that have no one else to look out for them. And, again, I'm not going to walk through all the details of it. I had put forward a fairly modest proposal. We have Receded and Concurred to a more robust proposal from the other side that's; I think that's probably got some merit to it, and the Chief Executive's veto letter indicates exactly what I thought initially, was, why not; if we already have this it's called MEDART group. Why don't they just do this review? The thing is, the MEDART group does a review of approximately four cases per year. The last report they have filed, which was 2008, they reviewed four cases during the year, and that's; I think that's typical. They may have had years where they do fewer or maybe one or two more, but that's the number they're looking at. We're probably looking at, even after triaging to identify the most serious cases, probably reviewing maybe a hundred or a hundred plus cases per year. So they are not; the Office of the Attorney General is not currently structured; the MEDART group is not currently structured to provide the service. So, all we're asking for is to staff the MEDART group, to provide this service, and to live up to our responsibility as a Legislature to provide oversight and to be the voice of these people who have no voice. 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. 708V

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

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

ABSENT - Duchesne, Espling, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 79; No, 64; Absent, 8; Excused, 0.

79 having voted in the affirmative and 64 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 562)

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

July 2, 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 1696, "An Act to Provide Funding for the Maine Bicentennial Commission."

Maine's bicentennial is an important milestone, and one that should be celebrated. It deserves to be properly funded. Unfortunately, when we do not prioritize—and instead try to please everyone—we are left with bills that are an embarrassment.

The Legislature cannot please everyone. This legislation should have demonstrated a commitment to honoring Maine's 200 years of statehood with a proper investment that serves as a jumping-off point for those seeking to raise private funds in support of this milestone. Instead, the Legislature's desire to be all things to all people rendered its commitment to this historic moment meaningless.

For this reason, I return LD 1696 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 Provide Funding for the Maine Bicentennial Commission

(H.P. 1176) (L.D. 1696)

(C. "A" H-586)

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. 709V

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

NAY - Ceбра, Chace, Craig, DeChant, Espling, Foley, Gerrish, Grignon, Hanley, Hawke, Head, Herrick, Johansen, Kinney J, Lockman, Lyford, McElwee, Perkins, Picchiotti, Prescott, Reed, Sampson, Sanderson, Sherman, Sirocki, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wallace, Ward, Wood.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 109; No, 35; Absent, 7; Excused, 0.

109 having voted in the affirmative and 35 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 563)

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

July 2, 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 1704, "An Act To Fund the Downeast Correctional Facility."

The Downeast Correctional Facility is an antiquated and unnecessary facility. The Department of Corrections is able to house and rehabilitate minimum-security prisoners at comparable facilities that cost less to operate. My administration is the third in a row that sought to end this wasteful use of taxpayer dollars—and the first to succeed.

Although a court order obtained by unions for the prison's employees forced the Department of Corrections to operate

the prison with a skeleton crew for several months, all staff was excused from the facility earlier this month after Fiscal Year 2018 funding ran out. The prisoners housed there have been transferred or released according to their sentencing requirements. To reopen the facility now and impose this unnecessary cost—for no logical reason—is a serious dereliction of fiscal responsibility.

The time has come to accomplish a bipartisan goal shared by the last three Governors: to close this inefficient facility and turn the page. The taxpayers of Maine deserve no less.

For these reasons, I return LD 1704 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 Fund the Downeast Correctional Facility

(H.P. 1184) (L.D. 1704)
(C. "A" H-593; S. "A" S-393)

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

Representative **TUELL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in support of overriding the Chief Executive's veto on this bill to fund Downeast Correctional Facility for another year and to plan for the future beyond that. We have spent many hours talking about Downeast this session, both in chamber and in the Criminal Justice and Public Safety Committee.

Given our volume of work today and the fact that people have made up their minds, I'm not going to go back and repeat what I and many others tried to convey time and again. It's a matter of public record and it's there for you to see. What I do want to do is thank the hundreds and thousands of people across Washington County and the State of Maine for being with us throughout this rollercoaster that has become the fight to save Downeast Correctional Facility. Many have written deeply personal notes, shared their anguish, frustration, and confusion since those frigid winter days when we camped in Criminal Justice. It's been a long, hard, emotionally draining fight, especially for the employees and their families, some of whom have lost their homes, have remained out of work or in limbo with their retirement. Through all of that, though, we have a chance to pull back from the brink, reopen Downeast Prison, do the system-wide planning that is needed for our correctional system to flourish and decrease rates of recidivism. This bill does that. It also sets the stage for the wise use of bond funds that have already been promised for the state correctional facility in Washington County as part of the upgrades to the prison in South Windham. Something every one of us has had drummed into our noggins since we got here is that one Legislature can't bind another. That is true; but as one of my favorite writers, Canadian poet Robert W. Service, who regaled readers with tales of the Yukon, once wrote, "A promise made is a debt unpaid."

In a few minutes, we will all vote on the fate of this bill. In a few minutes, some will be thankful to have prevailed, others will be pretty low. Whatever the outcome, the promise stands, and future Chief Executives and legislators will take another look. I pray that when they do, they look at our correctional system top to bottom, go through each facility with a fine-toothed comb, figure out a better way of addressing problems that they come across, and seizing opportunities before them; a way that does not create the turmoil we in Washington County have experienced with DCF. After all, Madam

Speaker, the Chief Executive noted in his own veto message that his predecessors had tried to close Downeast prison. One, now United States Senator Angus King, proposed building a new facility down east. The other, Governor John Baldacci, proposed building a combined jail/prison down east. Whether we have a smooth transition or a bumpy one, we must not forget either maxim I referenced earlier, for it is possible that one Legislature can't bind another while still honoring the truth that a promise made is a debt unpaid. Thank you, Madam Speaker.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As most of you will know, and I will not bore you much longer, I am from Washington County, and I did have the opportunity to go down to Washington County and speak to many of the employees of that facility that is before us today, and I will encourage people to look at the history of this in regards to the last session. It was proposed during last session that funding for the Downeast Correctional Facility be stopped last year, and through some negotiations back and forth, it was decided and, again, if you look at the history and you look at the newspapers, that we agreed to keep it open one more year. And, so, being consistent with those conversations and those negotiations, we are where we are today. And, what I will say is, a couple of things which I think are important. Number one, I think as a past this facility has played an important role in Washington County. I think the jobs that it provides are important to Washington County. I also think it's important to recognize that one of the bills that we just passed, 925, I believe, we provided funding, I think it was about \$5 million, for people that work at that facility that are available or have the opportunity to retire and collect retirement benefits, and so, we've taken to some extent responsibility for those people.

Now, the second aspect of this which I think is important, and won't be an issue that I'm going to have to deal with, but will be that bill that does have funding for a facility to be built in Washington County. Now, I think the reality is by voting to close this facility today, it will open the opportunity for that conversation for those of you folks that will be here in six months, because that is a facility that should be looked at and should be needed. And, so, I think as the Good Representative from Machias indicated, probably recognizes the fate of this bill, but I do believe that in voting against; in voting to sustain the Governor's veto, the Chief Executive's veto, we are in fact taking a step forward.

I just spent the weekend, the Fourth of July, in Eastport. And we must recognize that particularly in some of these rim counties, the economy is not good. A lot of young people have left, businesses have closed, so I think we need to pay particular attention going into this next legislative session of issues specific and special to rural Maine. But it cannot be done at the bequest of having some sort of a strategic plan for the state, and I think part of making this decision today will be opening the door to the larger conversation about the needs for our correctional facilities in the future and for Washington County, and therefore I will be voting to sustain the Chief Executive's veto and I ask that you follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I vote to override this veto for a very specific reason. When we talk about a plan

going forward for another facility, usually we're not looking at destroying jobs to bring some of the same jobs back. It is usually a transition that goes forward. This bill also provides for a study to make that kind of a transition and for the funding that is available to provide an early release facility. I consider this a transition, and with a commission to study, it gives us the ability to do that transition smoothly, without the drama that we've had in this past session.

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. 710V

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

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Lockman, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Timberlake, Turner, Wadsworth, Wallace, White, Wood.

ABSENT - Duchesne, Fay, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 91; No, 53; Absent, 7; Excused, 0.

91 having voted in the affirmative and 53 voted in the negative, with 7 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. 564)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

July 2, 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 1707, "An Act To Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases."

I do not believe it is the government's responsibility to ensure that we provide the safest possible path for a person to participate in dangerous, destructive, and deadly behavior. It is not appropriate for us to force every Maine taxpayer to participate in the purchase of clean needles for people suffering from an addiction, and I am frustrated at the mixed message this bill sends to our children. Are we really willing to tell our kids that they should not do drugs, but if they do, the State will help make sure there is a safe delivery system for the deadly drug? Maine kids need to understand that there is no "safe drug use" anywhere, anytime. They need to understand that drug addiction destroys lives.

We, as the State's leaders and policy makers, cannot send a message of passive consent for these dangerous and destructive activities.

I understand the desire to help people get into treatment. That desire could have been supported if the Legislature had the will to implement a responsible funding mechanism for Medicaid expansion. Addiction is one of the greatest destructive forces facing our families today. Maine's families are Maine's future – they need to succeed and they need to prosper. That is why I have been working with the Department of Health and Human Services to make it a priority to invest in evidence-based treatment options that will produce the best outcomes for individuals dealing with addiction.

Let us continue to engage our families and communities and prioritize quality treatment rather than participating in the purchase of drug paraphernalia and sending the wrong message to our kids.

For this reason, I return LD 1707 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 Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases (H.P. 1187) (L.D. 1707) (C. "A" H-604; H. "A" H-648)

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Vachon.

Representative **VACHON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to ask this body to override the Chief Executive's veto. Not overriding this could be penny wise and pound foolish on so many levels.

For pennies on the dollar, we reduce the amount of dirty needles on our beaches, our parks, and other unsuspecting areas. Maine has a high rate of hepatitis C, four times the national average. It costs \$84,000 to treat just one case of hepatitis C. Currently, MaineCare is spending between \$18 and \$24 million a year to treat hepatitis C. This bill has a fiscal note of \$75,000. For \$75,000, Maine could purchase roughly 750,000 safe clean needles. They say an ounce of prevention is worth a pound of cure. I urge you please to vote to override. Thank you.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I'd like to echo the words of Representative Vachon of Scarborough. This effort is part of something called harm reduction and it's a journey that we all need to go on to escape from this cycle of

substance use disorder, and I think one thing that is very important about these types of programs is it does give you contact with people struggling with this disease, and it's an initial step to stop the cycle. Thank you, Madam Speaker.

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

Representative **MALABY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've served for eight years on Health and Human Services, and every year we get a report about needle exchanges, and I well remember my first one, which was about the only document I read that year because I was so overwhelmed by all the reports that we got. But it indicated, and this was March of 2011, that we, the State of Maine, had distributed 177,000 needles, and I thought that was a lot until I got the report this year in 2018 for the 2017 cycle, and we distributed just under 900,000 needles. And, so, we do have a rising problem and, yes, needles are not expensive and this is not a lot of money. However, it can help, as indicated by the previous speaker, with harm reduction. One course of treatment for hepatitis C is costing the state now about \$80,000, and while I don't endorse intravenous drug usage by any means, these people are addicted, they're going to do it either way; 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 yes, those opposed will vote no.

ROLL CALL NO. 711V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Hamann, Handy, Hanington, Harlow, Harrington, Hawke, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Perry, Picchiotti, Pierce J, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Grignon, Haggan, Hanley, Head, Herrick, Hilliard, Kinney J, Lockman, Mason, Ordway, Parry, Perkins, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Johansen, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 102; No, 40; Absent, 9; Excused, 0.

102 having voted in the affirmative and 40 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 565)

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

July 2, 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 1709, "An Act To Allow the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services." The Maine Developmental Services Oversight and Advisory Board (MDSOAB) was created to review systemic concerns and provide recommendations regarding policies to the Department of Health and Human Services. LD 1709 does not advance this purpose.

LD 1709 would grant the Board members direct access to the personal planning and other records of a person receiving adult developmental services. Currently, MDSOAB membership includes executives of Developmental Services providers. It is a conflict of interest for these individuals to view personal information of Developmental Services members that may relate to individuals served by the MDSOAB representatives' agencies or competitor agencies.

Furthermore, it is inappropriate for provider representatives to review individuals' personal health information and Adult Protective Services records that are highly sensitive and confidential without the member's or the member's guardian's permission. This is especially problematic because the MDSOAB has demonstrated that it lacks the ability to maintain confidentiality of information. The MDSOAB currently does not follow the requirements for appointment of members by the Governor and has publicly held out individuals as members who have not been appropriately vetted and approved. Such individuals have no legal authority to view this confidential material.

Given the MDSOAB's inability to comply with its current mandates, expanding the MDSOAB's access to highly sensitive, personal records is inappropriate.

For this reason, I return LD 1709 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 the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services

(H.P. 1189) (L.D. 1709)
(C. "A" H-702)

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. 712V

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

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 82; No, 61; Absent, 8; Excused, 0.

82 having voted in the affirmative and 61 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 566)

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

July 2, 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 1788, "An Act To Enhance Safety for Victims of Sexual Assault and Stalking and To Amend the Laws Governing Harassment and Protection from Abuse."

This bill purports to enhance safety by expanding the conduct allowing issuance of a protection from abuse order (a "PFA"). Unfortunately, history shows that PFAs do not protect people from abuse. Forty years ago, Maine was one of the first states to enact a protection from abuse law. Today, Maine's rate of domestic violence homicide remains high and violations of PFAs are rampant.

The following are just a few of the worst examples from the past few years. In 2017, a man was stabbed to death in front of his children, aged 7 and 11. The woman charged with his murder, his ex-wife, was subject to a PFA. In 2016, a man who was subject to a PFA went to his ex-partner's home with a gun. Not finding his target home, he shot two others before being shot and killed by police. In 2013, a woman and her infant child were kidnapped, shot multiple times and nearly died. The perpetrator was subject to a PFA. In 2011, a woman and her two children, aged 13 and 12, were shot to death. The murderer was subject to a PFA.

PFAs only deter people with some modicum of rationality. They fail to protect against, and in some cases may provoke, precisely those emotionally unstable people who are prone to violence. Rather than providing a false sense of security with a piece of paper, harassment and abuse should be criminally prosecuted to the fullest extent of the law. If a perpetrator is truly dangerous, pre-trial detention offers more security to a victim than does a protection order.

Additionally, the imposition of a PFA may have severe ramifications for the person subject to the order, including potential job loss and curtailment of other rights. The Criminal Law Advisory Committee warned in its testimony about the bill's potential to result in the imposition of unwarranted orders. This consideration should be weighed when expanding the conduct giving rise to a PFA.

For these reasons, I return LD 1788 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 Enhance Safety for Victims of Sexual Assault and Stalking and To Amend the Laws Governing Harassment and Protection from Abuse

(H.P. 1235) (L.D. 1788)

(H. "A" H-783 to C. "A" H-689)

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. 713V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Farnsworth, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Harlow, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bates, Black, Cebra, Espling, Farrin, Fredette, Gerrish, Ginzler, Grignon, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Skolfield, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, White.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 99; No, 44; Absent, 8; Excused, 0.

99 having voted in the affirmative and 44 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 567)

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

July 2, 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 1857, "An Act To Address Maine's Nursing Shortage by Creating an Apprenticeship Pathway for Licensure of Health Care-trained Veterans and Expanding Access to Nursing Education."

Military veterans who have separated from any branch of military service and who have received military training and experience as medics or corpsmen or any equivalent, should be deemed eligible to take the Maine Licensed Practice Nurse exam without being required to obtain further education or experience. If they pass the Maine LPN exam, they should be issued a state LPN license that authorizes them to immediately perform the duties and tasks of that license category.

Maine has many highly qualified military veterans who are anxious to fill vacant health care positions in our hospitals, medical facilities, and nursing homes. This bill as drafted poses yet one more unnecessary hurdle for these worthy citizens to clear. Military veterans with medical training are held to high practice standards, they have excellent credentials, and they need to work. We need these qualified military veterans to enter the Maine healthcare workforce now.

For this reason, I return LD 1857 unsigned and vetoed. I strongly urge the Legislature to sustain this veto.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Address Maine's Nursing Shortage by Creating an Apprenticeship Pathway for Licensure of Health Care-trained Veterans and Expanding Access to Nursing Education

(H.P. 1294) (L.D. 1857)

(C. "A" H-718)

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. 714V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Farnsworth, Fecteau, Frey, Fuller, Gattine, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Higgins, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Perry, Picchiotti, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Sherman, Spear, Stanley, Stewart,

Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Chace, Corey, Craig, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Golden, Grignon, Guerin, Haggan, Hanington, Hanley, Hawke, Head, Herrick, Hilliard, Hogan, Johansen, Kinney J, Lockman, Longstaff, Luchini, Lyford, Malaby, Marean, Mason, O'Connor, Parry, Perkins, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Sirocki, Skolfield, Stearns, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 84; No, 59; Absent, 8; Excused, 0.

84 having voted in the affirmative and 59 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 568)

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

July 3, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 8, "An Act To Provide Training for Forest Rangers To Carry Firearms," because it is unnecessary and costly.

The Maine Forest Service has mitigated risks associated with Forest Ranger duties to an acceptable level through extensive training, carefully selecting Ranger candidates and monitoring behaviors. Managing the risks associated with the Rangers' law enforcement activities have been approached in the same way. Rangers are trained and mandated to avoid and defuse obvious conflict situations.

This bill contradicts the Administration's efforts to tone down the law enforcement aspects of the Forest Ranger's duties and focus them on protecting Maine's forests from fire. Forest Ranger incident reports clearly indicate that the Rangers are not routinely in harm's way during the performance of their normal duties. The Maine Forest Service has strengthened its policies to minimize the risk that Rangers will encounter dangerous situations.

LD 8's appropriation grossly understates the costs to the taxpayers of this state. In addition to the costs of training and acquiring firearms, Maine taxpayers will bear the costs of reclassifying Forest Rangers to include their new responsibilities, all to the tune of \$500,000 per year. This will add significantly to the cost of this bill, year after year. The Legislature should be honest and show the full cost of passing this bill to Maine taxpayers.

I would rather focus Forest Service time, energy and resources to ensure they hire and retain individuals who have high aptitude, possess good, sound judgment and decision-making skills, can maintain their composure under stress and treat all people with courtesy and respect.

Make no mistake; this bill is a game changer. It will forever alter the culture in the Maine woods. This bill will increase the risks to our Rangers because force likely will be met with force. Firearms will escalate the tensions between Rangers and

individuals they encounter while doing their duty. The cautious use of discussion to resolve an issue will be replaced by the force of a gun or other weapon. I cannot support this.

For these reasons, I return LD 8 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 Provide Training for Forest Rangers To Carry Firearms

(H.P. 9) (L.D. 8)
(S. "A" S-519 to C. "A" H-451)

The **SPEAKER**: The Chair recognizes the Representative from Winslow, Representative Nadeau, and a reminder that the House will be in order. The Representative may proceed.

Representative **NADEAU**: Thank you, Madam Chair. This bill will simply and reasonably allow forest rangers to carry a personal firearm for their own protection while on duty. LD 8 provides a pathway to finally providing the proper safety equipment to Maine forest rangers.

This is not a political issue. It is a workplace safety issue. Forest rangers are being denied a standard piece of safety equipment that all other sworn law enforcement officers in Maine are mandated to carry. Many of our forest rangers work by themselves, covering thousands of acres of land, and are in remote spots far from other law enforcement officers. In many cases, forest rangers are the first line of defense as law enforcement personnel who protect our forests and the citizens who own, live, work and play in them. They monitor the forests and educate the people that they come across.

Maine forest rangers have the important job of protecting Maine's citizens and visitors and the land in the state. It is our job, in turn, to make sure that they are safe on the job. Please join me in supporting the measure to keep them safe and get them home to their families every night. Thank you, Madam Chair.

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

Representative **TUELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today to encourage you to override the Chief Executive's veto and commit once and for all to training and arming Maine forest rangers.

For those of us on both sides of the aisle who have pushed for, spoken out in support of and continually gone to bat for the 50 men and women who keep some of our remotest regions safe, this bill, and hopefully this day, are long overdue. For the rangers and their families, the anxiety they face every day knowing that something could go horribly wrong while they or their loved one are issuing a summons or investigating a timber theft, or even dealing with someone who has a deep-rooted hatred of law enforcement, this vote today is much more than hitting a green light or a red one. It's about giving peace, assurance, and commitment that each of us who have sworn to uphold the Constitution and the laws of the State are standing behind the men and women who enforce our said laws. That alone ought to be enough reason for this chamber to reaffirm two previous votes on this issue, but if a 132-15 vote and a 118-17 vote aren't enough reason to make our forest rangers; or make sure our forest rangers are trained by the same professionals who train our game wardens, Marine Patrol, State Police, drug agents, county deputies and town police and give state-issued firearms to protect themselves

while in harm's way, then please give thought to the following points before you vote.

In May 2013, the Chief Executive established a review of needs, resources and opportunity for efficiency among natural resource law enforcement. The task force consisted of four commissioners, heads of the various natural resource law enforcement agencies and landowner groups. It met six times between May and November of 2013, and while specific recommendations on arming the rangers were not unanimous at first, all members eventually agreed that Maine should start the process of doing so. To quote briefly from the report, "four members recommended arming all forest rangers, four members recommended arming the forest rangers incrementally over a several-year period, and two members representing the landowners remained opposed to arming the forest rangers but could support a small group be armed as a test with required report-back period. Accordingly, the task force recommendation is to arm the forest rangers over a period of several years or an incremental basis as determined by the Commissioner of Agriculture, Conservation, and Forestry. Fiscal constraints are recognized to having a significant influence on this effort. Rangers selected to be armed must conform to and be certified by the Criminal Justice Academy as law enforcement officers eligible to carry a weapon. This includes, but is not limited to, attending all instruction, firing range activities by the MCGA board." That was five years ago, Madam Speaker. During that five years, the National Law Enforcement Officers Memorial Fund reports that 716 law enforcement officers have been killed in the line of duty. While we have been incredibly fortunate to not lose a forest ranger, it is only a matter of time before we do. We have a chance to do something now that will make that ranger safer. Wouldn't it make sense to do what we can now to reduce the risk and prevent an officer's death?

We all have seen the headlines the past few months. Our communities have been rocked by a tragedy close to home, a tragedy which affected the whole state and our entire law enforcement community. I know we all know this and want to do the right thing, but sometimes with all the noise out there, we get distracted, lose sight of why we're here, and tend to think of things as left versus right or dollars and cents. To be clear, we are talking about protecting officers' lives. Officers who would think nothing of protecting ours, all the while upholding the laws we have established. In the past, the Chief Executive has argued that rangers need to be trained, yet here we are, we have put the funds aside to train them before they get their gun. The Chief Executive has argued that it is going to cost much more than OFPR estimates because rangers will have to be reclassified. Late last week, I had a conversation with Dan Tourtelotte, the Executive Director of the Maine State Law Enforcement Association. Mr. Tourtelotte told me that rangers are not seeking reclassification and, in fact, rangers being armed, is not an automatic qualifier for reclassification, as there have to be a significant change in job duties for that to happen. It wouldn't be a snap of the fingers if they were. It can take between four to seven years for nonsponsored reclassification to be processed. Even if a reclassification was successful, the total amount paid would be approximately \$200,000. Either way, our officers need protection.

There are two types of people who are prohibited from having firearms in the Maine woods: convicted felons and forest rangers when they're working. When people ask me about this, many of them believe rangers were already armed, that it is inconceivable that they're not and that we need to do all we can to make it happen. I hear this from ardent

supporters of the Chief Executive probably as much, if not more, than from arch foes. My point there is that we lawmakers need to protect those who are enforcing the laws we write, and today, Madam Speaker, we can do that.

Lastly, I want to address the issue of mission creep, because it is one that keeps coming back every time this issue does. As is the case in other state law enforcement agencies with specific law enforcement duties, the mission is controlled through administrative guidelines and policy. As long as the agency dictates the mission, mission creep will, and should be minimal. Our rangers do a variety of jobs, including serving summonses, conducting major felon, arson, and timber theft cases, assisting on traffic accidents and partnering with other law enforcement agencies. They are law enforcement. This is a reality, not a philosophy, not ideology, but reality, and they are, just like every other law enforcement officer, living with the fact that danger is right around the corner.

Madam Speaker, Ladies and Gentlemen of the House, I ask you to stand today and give our rangers the tools they need to do their job. They are not asking for the sun, the moon and the stars. They are asking for the same protections that their colleagues in law enforcement have. Please vote yea on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker, Members of the House. Over the years, this is a piece of legislation that I have not supported, but I have now come to the point that it has to be supported.

If you for a moment think of Aroostook County, roughly the size of the state of Connecticut; my legislative district is about half of that, and at any given time in Aroostook County at nighttime, you have one State Trooper and one, if you're lucky, one Deputy Sheriff on duty. At any given time, if anything happens in that; any part of the unorganized territory, it is the Forest Service that needs to assist the State Police or Game Warden; and now, if you want to know what goes on at this point of time of the year, I need you to come up and take a look, of what parties, what events take place, unsupervised, and very often with criminals there as well. And I know that it's a difficult change for many of us who take the position that I have over the years, but in this day and age, I am convinced that the right thing to do today is to override the Chief Executive's veto.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise in support of overriding the Chief Executive's veto.

In our conversation, it was related to me that forest rangers are not, in fact, law enforcement officers. According to Title 12, 8901, Section 3, "Law enforcement powers: in addition to any law enforcement powers expressly provided to forest rangers by another law: A. Forest rangers and the state supervisor, for the purpose of enforcing Title 36, chapter 701 relating to blueberries," and other matters, "forest rangers have statewide law enforcement powers equivalent to those of a sheriff, or a sheriff's deputy, in the sheriff's county, including the right to execute or serve criminal and civil violation processes against offenders, make warrantless arrests for crimes, investigate and prosecute offenders, require aid in executing forest ranger duties and deputize temporary aides." So, I would imagine that if you want your sheriff or your deputy sheriff to do their jobs appropriately, they might need a firearm. 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. 715V

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

NAY - Cebra, Chapman, Harlow, Marean, Mason, Seavey, Skolfield, Spear, Timberlake.

ABSENT - Duchesne, Fay, Hanley, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 133; No, 9; Absent, 9; Excused, 0.

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

The Following Communication: (H.C. 569)

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

July 3, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 192, "An Act to Require Insurance Coverage for Hearing Aids."

This bill mandates that beginning in January 2019, all health insurance contracts, including group insurance policies and health maintenance organization policies, must provide coverage for the cost of hearing aids for individuals regardless of age, not just for those individuals 18-years old or younger as provided in existing law.

I veto this bill for two reasons. First, expanding mandated insurance benefits by the state must stop. The health insurance market, not the state, should determine the additional benefits that health insurance carriers decide to include in their policies.

Second, the Maine Bureau of Insurance was not directed to update a study that it completed in 2014 on the same subject. An updated report would have served to forecast the future costs of this expanded mandated benefit. The bill will only serve to raise health insurance premiums for all groups and individuals as health insurers spread the cost of this expanded mandated benefit.

For these reasons, I return LD 192 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 Require Insurance Coverage for Hearing Aids

(H.P. 148) (L.D. 192)
(S. "A" S-506 to C. "A" H-177)

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. 716V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, 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 R, Mastraccio, McCreia, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Skolfield, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Wallace, Ward, Warren, Zeigler, Madam Speaker.

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

ABSENT - Duchesne, Fay, Hanley, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 570)

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

July 3, 2018
The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 274, "An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers."

The safety of our children is paramount, and licensing for child care facilities is a key component to ensuring that safety. Our licensing regulations now have significant background check expectations. They ensure a high level of accountability and transparency on each and every child care provider in this state—both family child care providers and center-based providers.

Licensing regulations, especially for businesses that care for our most vulnerable populations, can be a difficult balance between safety and over-regulation. The purpose of our regulatory structure is for the safety of the people served, whether kids, elders or adults with disabilities. In fulfilling that purpose, it is easy for government to over-regulate and become an impediment to business. This bill does just that. I believe we have excellent child care providers in Maine; they are safe, accountable, and transparent. Adding a requirement that each and every employee of a child care agency undergo not just a background check, but also the exercise of being fingerprinted, is a bridge too far. We have gone from basic safety precautions to bureaucratic, over-regulation.

"Innocent until proven guilty" has been flipped on its head—under this bill, all child care providers and potential employees of their agencies will be considered guilty until proven innocent. I did not support teachers being fingerprinted, and I do not support further expansion of fingerprinting in this instance. I cannot support overburdening businesses, and I cannot support invading people's privacy by forcing them to give up biometric identification without cause.

For this reason, I return LD 274 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 the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers

(H.P. 207) (L.D. 274)
(S. "A" S-526 to C. "D" H-686)

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight. Before the Member rises, the Chair will remind the House that we are in order. The Chair recognizes the Representative from Harpswell.

Representative **McCREIGHT**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I stand to ask you to join me in voting to override the Chief Executive's veto of LD 274.

It's "An Act To Implement the Recommendations of the Working Group to Study Background Checks for Child Care Facilities and Providers." The long title refers to the recommendation that we fulfill a federal requirement to add fingerprint background checks to those we are doing now. Currently, we only check child abuse history and criminal history within Maine. We already require fingerprint checks for those working with our school-aged children. As a public school social worker, I was in that first group to be fingerprinted. For the safety of the children, I was happy to

comply. What is surprising is that we hadn't also begun to require fingerprint checks for those who care for our youngest and most vulnerable children. I'm speaking of center and home-based child care providers. Because current background checks only tell us about someone's history in Maine, we'll miss any child abuse or criminal history of someone who has moved here from another state. And though we hate to think about it, predators know about loopholes. If moving from another state allows access to children, they may very well take advantage, and we must close this loophole in Maine.

Please understand that compliance with this federal requirement is important for two reasons. First, I agree with the Chief Executive in his letter in which he states: safety of our children is paramount and that licensing child care providers and facilities is a key component to ensure that safety, and this is about child safety. Second is that federal background checks, that is, the fingerprint checks, are now a federal requirement tied to access to child care block grant funds. Refusal to comply will risk the loss of \$800,000 per year in funds for child care vouchers for children from our lowest income families. Let's be clear on this; if we want families to work their way out of poverty, to be self-sufficient, we must not compromise safety and we must not lose critical funds that provide access to child care while their parents go to work.

The bill was unanimous in HHS and was amended in Appropriations to specify that costs would be covered by the child care block grant, and then it was voted Ought to Pass in Appropriations. In HHS, you'll be happy to know that we also specified that contractors working in a facility don't need to be fingerprinted. So, that plumber we always talk about? No, not required to be fingerprinted. Please support this reasonable and responsible step to protect our children's safety. 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. 717V

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

NAY - Bickford, Campbell, Espling, Fredette, Ginzler, Hanington, Hanley, Johansen, Lockman, Lyford, Sherman, Strom, Theriault, Turner, Wallace.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Seavey, Simmons, Winsor.

Yes, 127; No, 15; Absent, 9; Excused, 0.

127 having voted in the affirmative and 15 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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

The Following Communication: (H.C. 571)

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

July 3, 2018

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 401, "An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities."

This bill requires the Department of Health and Human Services to reimburse hospitals in a manner that is not consistent with their real-time reimbursement system that exists today. Acute-care hospitals are reimbursed under a Diagnosis Related Group (DRG) methodology, which pays hospitals in real-time for services rendered versus the old methodology of prospective payments and final cost settlements.

Under DRG methodology, days awaiting placement has been accounted for in the calculation of the reimbursement under each service grouping. Additionally, an outlier payment adjustment is made to the rate when an unusually high level of resources has been expended for a case, such as when a member is waiting for placement in a nursing facility for an extended period of time.

The responsibility for appropriate and safe discharge of an individual is the responsibility of the hospital. Discharge planners are required to assess the appropriate level of care required, to actively pursue the establishment of services and to secure appropriate placements.

For this reason, I return LD 401 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 Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities

(H.P. 292) (L.D. 401)
(S. "A" S-508 to C. "A" H-109)

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. 718V

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

NAY - Kinney J, Perkins, Turner.

ABSENT - Duchesne, Fay, Fuller, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 139; No, 3; Absent, 9; Excused, 0.

139 having voted in the affirmative and 3 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 572)

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

July 3, 2018

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

Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 687, "Resolve, Regarding Reimbursement for Speech and Language Pathology Services."

I am not necessarily opposed to appropriate rate increases for Medicaid providers, but it cannot be in isolation. Our economy is on the brink of a crisis as the minimum wage continues to increase unchecked and Maine businesses experience increasing financial pressure. We cannot continue to spend taxpayer dollars without taking decisive action to slow the rate of increase in the minimum wage and allow our economy the time it needs to adjust to the changing cost of wages. Fix the minimum wage, then we can have a conversation about rate increases to Medicaid providers.

For this reason, I return LD 687 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, Regarding Reimbursement for Speech and Language Pathology Services (H.P. 478) (L.D. 687) (S. "A" S-520 to C. "A" H-382)

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

Representative **FARNSWORTH**: Thank you, Madam Speaker. Ladies and Gentlemen, the speech pathologists are an extremely important key participant in services to people with disabilities as well as the elderly, and they have not had a rate adjustment for God knows how long, and this basically would help maintain the outflow of speech pathologists from the State of Maine, which is severely damaging our ability to provide the services that are so essential. Thank you.

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. 719V

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

NAY - Austin S, Johansen, Kinney J, Lockman, Lyford, Perkins, Sanderson, Sirocki, Stetkis, Sutton, Turner.

ABSENT - Beebe-Center, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 131; No, 11; Absent, 9; Excused, 0.

131 having voted in the affirmative and 11 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 573)

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

July 3, 2018

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 700, "An Act to Give Flexibility to Employees and Employers for Temporary Layoffs."

LD 700 creates an exemption from the eligibility requirements for Unemployment Insurance benefits for a period of six weeks. It would exempt a person from the core social contract and federal law underpinning unemployment: that a person collecting benefits actively look for work.

Unemployment Insurance is an insurance program for workers, not an entitlement, with employers paying into the Trust Fund, not employees. The intent of Unemployment Insurance is to protect workers, not employers, yet this bill seeks to protect employers, not workers.

When employees separate from their employment due to no fault of their own, they are eligible to apply for Unemployment Insurance benefits. Unemployment eligibility is complex, but there are three minimum requirements that must be met each week in order to collect unemployment insurance benefits: an individual must be able to work, available for work if a job is offered—including a temporary job, and be actively seeking work.

The goal of unemployment insurance is not simply to provide a temporary wage supplement—its second and equal goal is to keep workers actively connected to the labor market so that they are more easily and quickly re-employed. Therefore, workers under Maine and federal law are required to submit proof that they have actively searched for at least one comparable job per week for each week they apply for unemployment benefits. This is not a burdensome requirement.

Furthermore, these benefits are not a one-to-one wage replacement. Maine statute includes a formula by which benefits are calculated based upon a percentage of a person's earned wages. The average weekly benefit in May 2018 was \$331 per week. This is a wage supplement.

To encourage workers collecting unemployment to take temporary, part-time jobs in our tight labor market, last year my administration increased the amount of benefits workers can retain on top of what they have earned from the part-time job from \$25 to \$100 per week. This now allows a worker to bring home more money per week than either a part-time job or unemployment benefits alone. This is the type of policy the Legislature should be proposing, one that benefits both the worker and the employer.

Workers who look for work and take temporary bridge jobs while collecting unemployment are better off financially and provide tremendous help to our employers in this era of record-low unemployment. Waiving the work-search requirement does not further either of these positive outcomes.

Some employers have complained to the Legislature that they are "losing" workers when their business must temporarily lay off workers. These employers see the exemption from work search as a way to protect their workforce. This is not helpful to workers for two major reasons.

First, there is no guarantee that the "temporary" layoff will not turn permanent. Employers frequently lay off workers while the business waits for a new contract. If the contract fails to come through, those workers are permanently let go or let go for a longer period. It is a disservice to allow workers to collect benefits for several weeks and not be looking for work and then suddenly tell them that they have been permanently laid off. Those workers could already have a new job or at least be supplementing their unemployment with a temporary or part-

time job to keep their household on more stable financial footing.

Furthermore, the search for work is actually a net benefit to employees. When employers have to compete to retain and attract workers, wages rise and workers have more choices for better benefits, better hours, better commutes and better work-home balance. When individuals look for work while collecting unemployment, they are exposed to new opportunities that will benefit their career and their family's finances and quality of life.

Shielding workers from the work search obligation is akin to allowing wage collusion among employers to keep wages low. I am not in favor of government-mandated wage increases in Maine's current minimum wage statute, but I am all-in for Mainers earning higher wages and better benefits by finding a new job or getting a raise from their current employer because of open and fair competition.

By passing LD 700, the Legislature is telling Mainers to settle for what they have now instead of doing one work search a week for a job—one that could change their entire future—in exchange for unemployment insurance benefits. No Mainer should be satisfied with settling, and government should not discourage them from seeking greater prosperity.

For these reasons, I return LD 700 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 Give Flexibility to Employees and Employers for Temporary Layoffs (EMERGENCY)

(H.P. 491) (L.D. 700)
(S. "A" S-456 and S. "B" S-521 to C. "A" H-749)

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. 720V

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

NAY - Dillingham, Kinney J, Turner.
ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.
Yes, 140; No, 3; Absent, 8; Excused, 0.
140 having voted in the affirmative and 3 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 574)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

July 3, 2018
The 128th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1554, "Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator."
As you, the Legislature, consider this question, it is important to understand that the Department of Health and Human Services' public guardianship program exists to serve as the guardian of last resort for people with mental disabilities and/or elderly persons when there is no one else willing or able to serve as guardian. As public guardian, the Department must use its reasonable judgment to make various, often time-sensitive, personal and financial decisions. This is precisely the type of decision-making that has long been protected by sovereign immunity and the Tort Claims Act.
This bill is a blatant attempt to change existing rules in the middle of the game and perform an end-run around the judicial process. The subject matter of this bill has been extensively litigated and this litigation ultimately resulted in the Law Court ruling in favor of the Department on the basis of sovereign immunity. Having lost their case in Court, the plaintiffs have now gone to the Legislature looking to have the rules changed in their favor.
They are essentially asking permission to bring another suit against the Department but not allowing the Department to assert the defense upon which it prevailed in the first lawsuit. Allowing the plaintiffs to do this would place the Department at serious disadvantage in assessing and managing the risks associated with the operation of the public guardianship program as well as generally undermining confidence in the fairness and impartiality of the judicial process.
This bill also significantly and materially alters the Department's surety contract with its insurer and therefore violates Maine's Constitution, specifically Article I, Section 11, which prohibits the Legislature from passing any law "impairing the obligation of contracts." Notwithstanding this constitutional problem, the bill is bad policy and would impair the ability of the State to procure insurance in the future. No reasonable insurer would agree to issue insurance to the State if the Legislature decides to change the terms of the insurance contract on a case-by-case basis.
For these reasons, I return LD 1554 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, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator
(H.P. 1070) (L.D. 1554)
(S. "A" S-513 to C. "A" H-365)

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. 721V

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

NAY - Austin S, Battle, Black, Bradstreet, Cebra, Chace, Craig, Espling, Foley, Fredette, Gerrish, Gillway, Grignon, Grohman, Guerin, Haggan, Hanley, Harrington, Hawke, Head, Higgins, Hilliard, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Parry, Perkins, Picchiotti, Prescott, Reed, Sampson, Sanderson, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.
Yes, 91; No, 52; Absent, 8; Excused, 0.
91 having voted in the affirmative and 52 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 575)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

July 3, 2018
The 128th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1711, "Resolve, To Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services."
This bill spends over a million dollars on an opioid-use disorder pilot program for 25 individuals—approximately \$40,000 per person. This pilot would be set up apart from existing opioid-

use disorder programs and would be in addition to the existing resources the State has already dedicated to this effort. Maine is working hard to combat the opioid epidemic that has affected so many families in our State. We have already implemented the opioid health home program, with a \$3 million investment. Furthermore, the Legislature just passed an additional \$6.6 million in funding for that program. The State is committed to helping those with opioid-use disorder and to using effective methods to combat the opioid epidemic.

This bill was clearly intended to be administered by one specific provider. I cannot support spending an enormous sum of money through a provider that was handpicked by the Legislature on unproven methods for just 25 people. We need to focus our resources on quality treatment and fight this epidemic using proven methods of success with the capacity to reach large numbers of those in need of assistance all across our State.

For this reason, I return LD 1711 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 Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services

(H.P. 1191) (L.D. 1711)
(S. "A" S-523 to C. "A" H-737)

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. I rise to support an override of this veto.

If you look at the fiscal note and you see \$43,000 per person spent per year, it seems like an outrageous sum. But if you consider that people who are homeless and who use substances out on the street actually costs more per year than that number; and I don't have it handy with me, but I remember when this bill came out, we had a side-by-side that looked at the amount spent per year for people who are homeless. So, just remember the cost savings for people who are incarcerated who are homeless and cycle in and out of jails, who also commit crimes and who require hospitalizations because they are sick. So, even though it seems like a lot of money, it really is a cost savings, and if you look at the humanity, I think that speaks for itself. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker, Men and Women of the House. I just wanted to rise to add that this was a recommendation of the Opioid Task Force, which was a bipartisan body looking at what we can do to address the opioid crisis that, as we all know, took 418 people last year to overdose. We can't expect someone to enter into recovery if they have no place to live. So, this provides housing first and access to medication that allows someone to enter into recovery, and the hope is that someone entering into recovery can achieve the life they always intended to have. So, please override this veto. Thank you.

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. 722V

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

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Lockman, Lyford, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Sherman, Sirocki, Skolfield, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 87; No, 56; Absent, 8; Excused, 0.

87 having voted in the affirmative and 56 voted in the negative, with 8 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. 576)

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

July 3, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1762, "An Act To Ensure Sustainable Health Care Access in the Jackman Region."

I appreciate the challenge of maintaining health care resources in rural communities in Maine. When Maine General closed the nursing facility and ceased their ambulance services to Jackman, the community came together and developed solutions to ensure adequate access to emergency health care for their residents. They did an exemplary job solving their own problems and initially doing so without government intervention.

Unfortunately, government intervention ultimately has become the path the community believes is the best way forward. I disagree. This bill sets a terrible precedent by providing one-

time resources to solve the challenges of a community. The private sector is better equipped and more appropriate to address this need. Once again, more government is not the answer.

For this reason, I return LD 1762 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 Ensure Sustainable Health Care Access in the Jackman Region (EMERGENCY)

(H.P. 1216) (L.D. 1762)
(S. "A" S-516 to C. "A" H-676)

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. 723V

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

NAY - Turner.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Sheats, Simmons, Winsor.

Yes, 141; No, 1; Absent, 9; Excused, 0.

141 having voted in the affirmative and 1 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (H.C. 577)

**STATE OF MAINE
128TH MAINE LEGISLATURE**

July 5, 2018

The 128th Legislature of the State of Maine

State House

Augusta, Maine 04333

Dear Senate and House Members of the 128th Legislature:

Pursuant to the Joint Order (S.P. 751) passed on June 26, 2018, the Senate and House of Representatives will convene on Monday, July 9, 2018, at 10:00 a.m.

S/Sara Gideon
Speaker of the House
S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 548)

**MAINE STATE LEGISLATURE
OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY**

TO: Honorable Sara Gideon, Speaker of the House
Honorable Michael D. Thibodeau, President of the Senate
and Democratic and Republican Leaders

FROM: S/Beth L. Ashcroft, Director

DATE: June 28, 2018

RE: Temporary Assistance for Needy Families Program

Enclosed please find the final report from the Office of Program Evaluation and Government Accountability on Temporary Assistance for Needy Families Program. The report is also available on our website at <http://legislature.maine.gov/oepga/oepga-reports/9149>. As noted in my memo dated June 18th the public comment period on this Report has been scheduled for Thursday, July 26, 2018 at 9:00 a.m. in Room 220 Cross Building.

If you have questions, please feel free to contact me.

READ and with accompanying papers ORDERED PLACED ON FILE.

ORDERS

On motion of Representative BEAR of the Houlton Band of Maliseet Indians, the following House Order: (H.O. 72)

WHEREAS, it appears to the House of Representatives of the 128th Legislature that the following is an important question of law and that this is a solemn occasion; and

WHEREAS, the Constitution of Maine, Article VI, Section 3 provides for the Justices of the Supreme Judicial Court to render their opinion on such a question; and

WHEREAS, the House of Representatives has repeatedly considered proposals to authorize tribal gaming such as House Paper 838, Legislative Document 1201, "An Act To Authorize Tribal Gaming" and House Paper 999, Legislative Document 1447, "An Act To Recognize and Provide for the Right of the Houlton Band of Maliseet Indians To Operate a Casino on Houlton Band Trust Land Exempt from Certain Gaming Laws"; and

WHEREAS, the State authorizes and regulates casinos, including the operation of table games and slot machines, pursuant to the Maine Revised Statutes, Title 8, chapter 31; authorizes and regulates betting on harness racing pursuant to Title 8, chapter 11; and authorizes and regulates a state lottery pursuant to Title 8, chapter 14-A; and

WHEREAS, the revenue provided to the Houlton Band of Maliseet Indians by tribal gaming will ensure tribal self-sufficiency and self-determination and will be used by the tribal government for critical social and health programs vital to the well-being of tribal members including reducing chronically high rates of unemployment, depression and mortality and providing services such as health care, elder care, housing and education; and

WHEREAS, the Supreme Court of the United States decided in California v. Cabazon Band of Mission Indians, 480 U.S. 202 (1987) that state and local governments do not have the authority to regulate gambling on Indian land; and

WHEREAS, it is important that the Legislature be informed as to the question raised in this order; now, therefore, be it

ORDERED, that, in accordance with the provisions of the Constitution of Maine, the House of Representatives respectfully requests the Justices of the Supreme Judicial Court to give the House of Representatives their opinion on the following question of law:

Question. Does the decision of the Supreme Court of the United States in California v. Cabazon Band of Mission Indians, 480 U.S. 202 (1987) allow the Houlton Band of Maliseet Indians, a federally recognized Indian tribe, to conduct gambling on tribal trust land without permission to do so from the State?

READ.

Pursuant to House Rule 513, this House Order was **TABLED** one Legislative day pending **PASSAGE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 578)

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

July 6, 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 912, "An Act to Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy."

Conversion therapy is defined in LD 912 as *"any practice or course of treatment that seeks to change an individual's sexual orientation or gender identity including ... any effort to change gender expression or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender."*

The bill prohibits the use of conversion therapy by licensed mental health personnel, licensed medical personnel, and many other licensed individuals including psychologists, pharmacists, audiologists, speech pathologists, and hearing-aid dealers.

I am vetoing LD 912 because it is bad public policy. This bill attempts to regulate professionals who already have a defined scope of practice and standard of care per their statutory licensing requirements. I strongly agree that young people should not be physically or mentally abused if they come out to their parents or guardians because they have experienced sexual or romantic attraction toward an individual of the same gender. However, as this is written—"any practice or course of treatment"—can call into question a simple conversation. This is so broad that licensed professionals would be prohibited from counseling an individual even at the individual's own request. We should not prohibit professionals from providing their expertise to those who seek it for their own personal and basic questions such as, "How do I deal with these feelings I am experiencing?"

I also have grave concerns that LD 912 can be interpreted as a threat to an individual's religious liberty. Parents have the right to seek counsel and treatment for their children from professionals who do not oppose the parents' own religious beliefs. At no time should such treatment take the form of mental or physical abuse and such treatment should always be subject to the statutory requirements of the standard of care for that profession.

No evidence has been presented during the many public meetings on this subject that indicates that conversion therapy is being used by anyone, including licensed professionals, in the State of Maine.

Because the standard of practice for these professionals already prohibits any practice or therapy that would amount to physical or mental abuse, what we are really trying to regulate are the private, consultative conversations between a licensed provider and a client.

This session, I submitted a Governor's bill that posed similar circumstances to this bill. LD 1904 sought to criminalize the cultural practice of the physical mutilation of young girls in Maine and to put penalties in place when the mutilation was directed by a parent or a guardian. That language was narrow and specific, but could not pass.

Consider the two bills side by side. LD 1904 sought to ban "female genital mutilation," or "FGM," a heinous procedure involving partial or total removal of female genitalia for cultural or religious reasons. FGM is practiced on girls as young as infants up until the age of 14. The practitioner is often not a medical professional and the cutting is not typically done in a sterile setting with sterile tools, yet the cutter removes or partially removes the young girls' clitoris. FGM may also alter or remove the vaginal folds or pierce, scar or cauterize the genital area. These girls are mutilated for life.

Doctors and nurses in our hospitals have seen the brutal results, either on the exam table or in the Emergency Room after it has gone horribly wrong, and MaineCare has been billed to repair the damage. The Cumberland County District Attorney spoke vociferously in favor of this bill.

In 2013, Maine had 1,603 women at risk. Of those, 399 were under 18. Exact figures are hard to get because parents don't report this kind of mutilation, and girls are unlikely to report on their parents.

Yet opponents in the Legislature said it is not happening in our state so we should not pass the bill, although there was evidence that it is occurring in Maine and the practice has been outlawed by 26 states.

Legislators who could not stand up and outlaw the permanent mutilation of young girls' sexual organs by laypersons in unsanitary conditions with razor blades now are concerned with outlawing conversations, of which there is also "no evidence" that it is happening in Maine. This is a disgusting double-standard.

The sponsor of this bill recently tweeted: "Shame on the politicians who elect cowardice over courage." I agree. Cowardice is bowing to political correctness and voting against LD 1904, as he did, along with most of the House Democrats. I thank the members of the Legislature of both parties who had the courage to support LD 1904.

I believe we should apply consistent standards when passing legislation to protect our vulnerable young people. For these reasons, I return LD 912 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 Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy

(H.P. 640) (L.D. 912)
(S. "B" S-490 to C. "A" H-745)

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

Representative **FECTEAU**: Thank you, Madam Speaker. Madam Speaker, Honorable Colleagues, I rise in support of the pending motion to override the Chief Executive's veto of LD 912.

This body debated LD 912 several months ago now. Since that time, so-called conversion therapy practiced by licensed state health providers was outlawed in two more states. Our neighbors in New Hampshire passed the law in Republican-controlled legislative chambers and Republican Governor Chris Sununu signed the bill into law a few weeks ago. He said the following: "Discrimination in any form is unacceptable and runs contrary to New Hampshire's Live Free or Die spirit. If we really want to be the 'Live Free or Die' state, we must ensure that New Hampshire is a place where every person, regardless of their background, has an equal and full opportunity to pursue their dreams and to make a better life for themselves and their families. In Maryland, Republican Governor Larry Hogan signed such a ban into law a month ago. The debate in Maryland was magnified by a heartfelt floor speech by Republican delegate Meagan Simonaire. I asked her office for her speech and I want to share what she said here today.

I quote: "Thank you, Mr. Speaker. With only a few days left of session, and as the end of my term creeps ever closer, I have thought a lot about what I've done in Annapolis over the last four years and the difference I've tried to make. To be a voice for those whose voices are not being heard, whether that be the victims of human trafficking or sexual assault, homeless youth, the elderly, the vulnerable. As I sit and listen to this debate, I am reminded of the ideals I strived to bring to Annapolis when I launched my longshot bid for this seat. Like all of you, I only ever wanted to make my time here really count and my voice on behalf of others really matter. This issue isn't about Republicans or Democrats, nor Conservatives or Liberals. It's not about religious values. It's about basic human decency. It's about the fact that it's impossible to fix something that was never broken in the first place. I rise today to be the voice for children who are currently subjected to conversion therapy, a therapy that licensed medical professionals have for years debunked as ineffective, inappropriate and flat-out dangerous. I agree with them. By the time I am done speaking, I hope you will too. Conversion therapy is so tragic a practice that minors have taken their own lives after being subjected to it, a fact that cannot be ignored by this body or anyone else. You know, I thought about remaining silent on this issue. I could've simply voted in favor of it out of respect for the well-meaning legislators of both parties who oppose the bill and for those goodhearted people who support it. However, as the youngest delegate in this body, I'm here standing for my generation in favor of a bill that protects our children by ending an ineffective and ultimately harmful practice. Honestly, years from now, I want to look back and know that I spoke out on the correct side of this issue. If you hear anything I say today, hear this: what is not broken cannot be fixed. Let me repeat, what is not broken cannot be fixed, period. We've heard a lot of talk about those so-called horrible parents who, quote, force their children to receive this ineffective treatment, but I also want this body to

consider that there are actually well-intended, loving, caring parents who truly want the best for their child, who also routinely fall into the trap of believing conversion therapy is real and effective when it is clearly not and never will be. These well-intended parents are afraid their child will live a harder life if they are LGBTQ, or that God will not bless them if their sexual orientation differs in any way from the mainstream. These good parents believe they are doing everything in their power to help their child that they love so much, but by sending them to this therapy, regardless of the goodness of their intent to help their child to live a better life, that even well-intentioned parents can wind up inflicting significant emotional damage that can potentially last a lifetime. I want you to hear that these 20,000 young people who have been exposed to conversion therapy all have a name. They all have a story to tell each and every day they live through their journey. Before I take my seat, let me tell you just one of these many stories. I want to tell you about a girl who grew up in the best family she could imagine. She had the most loving parents, siblings who became her best friends, childhood memories to last a lifetime. When she was a teenager, she was attracted to boys just like most of her friends, but she also found herself attracted to other girls. She fell in love with a girl but kept it from her family out of fear of losing them. Fear of losing her family was too much and she ended the relationship. She wondered what her family would do if she were true to herself. She finally told her family about the relationship. Her worst fears came true. Her parents were heartbroken and disgusted by her devious actions. They weren't ever hateful, by any means, they loved her so much, but were thoroughly convinced that she was living in sin and desperately wanted to get her the help she, quote-unquote, 'help she needed.' Conversion therapy was their answer. Like good parents who wanted the best for their child, they researched, quote, 'one of the best conversion therapy providers.' While she never actually had to endure conversion therapy, the pain of having her good-intentioned parents convinced of its ability to fix her was enough to cause significant pain, self-loathing and deep depression. There were times where she seemingly couldn't stop the tears from falling. Prior to her interest in girls, she was the light of her parents' eyes, but now she is left with the impact of going through self-hatred, depression and shame, even though her parents truly believed they were trying to help her; their baby girl who they loved so much. Mr. Speaker, I urge the body to vote in favor of this bill because I want another child to go through; because I do not want another child to go through the situation this girl did. If this bill keeps even one child from that, it will have been worth sharing my story today. Thank you, Mr. Speaker."

Delegate Simonaire shared her story. Governor Hogan listened and he signed the bill into law. Madam Speaker, if this body sustains the Chief Executive's veto today, what does it say about our state, our Maine? At what point do the practicality of compassion demonstrated by six Republican Governors and seven Democratic Governors in other states go bankrupt in our own? What message are we sending children here in Maine, across the country and the world, who will read the headlines this afternoon via the endless reaches of social media? Are we saying that in Maine we cannot demonstrate, like Maryland and New Hampshire, that when no other protections exist in federal law that we will act and we will say no more to patently harmful conversion therapy?

Madam Speaker, conversion therapy is nothing more than bullying. It is the act of a state licensed health professional in a position of influence, using that state-issued credential and the

office of their profession to bully young people into self-loathing thoughts and self-hatred, to associate who they are with a manufactured trauma in their past. In many accounts from those who have survived conversion therapy, the trauma is often linked to one's mother. If you don't believe me, run a Google search of Dr. Nicolosi, who flew in from California, was designated as the lead opposition expert for our public hearing, to defend his monetized harm. He actually has a US patent pending, I kid you not.

Madam Speaker, I know plenty about bullies. Growing up as an LGBTQ youth, you don't even have to be out for the bullies to instinctively harass and name call. I'm all too familiar with bullies and at this point I'm unfazed. But there are young people outside this chamber that still walk in a world of uncertainty and perhaps even fear when it comes to acceptance and being loved for whom they are unconditionally, not in spite of it. Young people in Maine should know that they have leaders in their Legislature who let their actions speak louder than a letter. That, if not today, soon, bullying in the form of conversion therapy will not be condoned by the law. Soon, Maine will join Republicans, Democrats and Independents in other states who said live and let live rather than change or be gone. I hope soon is now. Join me and override this veto.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I just want to say a few words about my profession, since I am a licensed clinical social worker and have been for almost 20 years.

I've treated many individuals, including teenagers and adults, who struggled with feelings of attraction to members of the same sex, wondering whether they were gay, wondering whether they were transgender. In no way does this bill limit my or anyone else's ability to have conversations with people struggling with that issue. This is what I do every day. I've heard people say to me this session: "Well, Colleen, you're, you know, not everyone's like you." I disagree. My colleagues and I have to take a licensing exam and follow an ethical code. I am not unusual. People can come to many professionals like me with issues like this.

The Chief Executive's veto letter says parents have the right to seek council and treatment for their children from professionals who do not oppose their parents own religious beliefs, I guess arguing that this is an issue of religious liberty. I disagree. I have treated many people with a different religion from me, many people with different religious, cultural, political beliefs. That is not an issue in therapy, and I wish people understood just what therapy is, because at the end of the day, it's do no harm. We don't tell people what to do and we don't harm them. The professional associations associated with my profession have not recognized homosexuality as a disorder for decades, and all of them, all of the professional associations, say that this is harmful. I cannot in good conscience recommend anything that would be harmful to people; and, in addition, I sit on the Health and Human Services Committee, where we basically say we shouldn't harm people and the only things we should pay for in the form of mental health treatment are things that work. None of the evidence says that this works, so I ask you, are we going to condone a form of treatment that is harmful and use our tax dollars or our insurance dollars for something that does not work? Thank you very much.

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I've struggled with what to say on this because we've talked about it so many times already. But, now that the veto letter is here, I guess I just want to thank the members of this body who have supported this bill up to this point, every single Democrat, every single Independent, and the handful of Republicans who have come together to support this bill in a bipartisan fashion. I truly appreciate it. I can also guess what the outcome of this pending motion is going to be, and I know that there's a lot of LGBTQ young people watching this vote right now, and there's a message that's always given me comfort, so I want to share it with them, and that is: love wins in the end. If love didn't win, it isn't the end, and we will be back. 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. 724V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Marean, Martin J, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Strom, 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, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Madigan J, Malaby, Martin R, Mason, McElwee, O'Connor, Parry, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stewart, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Fredette, Harvell, Kinney M, McLean, Ordway, Perkins, Pickett, Simmons, Winsor.

Yes, 79; No, 61; Absent, 11; Excused, 0.

79 having voted in the affirmative and 61 voted in the negative, with 11 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 579)

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

July 6, 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 1915, "An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites."

LD 1915 is vague and overbroad. The bill is intended to resolve an issue that has arisen related to the collection and disbursement of fees from state parks to surrounding towns. Instead, it confuses and overcomplicates the issue. Furthermore, it has not had a public hearing and does not appear to meet the definition of an "emergency."

This bill applies to "all municipalities that have any lands classified by the director as parks or historic sites under jurisdiction of the bureau within their boundaries." Because it is written so broadly, the bill includes municipalities containing at least one of approximately 300 boat launches, all municipalities with a state-owned rail trail and municipalities with undeveloped land, none of which contribute revenue to the general fund.

Furthermore, the bill sets up a new conflict that would allow certain municipalities to "double dip" in fee collection. Municipalities that operate state parks under a management agreement whereby the municipalities retain all fees collected do not send park fees to the general fund. However, LD 1915, because of its vague and overbroad wording, mandates that those same municipalities be paid a second time from the general fund.

Last, the bill does not define a municipality and leaves open to interpretation the inclusion of plantations, townships and other unorganized forms of government.

I cannot support such last-minute, overbroad, and vague legislation. We can do better to resolve this issue. For these reasons, I return LD 1915 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 Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites (EMERGENCY) (H.P. 1357) (L.D. 1915)

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Madam Speaker, Friends and Colleagues of the House. I had the pleasure of speaking with the Commissioner a few days ago who was gracious enough to talk with me about his concerns and echoed by the veto letter from the Chief Executive. I just want to make it clear that the alleged difficulties with the legal underpinnings of the park fee revenue-sharing system are not caused by this bill. This bill clarified a matter that the Department chose to reinterpret a couple months ago and puts us back to where we were a couple months prior to this, in which the understanding over the last several administrations was that municipalities that had parks or historic sites would share in the revenue sharing from the park fees in order to; and it's done on a formula basis involving the area in shoreline frontage in order to compensate for tax revenues lost by state parks and municipalities. I note finally that both this administration and the last administration has had many opportunities to correct other deficiencies, and I don't object to the interest in correcting potential other deficiencies, but they were not caused by this bill; and this bill is a necessary one. 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. 725V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, 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, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Perry, Pierce J, Pierce T, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, McElwee, Ordway, Parry, Perkins, Picchiotti, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, Ward, White.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Reckitt, Simmons, Winsor.

Yes, 86; No, 56; Absent, 9; Excused, 0.

86 having voted in the affirmative and 56 voted in the negative, with 9 being absent, and accordingly Veto was **SUSTAINED**.

The Following Communication: (H.C. 580)

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

July 6, 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 1539, "An Act To Amend Maine's Medical Marijuana Law."

LD 1539 makes drastic changes to Maine's Medical Use of Marijuana Program that remove the premise of medical use from the existing program. To simplify this letter, I will enumerate the major deficiencies of the bill that prevent me from permitting LD 1539 to go into law.

1. LD 1539 eliminates all qualifying medical conditions from the Maine Medical Use of Marijuana Program, allowing access, for any reason, at the suggestion of a medical provider.

2. The bill maintains drug convictions as the only felony that disqualifies an individual from registering as a caregiver,

leaving patients vulnerable and the program open to potentially dangerous and violent criminals.

3. This legislation allows for the use of marijuana in any form, a potentially hazardous permission as products such as eye drops, injectables, and tasteless powders are emerging in other states.

4. The bill allows dispensaries, which are currently operating as nonprofits, to convert their status to for-profit, fundamentally altering the nature of their mission and relationship with patients by prioritizing profit over care.

5. LD 1539 requires the Department of Administrative and Financial Services to pay the physician consultation fee for verification of a minor qualifying patient with the medical marijuana fund.

6. LD 1539 makes tax changes that permit dispensaries and caregivers to expense their equipment costs, a costly deviation from current tax law that places Maine in conflict with the federal Internal Revenue Code.

7. The bill removes the employment restrictions on caregivers, allowing for an unlimited number of assistants and prohibiting the State of Maine from drug testing those new assistants as a part of the registry process.

8. This legislation does not require caregivers to provide proof of their sales tax registration with Maine Revenue Services when applying for the registry.

9. This legislation establishes extraction facilities, through the same legislative language I vetoed in LD 238, which would allow these types of businesses to operate in the absence of department rule or certification, posing a significant risk to the public since the legislation allows inherently hazardous materials to be used during extraction.

10. LD 1539 creates a significant new administrative burden on the medical program and provides what could only be described as—in the most generous terms—a modest increase in human resource capacity to meet future program needs.

11. Finally, the bill, nonsensically, requires the development and administration of a medical marijuana research fund but only after having removed all debilitating medical conditions from the program that one may have wished to study.

This is not an exhaustive list of concerns and deficiencies. Furthermore, this bill disregards the work of your colleagues on the Joint Select Committee on Marijuana Legalization Implementation by using LD 1539 to establish caregivers in a retail marketplace, before it has been launched, with no other qualifications than establishing Maine residency. Given these circumstances, this legislation makes imprudent changes to Maine law. Legislation such as LD 1539 would be more appropriate during the Second Regular Session of the 129th Legislature, once an adult-use recreational program has been established by the Department of Administrative and Financial Services (DAFS) and policymakers have the benefit of input relative to that experience.

Alternatively, I would support standalone legislation that immediately brings more oversight to the medical program, its caregiver participants, and provides the framework necessary for a medical program and recreational program to coexist rather than cannibalize each other.

For these reasons, I return LD 1539 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 Maine's Medical Marijuana Law

(H.P. 1060) (L.D. 1539)

(S. "D" S-530, S. "G" S-539 and S. "H" S-540 to C. "A" H-765)

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. 726V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Berry, Bickford, Black, Blume, Bryant, Cardone, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, Fecteau, Fredette, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Hanley, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Martin J, Martin R, Mason, Mastraccio, McCreia, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Vachon, Wadsworth, Wallace, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Beebe-Center, Bradstreet, Brooks, Campbell, Casas, Chapman, Foley, Gerrish, Grignon, Handy, Hanington, Harlow, Lyford, Marean, Parker, Reed, Sampson, Sutton, Theriault, Tuell, Turner, Ward.

ABSENT - Battle, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 119; No, 23; Absent, 9; Excused, 0.

119 having voted in the affirmative and 23 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

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

The Following Communication: (S.C. 1065)

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

July 9, 2018

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Hunt:

Senate Paper 363, Legislative Document 1109, "An Act To Establish Homelessness as an Emergency in the General Assistance Laws," 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?"
21 voted in favor and 13 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.

The Following Communication: (S.C. 1066)
**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

July 9, 2018
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:
Senate Paper 485, Legislative Document 1407, "An Act Regarding Prescription Drug Step Therapy," 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?" 20 voted in favor and 14 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.

The Following Communication: (S.C. 1051)
**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

July 2, 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 40, "An Act To Strengthen Requirements for Water Testing for Schools."

Limiting exposure to lead is important to public health, and while the aim of the legislation was to ensure that students are not exposed to lead in drinking water in the schools, the final product does not give clear direction on the initiative. This bill seeks to tie a public health-related issue properly overseen by DHHS with financial funding overseen by the Department of Education.

Schools on private wells are currently tested for lead. Schools that feed off a public water system are not. DHHS's responsibility is only to the public system and not the fixtures inside buildings that feed off that system.

The testing of schools on these public water systems is the responsibility of local school districts. DHHS currently offers testing for free to schools that find themselves in this position, and it is up to the school districts to ensure this testing is done.

If testing reveals there is a lead issue, DOE has a revolving renovation fund to provide loans to school districts to remediate the problem.

LD 40 is unnecessary and makes complicated what is a straightforward method already in place for addressing this issue. If schools are unwilling to take advantage of free testing and the remediation funding now available to ensure proper public health, another statute is not going to make them do it. For these reasons, I return LD 40 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 Strengthen Requirements for Water Testing for Schools

(S.P. 20) (L.D. 40)
(S. "A" S-429 and S. "B" S-492 to C. "A" S-406)

In Senate, July 9, 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 York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker. I'm looking at the Chief Executive's veto letter, and it is true that the testing of schools on public water system is the responsibility of local school districts, but they don't often do it and we don't have any way to know who is doing it and who is not. This is extremely important because any lead in any child ruins them for life, or at least makes them a different person than they would've been if they weren't lead-exposed. So, this bill seeks to strengthen the ability for us to know who is testing and who is not. There is a revolving renovation fund to provide loans, and that's acknowledged in this bill as well. I hope you vote to override this veto. 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. 727V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Espling, Farnsworth, Fecteau, Frey, Fuller, Gattine, Ginzler, Golden, Grant, Grohman, Guerin, Hamann, Handy, Harlow, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester,

Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Farrin, Foley, Fredette, Gerrish, Gillway, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Johansen, Kinney J, Lockman, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

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

93 having voted in the affirmative and 50 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1053)

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

July 2, 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 1744, "An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States."

LD 1744 would establish a new, 100-percent credit against the commercial forestry excise tax (CFET) for landowners who hire harvesting businesses based in the United States. Although I share the goals of this bill, it is flawed in operation.

The CFET exists to partially offset the costs of forest-fire protection incurred by the Department of Agriculture, Conservation and Forestry. Currently, Maine Revenue Services collects more than \$2 million a year from this tax. With approximately 750 taxpayers and 9 million acres of taxable forest land subject to the CFET, I remain concerned that LD 1744 would needlessly endanger the ability of the Maine Forest Service to combat wildfires in our state.

If the drought that plagued Maine for much of last summer is any indication, now is not the time to diminish such a critical funding source.

In addition to these more pressing concerns, our state's tax administrators report that this bill would be nearly impossible to implement. For example, LD 1744 requires that all hired harvesters be current on state and local taxes. Such a provision is difficult, if not impossible, for landowners to prove, especially since most tax information is confidential and a contractor or other business is not legally obligated to provide this information to a third party. Further, the bill does not specify the timing and duration of the proposed credit or adequately identify the requirements necessary to be fulfilled in order for a landowner to qualify.

Finally, LD 1744 may jeopardize the legality of the independent contractor relationship between commercial forest landowners and the businesses they use for harvesting and transport. This would lead to numerous issues, including increased costs, for the parties involved and negate any potential benefit of this bill. For these reasons, I return LD 1744 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 Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States

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

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

In Senate, July 9, 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?'

26 voted in favor and 8 against, and 26 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 Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise as a member of the Taxation Committee and I urge you to sustain the Chief Executive's veto of this bill. It is a serious problem that this bill tries to address, but I don't believe this is a solution to that problem. Therefore, I ask you to follow my light. Thank you, Ladies and Gentlemen of the House.

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. 728V

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

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Devin, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grant, Grignon, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Kinney J, Lockman, Longstaff, Lyford, Malaby, Marean, Mason, O'Connor, Ordway, Parry, Perkins, Perry, Picchiotti, Pierce J, Pouliot, Prescott, Reckitt, Reed, Sampson, Sanderson, Seavey, Sheats, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wallace, Ward, White.

ABSENT - Duchesne, Fay, Hanington, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 77; No, 65; Absent, 9; Excused, 0.

77 having voted in the affirmative and 65 voted in the negative, with 9 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1054)

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

July 2, 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 1884, "An Act To Specify the Procedures Regarding the Court-ordered Surrender of Dangerous Weapons."

This bill provides that a person's firearms possession rights may be stripped when a court has ordered that person to take part in a mental-health progressive treatment program. Although this bill provides a procedure that affords the person some due process protections, ultimately the patient could be denied their firearm possession rights for up to two years based on minimal evidence.

Unlike the statute for involuntary commitment, which requires evidence of the person's mental illness and dangerousness to be proved by clear and convincing evidence, this statute does not specify the same high evidentiary standard. Once made, these factual determinations are not reviewable on appeal. Ultimately, the statement of a single doctor that the person is probably mentally ill and dangerous is all that is needed to deprive the individual of a constitutionally protected right. The protections this bill affords the individual are simply insufficient. The evidentiary burden is low, there is no opportunity for a second opinion, and the duration of the order is long.

For these reasons, I return LD 1884 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 Specify the Procedures Regarding the Court-ordered Surrender of Dangerous Weapons

(S.P. 719) (L.D. 1884)
(C. "B" S-489)

In Senate, July 9, 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.

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. 729V

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

NAY - Ackley, Alley, Austin S, Bailey, Black, Bradstreet, Campbell, Cardone, Cebra, Chace, Chapman, Craig, Dillingham, Dunphy, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Johansen, Kinney J, Lockman, Lyford, Madigan C, Marean, Martin J, Martin R, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stanley, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 76; No, 67; Absent, 8; Excused, 0.

76 having voted in the affirmative and 67 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1055)

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

June 29, 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 812, "Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County."

The Department of Health and Human Services spent significant time working with community health care providers in Washington County between the first and second regular sessions of the 128th Legislature. They provided technical assistance and expert guidance on how to connect local health care providers and coordinate with both local and statewide resources to fight the opioid epidemic.

The department remains both willing and able to continue serving as a resource for Downeast Maine, but passing a law to require them to develop and implement a pilot project replaces the role of the community with the state government. And in my experience, more government does not necessarily equal better results. The tasks outlined in the bill can and should be undertaken by members of the Washington/Hancock

community, and they should not be a mandate on state government.

For this reason, I return LD 812 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 Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County (EMERGENCY)

(S.P. 257) (L.D. 812)
(S. "A" S-481 to C. "A" S-444)

In Senate, July 9, 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?'

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 Resolve become law and the veto was overridden.

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

Representative **TUELL**: Thank you, Madam Speaker. I rise, hopefully for the last time today, in support of this bill and to override LD 812.

This bill represents months and months of collaboration between the Department of Health and Human Services and local resource providers who are working tirelessly on the opiate crisis in Washington County. It is a pilot project for our county, which is one of the hardest hit in the opiate crisis. As we often hear about the opiate crisis, one thing we hear locally is, "Why isn't the Legislature going to do anything?" And I bristle at that, because I know we're trying to do a lot of things, as we have today. But this is one that will give people an outlet to get help and support services and connect them up to resources that they need. I know others can speak on this bill, and I certainly think the Representative from Calais has done a yeoman's work on making this all come together in a way that was bipartisan in nature. The original bill was a lot more than this, probably too much, but this is fairly modest and fairly simple and allows agencies to leverage federal funds. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker, Members of the House. In reading the Chief Executive's veto, I just want to explain that the amended version of this bill, most of the work was already done at the local level and it needs to be done that way.

The mechanism proposed in this resolve is with the guidance and the help of three departments within the Department of Health and Human Services. This program is set up to ensure that technical advice and execution is going as planned and that also involves a responsibility of the lead agency, which is local, Healthy Acadia, to apply for federal grants, and in those grants, set up an evaluation process.

The reason this needs to be through the state is that it will; this will be under continued guidance through the Department, as well as a report back to Health and Human Services. The reason we're doing this as a pilot, and the reason we think this

is important to stay within the state mechanism, is that if this plan works, it is really something that may end up to be a template for other rural counties. Unfortunately, there are some good programs out there that tend to work in a more populated area that have central populations. Rural counties like Washington don't have a central population, so we're trying to find a way that these; that anyone seeking help gets it when they're asking for it, has a touch with somebody who will evaluate them, get them in touch with a recovery coach, and guide them to treatment when they're ready, because if we don't get them at that moment, we've lost them. And this is a template hopefully that will help other rural counties get people to treatment, so I ask that you override this veto.

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. 730V

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

NAY - Austin S, Bickford, Black, Bradstreet, Cebra, Espling, Farrin, Fredette, Gerrish, Gillway, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 91; No, 52; Absent, 8; Excused, 0.

91 having voted in the affirmative and 52 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1057)

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

July 3, 2018

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1729, "An Act To Restore Confidence in Utility Billing Systems."

This bill was created after many members of the public and media questioned Central Maine Power's new billing system. The bill requires the PUC to apportion of the cost of CMP's management audit to ratepayers and to shareholders in the event of a finding of imprudence. Prior to this bill's introduction, the cost of the management audit was paid for by ratepayers. While the language of the bill does not specifically single out CMP, the intent to single out CMP is clear, and was clear during committee hearings. I find a law that intends to single out a specific company unfair and unconstitutional. Introducing a bill to create a fine for an action after the fact, *ex post facto*, is unfair as well.

This bill also directs the PUC to take actions that are largely already in process. In that respect the bill is unnecessary, and the actions contemplated in the bill can already be achieved through the PUC, the Public Advocate's Office, and the Governor's Energy Office.

This bill is an example of the Legislature unfairly and callously appropriating a process they know is underway in the misguided attempt to look good in an election year. For these reasons, I return LD 1729 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 Restore Confidence in Utility Billing Systems (EMERGENCY)

(S.P. 628) (L.D. 1729)
(S. "A" S-505 to C. "A" S-467)

In Senate, July 9, 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?'

26 voted in favor and 8 against, and 26 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 Jay, Representative Riley.

Representative **RILEY**: Thank you, Madam Speaker. I rise today in support of LD 1729 and I ask that you help me to override this veto.

When a trend of erratic spikes in electric bills became apparent early this spring, the public implored regulators to intervene. The public advocate spoke up and the PUC is investigating. Current law is not adequate, as it holds ratepayers, not the company, responsible for this investigation, or any investigation regardless of the outcome. If the investigators find evidence of imprudence on the part of the utility, this bill would allow them to hold that utility responsible for some or all of the cost of the investigation. Right now, the ratepayers are responsible for the cost even if the utility is found to have acted imprudently. This bill does not create a fine.

Utility employees used to read the electric meters and that information was entered manually into a billing system. The company was required to check their meters every ten years. Today, electronic meters send usage information directly to the billing system. This bill ensures that utilities check that entire

system and that regulators have a simple path to check them independently.

Madam Speaker, 97,000 CMP customers saw spikes of 50% over their normal bills in the first quarter of this year. They're counting on us to do something. They have demanded that we act. Several of us on the Energy Committee, including the Representative from Berwick, spent hours working with the public advocate and the PUC to ensure that we got this right. We're on the right path. I ask you, please, 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. 731V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, 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, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 143; No, 0; Absent, 8; Excused, 0.

143 having voted in the affirmative and 0 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 1058)

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

July 3, 2018

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1770, "An Act To Revise Laws Regarding Unemployment That Were Amended or Affected by Recently Enacted Legislation."

This bill originally sought to correct language errors in the biennial budget that affected employer chargeability and

brought the Department into compliance with federal unemployment requirements by providing that initial tax appeals are handled by the Department of Labor's Division of Administrative Hearings, rather than by the Maine Unemployment Insurance Commission.

Instead of moving this maintenance bill forward, the committee held it hostage, adding language that did not pertain to employer chargeability without seeking the advice of or consulting with any subject matter expert from the Bureau of Unemployment Compensation. Instead, they adopted language drafted by first- and second-term legislators who believe, erroneously, that employees pay into the unemployment system.

The Maine Department of Labor is responsible for the financial administration of the Unemployment Insurance Program under a state-federal partnership. The federal government's fiscal model determines the funding each state receives to support all administrative and staffing costs of the Unemployment Insurance Program, with efficiency being a critical factor.

The Legislature's politically motivated, ignorant intervention on this bill will result in reduced funding to the unemployment system. The bill amendment mandates that certain positions be filled without regard to claims volume. If the Bureau's number of employees does not correlate to workload, the federal fiscal model's efficiency measures will penalize the state for having too high a cost per claim. This will actually decrease funding.

For these reasons, I return LD 1770 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 Revise Laws Regarding Unemployment That Were Amended or Affected by Recently Enacted Legislation

(S.P. 657) (L.D. 1770)

(S. "A" S-485 and S. "B" S-532 to C. "A" S-473)

In Senate, July 9, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

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

ROLL CALL NO. 732V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, 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, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, 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, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Winsor.

Yes, 80; No, 63; Absent, 8; Excused, 0.

80 having voted in the affirmative and 63 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1059)
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

July 3, 2018
The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1809, "An Act to Amend the Laws Governing the Issuance of Burn Permits."

LD 1809 deals with outdoor burning permits, which are a wildfire prevention tool that protect homes, property, public safety and the forest economy. Title 12, Chapter 807 authorizes the Director of the Maine Forest Service to issue outdoor burning permits statewide. The original bill was opposed by the Department of Agriculture, Conservation, and Forestry (DACF) and Maine Forest Service (MFS) because the department believes, as do I, that the best way to control fires is to have a single, statewide system for burn permit issuance under the management or oversight of the MFS Forest Rangers. The MFS also opposed LD 1809 because the original bill did not provide the same benefit of free permits to citizens and business in all areas of the state.

During the legislative process, an agreement was made for the committee to amend LD 1809 to address concerns raised by the department. The fee for the state's online permit system was dropped, making permits available to everyone without charge. In addition, the amendment allowed the Director of the Forest Service to approve up to two private systems for statewide use, with an appeal process given to the courts in the event of a denial by the Director.

However, since being voted out of committee, a final-hour amendment inexplicably reinstated the \$7 fee for the state system while preserving the free, third-party permitting system for up to two providers. This creates a dual-tiered system where people and businesses in only a few towns, mostly in southern Maine, will have online access to free permits. This change negatively discriminates against residents and

businesses operating in Maine's unorganized territories and rural towns, which lack the capacity or resources to contract with an online service.

This last-minute amendment, which appears to be either for the benefit of the outside permit-service providers or to avoid a fiscal note, received little or no scrutiny by either of the legislative bodies. This is exactly the type of backroom wrangling that citizens have come to loathe about the legislative process. I am particularly concerned that the Legislature is willing to pass a measure that puts citizens and businesses in Maine on an unequal footing simply because of where they are located.

For these reasons, I return LD 1809 unsigned and vetoed. I strongly urge the Legislature to sustain this veto.

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 Amend the Laws Governing the Issuance of Burn Permits (EMERGENCY)

(S.P. 678) (L.D. 1809)

(S. "A" S-517 to C. "A" S-417)

In Senate, July 9, 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.

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

Representative **ACKLEY**: Thank you, Madam Speaker, Friends of the House. I rise in favor of the notion that burn permits should be available free, conveniently online, using the software that has been designed by our local fire safety professionals.

This software has demonstrated the test of time. It's preferred by the local frontline safety folks who have to use it and it actually reduces the number of false alarm calls that taxpayers have to pay for. This bill is about candid common sense, Madam Speaker. We should not be surprised that the level of compliance with burn permit requirements is greater when there is no cost, when it is easy, when it's convenient, when it's instantaneous to apply and get a response, and when it actually reduces the administrative burden of our public safety officials. Madam Speaker, I urge you and my colleagues to support this common sense measure and override the Chief Executive's veto.

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. 733V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant,

Denno, Devin, Doore, Dunphy, Espling, Farnsworth, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Dillingham, Farrin, Johansen, Tuell.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 139; No, 5; Absent, 7; Excused, 0.

139 having voted in the affirmative and 5 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 1062)

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

July 6, 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 238, "An Act to Amend the Maine Medical Marijuana Act."

LD 238 is the type of unfortunate legislation that places the interests of a small, vocal minority before that of everyday Mainers. Put plainly, this bill needlessly jeopardizes public health and safety under the guise of benefiting patients of Maine's medical marijuana program.

LD 238 allows these types of businesses to operate in the absence of department rule or certification, posing a significant risk to the public since the legislation allows inherently hazardous materials to be used during extraction. Lawmakers need only look at the recent incidents in Ellsworth and Biddeford for an example of just how dangerous it can be to extract marijuana concentrates with these materials. Passing legislation that would permit newly established manufacturing facilities to conduct this same work in the absence of rule or certification is irresponsible, at best.

As if this were not offensive enough, LD 238 includes an immunity provision that shields these new extraction facilities and their owners, officers, and employees from "arrest, prosecution, search, seizure or penalty in any manner" related to their work. Civil penalties and disciplinary action by licensing boards is also prohibited.

For these reasons, I return LD 238 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 Amend the Maine Medical Use of Marijuana Act (EMERGENCY)

(S.P. 84) (L.D. 238)
(C. "A" S-443)

In Senate, July 9, 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.

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. 734V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Farrin, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, 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 - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 144; No, 0; Absent, 7; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 1063)

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

July 6, 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 1321, "An Act To Promote Social and Emotional Learning and Development in Early Childhood."

The Maine Department of Education understands its mission and should be allowed to do its job. This bill represents yet another voluntary pilot program that will require staff to take time away from their work to study an issue the Department has already identified as needing their attention. It is poor public policy to make the Department conduct yet another study and issue yet another report to gather dust on the Education Committee's bookshelf when they understand there is a need here and are working to fill the gap.

For this reason, I return LD 1321 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 Promote Social and Emotional Learning and Development in Early Childhood

(S.P. 450) (L.D. 1321)
(S. "B" S-533 to C. "A" S-128)

In Senate, July 9, 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?'

30 voted in favor and 4 against, and 30 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 Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Madam Speaker. One of the interesting things that we discovered on the Children's Growth Council is that with preschool children we are actually having incidents of significant behavioral issues that are resulting in young children being expelled from the programs, and one of the issues that has come up is that many of the teachers in preschool and child care do not have the skills or understanding about how to provide adequate care in these situations. This particular proposal is basically to ask the Department of Education to take and develop a program that will provide that kind of support to the early childhood professionals in this state. So I would just urge, for the benefit of those little kids that are experiencing those failures, that maybe we can stop that by providing the teachers with the appropriate training. Thank you.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would just ask that we would sustain this 1321. 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. 735V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Dunphy, Farnsworth, 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, Malaby, Martin J, Martin R, Mastraccio, McCrear, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

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

ABSENT - Black, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

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

83 having voted in the affirmative and 60 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 1064)

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

July 6, 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 1490, "An Act To Stabilize Funding for the County Jails."

This bill aims to provide additional state general funds to the local county jails in FY19. This proposed funding would be above and beyond the \$12.2 million in state general funds already appropriated for funding the jails. If LD 1490 becomes law, the county jails of Maine would receive more than \$18 million in state funding in FY19. Over the last four years, the inmate population in the county jails has declined, leaving

hundreds of beds vacant, yet the request for State funds has continued to increase.

The county jails continue to lack financial oversight, allowing for runaway budgets and unaccounted-for expenses year after year. They assume the State will bail them out by providing additional state funding to fix a county problem. To make matters worse, the state funding comes without any State oversight or control. The people of Maine hear threats about the "drastic measures" the jails will have to employ if they don't get the additional funding from the State; however, if we continue to give additional funding to the jails without requiring accountability and real reform, we will continue to enable their on-going fiscal irresponsibility.

During this legislative session, the Department of Corrections submitted a proposal to restructure the county jails, regionalizing operations, and implementing proper financial oversight, including a plan to save nearly \$10 million. Despite the necessity of solving this problem, the Legislature failed to act on this proposal and failed to produce a workable alternative.

This bill also diverts \$3 million in dedicated revenue from the Department of Professional and Financial Regulation to pay for the cost overruns of the county jails. Cost overruns at county jails are clearly not the responsibility of this department. Furthermore, DPFR's only source of revenue is the money collected for licensing fees from individuals and businesses regulated by DPFR agencies. For the Legislature to take operating funds from a dedicated revenue department to pay for a totally unrelated purpose—jail expense overruns—is inappropriate. DPFR is not the Legislature's personal rainy day fund to use whenever and however it wishes. Licensees have a right to expect that funds paid to agencies within DPFR will be used to further the missions of those agencies including regulatory, educational, and enforcement efforts intended to ensure the public's confidence in the industries and professions being regulated.

Maine's jails have been financially mismanaged for years, yet they continue to receive bailouts from the state to address their budget gaps. Any funding provided by the State to the local county jails should be accompanied by proper State oversight and authority for the jails. Otherwise, the counties should be responsible for funding their own jails.

For these reasons, I return LD 1490 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 Funding for the County Jails

(S.P. 519) (L.D. 1490)
(S. "A" S-535 to C. "A" S-268)

In Senate, July 9, 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.

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

Representative **FREDETTE**: Thank you, Ladies and Gentlemen, Madam Speaker of the House. So, as I begin to wrap up my eight years here in the Legislature, as I look back, there are a couple of issues which I think we've failed to properly fix and address over the last eight years. One of those would be the crisis in opioid addiction, and another would be our jail system.

As we all know, in the 2000s we essentially tried to consolidate our jails and create the state system for funding them, created a cap, there was a question of governance, and I think by and large we failed in that entire process. We have a long ways to go, I think, towards fixing it. And, I give credit to the Criminal Justice Committee over the last couple of sessions that have actually sat down to try to fix the system. To some extent, we've not had a lot of guidance from the second floor in terms of how best to do that, and so the system is sort of kept in an ongoing system of disarray. As people are mostly aware, I think we generally have funded the county jails to the extent of about \$12 million over the biennial budget, and if you will recall, one of the bills that we've already overridden today, we have provided additional funding to the county jails in LD 924.

So, the issue before us now is whether or not we want to give additional funding to our county jails, and I'm going to be asking particularly people on this side of the aisle to support the Chief Executive's veto and to support sustaining this veto. It's not because I don't support the county jails, because I do. I support our law enforcement. One issue, one major issue here is what's the funding source of this additional money? It's not coming out of the General Fund, it's coming out of businesses, corporations, professionals, independents that pay a fee into our business area. And so we're taking money out of a non-General Fund source to essentially fund this, and that was done in part because we essentially have spent all the other money at the end of the work that we got done prior to coming back into session; so this is not a proper funding source. I think we have a long way to go in terms of talking about the cap and I think this is an issue that needs to get addressed in the next legislative session. I'm certain it will be a conversation then, but I think now if, particularly on this side of the aisle, I'm asking people here to take a look at whether or not you want to support this funding, additional funding from a source that's a non-General Fund funding. And I think to be consistent to our Republican values, I think you cannot support that. And, so, I will be voting to sustain the Chief Executive's veto and I ask that you follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Frey.

Representative **FREY**: Yes, thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise today as someone who has been able to serve in this chamber for the last six years, who served on the Board of Corrections task force in my first term, and has watched how, through the work that we have failed to do here in the Legislature, we have left counties and municipalities in a drift, because we have not helped to solve the issues that we have with the county jails. These jails, I am convinced from my own work as a defense attorney, from my work here in the Legislature, from the work in talking with members of my community who have access to these institutions; they are working hard to spend as little money as they can while also making sure that they are fulfilling a very important public safety component that we demand that they do. County jails don't have a choice. If the

court puts people in jail, that's where they stay until the court says go or until they're sentenced. County jails are being required to spend more time; having members of their incarcerated population spend more time when they really should be in the Department of Corrections, but because of work that this Legislature has done to expand the amount of time that people sit in county jails, that cost is put on the counties.

The Board of Corrections failed, for whatever reason, and we could sit here all day and talk about the why; it failed, leaving counties in a very precarious situation. We have historically provided up to \$15 million for the county jails. Just two years ago, we provided that amount of money. This bill here gets us to what we have committed to in the past with one-time money from a pot that is available, that's not being spent. In fact, it's a pot of money; the professional services money is a pot of money that the Chief Executive had identified to send some place else; not to the people that we just heard it was supposed to go to, but some place else. We're using that one-time money to provide for the emergency costs that these jails have already experienced that they have no place else to go to get it, doing the service that we expect them to provide. Additionally, it provides \$3 million of General Fund money to make sure that we don't have the same crisis next time around. Madam Speaker, Ladies and Gentlemen of the House, I come from Penobscot County, and I have had more than one occasion to speak with members of our county commission, to speak with our Republican sheriff, to speak with those in the jails who are facing the crisis that they're facing. They do not have any other options if we do not fund them today. They are going to stop regional booking, which means that they're going to be sending -- when police officers -- regional booking, for folks that don't know, this is where Bangor, Brewer, Glenburn, they may have to take officers off the street to do the booking in their own towns because the Sheriff's Department is not going to be able to do it in-house. This is a valuable service that's going to cost money and it's going to be money from the municipalities, which means our local taxpayers.

So, Madam Speaker, Ladies and Gentlemen of the House, I encourage you to think about the people who have been knocking on our door here in Augusta for a long time, the sheriffs, the county commissioners. Unfortunately, the municipalities have not been as loud as they should be. They've been talking to me, I don't know why they haven't been talking to others as well who may have some questions about this bill. To the extent that we need to fix something later on because the Office of Professional Regulation needs their money back, we can fix that later on, but today we have a crisis in our county jails, and we can fix it with this bill if we override the Chief Executive's veto. I'm asking, Madam Speaker, Ladies and Gentlemen of the House, that you vote in support of this bill and rejecting the Chief Executive's veto. Thank you.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. This has gotten mighty confusing, and I think one of the reasons is that we have historically provided two blocks of funding, the first of which is the very base level of operations and the second of which is community corrections funding. So, if you look at those two sources or those two uses of funds, one keeps the doors open of course 24/7 and the other helps cut down on recidivism. It's called Community Corrections Act Funding, and that's what we're voting on here today, and I think it's important that we do

fund it because we need to get these law enforcement professionals back in their cruisers and not here in the State House; get them out there where they're doing us some good and helping drop the recidivism rate. If we don't make this investment, we'll just be back here again and we'll have increasing rates of recidivism. A revolving door in our jails does nobody any good and it ends up costing us more over the long term, not less.

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. 736V

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

NAY - Austin S, Bradstreet, Craig, Espling, Foley, Fredette, Gerrish, Ginzler, Grignon, Hanley, Hilliard, Kinney J, Lockman, Lyford, O'Connor, Parry, Reed, Sampson, Sanderson, Seavey, Sirocki, Stetkis, Sutton, Turner, Vachon, Wallace, Winsor, Wood.

ABSENT - Black, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons, Theriault.

Yes, 114; No, 28; Absent, 9; Excused, 0.

114 having voted in the affirmative and 28 voted in the negative, with 9 being absent, and accordingly **NOT SUSTAINED** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Employ Veterans in Health Care To Meet Workforce Needs"

(H.P. 1362) (L.D. 1917)

Sponsored by Representative GOLDEN of Lewiston. (GOVERNOR'S BILL)

Cosponsored by Senator: COLLINS of York.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Representative FECTEAU of Biddeford **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

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

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

ROLL CALL NO. 737

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

NAY - Fecteau, Handy, Parker, Sutton, Turner.

ABSENT - Black, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 138; No, 5; Absent, 8; Excused, 0.

138 having voted in the affirmative and 5 voted in the negative, with 8 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Bill "An Act To Authorize the Installation of a Gold Star Family Memorial in Capitol Park"

(H.P. 1363) (L.D. 1918)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by President THIBODEAU of Waldo and Representatives: ESPLING of New Gloucester, FREDETTE of Newport, Speaker GIDEON of Freeport, GOLDEN of Lewiston, Senators: JACKSON of Aroostook, LIBBY of Androscoggin, MASON of Androscoggin, VOLK of Cumberland.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 682) (L.D. 1815) Bill "An Act To Authorize a General Fund Bond Issue To Improve Multimodal Facilities, Highways and Bridges" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-531)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

SENATE PAPERS

Non-Concurrent Matter

An Act To Authorize a General Fund Bond Issue To Build Maine's Workforce Development Capacity by Modernizing and Improving the Facilities and Infrastructure of Maine's Public Universities and Community Colleges (BOND ISSUE)

(H.P. 585) (L.D. 836)

(C. "A" H-802)

FAILED of PASSAGE TO BE ENACTED in the House on June 25, 2018.

Came from the Senate **PASSED TO BE ENACTED in NON-CONCURRENCE.**

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

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

Representative FREDETTE: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm sure most of you will recall this particular bill, and I stand corrected if I'm wrong, is a funding bill, \$49 million to go out to the voters for the University of Maine System for maintenance and upgrades, workforce development and \$15 million for our community colleges throughout the state.

Throughout the last six months, I've had the opportunity to travel throughout the state, and oftentimes to travel to our universities in particular. And, for example, when I was up in Aroostook County, I went to the University of Maine at Fort Kent. I met with some of the folks up there, with the president, and talked to them about plans that they had to tear down a number of buildings and provide some funding here to create a new building that would be much more efficient but, in the process, downsizing the footprint of the University of Maine at Fort Kent. I went to other places, the University of Maine at Machias, the University of Maine at Farmington, and one of the things that I noticed when I went into those buildings, it looked like the painting had been about 30 years old since they've been painted; and some of the other maintenance issues, particularly down Washington County, the University of Maine at Machias, the roads were barely passable because the paving hadn't been done in so many years.

So, I think this is an issue whose time has come, and I think this body should not forget that this body passed in the biennial budget last session \$50 million towards an investment in the state, a strategic investment for \$50 million towards an engineering building for the University of Maine. So, if you take that \$50 million and couple that with this \$49 million, with an additional \$15 million to our community colleges, my math, at least from Downeast Maine, that's roughly about \$114 million. Now, I don't see in any way, shape or form that that is not seen as a historic investment by this body in higher

education, in the University of Maine System and the community colleges in this state; in part, recognizing the need that we have for workforce development, so that we have people that have the necessary skills to go out and compete and get those jobs that are out there today; for example, particularly the nursing shortage, which I've spoken to the president of the University of Southern Maine, President Cummings, about how we're going to address the nursing shortage, the computer science shortage and the engineering shortage.

And so, I see this bill as an investment in rural Maine, and while we've been talking about other bills that we talked about today, for example, down in Washington County with the jail, I see this as a positive investment in Washington County for our; for the University of Maine at Machias down there as well as the community college in Calais. So, I see these as positive investments, particularly in rural Maine and at the University of Southern Maine. I suspect, and I will add this one bit of caution in the end, and while I will acknowledge the hard work that the university particularly has done to centralize a lot of their services and to cut costs, I think they've done that at not paying attention to the maintenance issue. And, so, while I think we see this as an investment in our University of Maine System and our community colleges, I would suspect they shouldn't come for a while looking for yet another investment, but that they should, in fact, be looking at a strategic plan to address downsizing their footprint and their maintenance issues in the future. But I do, in the end, see this as a positive investment for higher education in our state and I urge you to support this bond. Thank you, Madam Speaker.

The same Representative **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR.**

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

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

In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken.

ROLL CALL NO. 738

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

NAY - Espling, Malaby, Sanderson, Sirocki, Stetkis, Sutton, Turner, Winsor.

ABSENT - Black, Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 135; No, 8; Absent, 8; Excused, 0.

135 having voted in the affirmative and 8 voted in the negative, with 8 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

ENACTORS
Bond Issue

An Act To Authorize a General Fund Bond Issue To Improve Multimodal Facilities, Highways and Bridges and Municipal Culverts

(S.P. 682) (L.D. 1815)
(C. "A" S-531)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative HERBIG of Belfast **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken.

ROLL CALL NO. 739

YEA - Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Dunphy, Espling, Farnsworth, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sirocki, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Madam Speaker.

NAY - NONE.

ABSENT - Ackley, Bates, Black, Campbell, Chapman, Duchesne, Farrin, Fay, Grignon, Grohman, Harrington, Harvell, Kinney M, Malaby, McLean, Perkins, Pickett, Sanderson, Sherman, Simmons, Skolfield, Winsor, Zeigler.

Yes, 128; No, 0; Absent, 23; Excused, 0.

128 having voted in the affirmative and 0 voted in the negative, with 23 being absent, and accordingly the Bond Issue was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Prohibit Campaign Fund-raising at the Voting Place"

(H.P. 1354) (L.D. 1912)
(H. "A" H-804)

PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-804) in the House on June 26, 2018.

Came from the Senate **PASSED TO BE ENGROSSED IN NON-CONCURRENCE**.

On motion of Representative LUCHINI of Ellsworth, the House voted to **RECEDE**.

On further motion of the same Representative, **House Amendment "A" (H-804)** was **INDEFINITELY POSTPONED**.

Representative LUCHINI of Ellsworth **PRESENTED House Amendment "B" (H-807)**, which was **READ** by the Clerk.

The SPEAKER: The Representative may proceed.

Representative **LUCHINI**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, House Amendment B before us, I'll quickly run through, it's part of our continued talks to try to find compromise to correct the error to the Maine Clean Elections Act that resulted from our budget bill last year. So, in addition to maintaining this bill, LD 1912, which prohibits campaign fundraising at the polls, this amendment does a few other things.

First, it includes a bulk mailing provision requiring candidates who use bulk mailing services to obtain proof of receipt and mailing when they've done that. I know this is an issue that's popped up before. We've also included a couple of cost-saving measures, as there have been concerns raised in our discussions. This would remove \$1.5 million of the \$3 million advance which we agreed on in the budget deal last year. And, finally, this removes for this campaign season the top tier of supplemental qualifying contributions. As you know, Clean Election candidates are allowed to qualify for multiple levels of additional qualifying contributions. This would remove that top layer. So, we've put this forward as a chance to compromise, and I would urge your support of this amendment. Thank you, Madam Speaker.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-807)**.

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

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It would appear that we are fairly close to wrapping up our work here at the capitol, this being one of the last of a couple issues that need to be resolved before we totally wrap up our work. We've worked over the last two to three weeks on trying to find a compromise whereby we can resolve this particular issue and finish up our work. Our caucus worked in earnest today on a very lively debate. There were many ideas/suggestions in terms of trying to figure up a final resolution to this. Unfortunately, I don't think that this particular amendment goes far enough. I want to thank the good Representative from Ellsworth, Representative Luchini, for coming forward with a potential compromise. However, in my opinion, it probably doesn't get us to the finish line, and I will not be supporting this particular bill, and look forward to continuing to work in earnest to try to find us a way to thread the needle so that we can finish up our work. Thank you, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "B" (H-807). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 740

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

NAY - Austin S, Bradstreet, Cebra, Chace, Craig, Dillingham, Espling, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Lockman, Lyford, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Seavey, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Bates, Black, Campbell, Chapman, Duchesne, Farrin, Fay, Grignon, Grohman, Harrington, Harvell, Kinney M, Malaby, McLean, Perkins, Pickett, Sanderson, Sherman, Simmons, Skolfield, Winsor, Zeigler.

Yes, 81; No, 48; Absent, 22; Excused, 0.

81 having voted in the affirmative and 48 voted in the negative, with 22 being absent, and accordingly **House Amendment "B" (H-807)** was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "B" (H-807)** in **NON-CONCURRENCE** and sent for concurrence.

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

The SPEAKER: Announcement from the Chair: the supplement in front of us, Supplement No. 19, is our adjournment order. We will be adjourning to the call of the President and the Speaker. Today concludes our sixth day, spanning three weeks in special session, and when we pass this adjournment order tonight, we know that we will be back for at least a seventh day, spanning seven and a half weeks of special session, and likely more than that given that we were not able to come to agreements on items today. So, I think that folks should expect that we will likely be called back the week of July 23rd for our next legislative day. It is my hope that on that day, the work and conversations we continue to have will be fruitful and allow us to finally conclude the 128th Legislature, but we'll see. So, folks should expect a notification about that day and time as soon as we know what it is.

SENATE PAPERS

The following Joint Order: (S.P. 753)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so today, July 9, 2018 until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business or consider objections of the Governor.

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

READ and **PASSED** in concurrence.

On motion of Representative GOLDEN of Lewiston, the House adjourned at 8:25 p.m., until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business or consider objections of the Governor, pursuant to the Joint Order (S.P. 753) and in honor and lasting tribute to Evelyne Myrtle Alley, of Beals.