

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Sixth Legislature
State of Maine

Daily Edition

First Regular Session
beginning December 5, 2012

beginning at Page 1

technical difficulties, some of Senator Jackson's remarks were regrettably not recorded) counties in Maine having a rise in people that are going to bed at night not having their three square meals a day. We heard in the committee, Agriculture Committee, from the Agriculture Department that there is a problem, that demand is growing more rapidly than they can do anything about. There is an issue there that certainly needs to be addressed. The Administration's veto letter talks about a lot of different groups that may or may not be working on this issue, but we didn't hear any of that in committee. I really don't understand why it would be a bad thing to have a group of people get together and try to work on food sustainability, getting people together to try and help some of these families with the problem of not having enough food, even so far as soup kitchens have an extreme amount of people showing up at their doors and food going to waste, not having a place to be delivered to. All these things could be at least talked about and looked at and have a report back to the Legislature. This veto letter talks about how people could get the numbers of these possible groups and call them to see what they could do. I don't think that's how the Legislature normally operates. We do things here, or hear from groups that come and report to the Legislature, ways to make issues like this better. That was what this bill was designed to do. A great many of us supported it. I just don't see how it can be a bad thing for the Legislature to look at this issue that even the Agriculture Department sees as a problem and try to come to some conclusions on how to fix it. That's what this bill attempted to do. I thought it was a valiant effort and I'm just struck by why we wouldn't want to do something like this. I would ask that you vote to override this.

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

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, I rise to also lend my support to overriding this particular veto. For me, this bill was next in the progression of what came through the Legislature this session regarding issues of food security, food sovereignty, and other, I would say, sort of farm to plate issues. I had the pleasure of working with the Senate President on this particular issue. Our folks out there need a place to go where they can vet their ideas. This particular commission would put large scale producers and small scale producers together to address some of the issues that came through of over regulation for our small farmers. I think these folks really need a place to be heard. Had not the good Senate President put this bill in at this time, it was on my list to do in the next session. With that, I'll be casting a green light. Thank you.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#362)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, DUTREMBLE, FLOOD, GERZOFKY, GOODALL, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MAZUREK, PATRICK, SAVIELLO, TUTTLE, VALENTINO, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, HAMPER, KATZ, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

ABSENT: Senators: CRAVEN, MILLETT

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being absent, and 21 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: S.C. 518

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR**

2 July 2013

The 126th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 126th 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 1232, "An Act To Maintain the Integrity of the Fund for a Healthy Maine."

This bill does not have any legal effect, since a future legislature can simply pass another law "notwithstanding" this one. If it was put forward solely to score political points against a legislator or governor by claiming that future budget proposals are "illegal," then I am disappointed for Maine people. It is time to stop using the legislative process for political games and focus on the real issues hardworking Maine families care about.

For these reasons, I return LD 1232 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Maintain the Integrity of the Fund for a Healthy Maine
S.P. 426 L.D. 1232

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cain.

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I rise to urge you to join me in voting to override the veto of L.D. 1232. This bill is very simple. "An Act to Maintain the Integrity of the Fund for a Healthy Maine." The Fund for a Healthy Maine was created in 1999 as a way to receive and disperse Maine's annual Tobacco Settlement payments. This is our state's primary investment in public health and preventative healthcare. It is cost effective and it is sensible. This is a simple bill, a simple bill that removes four words from statute and maintains the integrity of a program that lowers healthcare costs in Maine. This bill follows initiatives over several years to increase transparency and accountability in the Fund for a Healthy Maine. This bill was amended off the table and it was amended to move effective date to 2016. Beginning in 2016 it would say that funds that come into the Fund for a Healthy Maine have to stay in the Fund for a Healthy Maine and be used for the intent of the Fund for a Healthy Maine, again, prevention, wellness, making sure we keep healthcare costs low in our state. I ask you to help me override this veto today because this bill is about public health and nothing more. It's an easy vote. It's an easy concept. It's simply the right thing to do. Thank you, Mr. President.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#363)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, DUTREMBLE, GERZOFISKY, GOODALL, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, PATRICK, TUTTLE, VALENTINO, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

ABSENT: Senators: CRAVEN, MILLETT

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being absent, and 18 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED.**

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

The Following Communication: S.C. 519

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR**

2 July 2013

The 126th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 126th 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 1235, "An Act Regarding School Construction."

This bill undermines the statewide system we use to finance and build new schools. It allows municipalities to start spending money before they receive it while allowing those towns to pass the bill onto the state. If a school unit wants to get a jump start on planning for future buildings, they are already free to do so if they cover the cost. But this bill would leave towns free to spend state money without state input.

Letting this bill become law would do little more than reduce transparency and accountability in school construction by allowing accounting tricks to hide the cost of decisions made by local officials. Whether the money comes from the local government, state government, or the federal government, a tax dollar is a tax dollar. Maine people deserve the opportunity to hold their elected officials accountable for how their tax dollars are spent. This bill would work against that.

For these reasons, I return LD 1235 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.