

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

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Yes, 89; No, 43; Absent, 19; Excused, 0.
89 having voted in the affirmative and 43 voted in the negative, with 19 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 224)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

June 19, 2013
The 126th Legislature of the State of Maine
State House
Augusta, Maine

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 1559, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment."

As the Legislature is well aware, I have had significant concerns with this bill. While there are some positives found within it, there are also fee increases on Maine people and significant risk with new authority provided to the PUC. I believe we can do more to encourage lower cost electricity, including hydroelectric, and should focus our limited resources on directly lowering heating costs. Lastly, I know we can provide more relief to Maine businesses and consumers by reducing the add-ons to our electricity bills.

However, in order to work with the committee, the chairs and I came to an agreement on one additional provision. I gave my word that, if that one additional provision was included, I would let this bill go into law without my signature. It was a request that the Legislature provide the University of Maine the opportunity to compete for offshore wind development. There are many things we can disagree on, but we should all agree that our flagship university deserves the opportunity to compete on a level playing field. For the State, it is simply the right thing to do.

For these reasons, I return LD 1559 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 Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment (EMERGENCY)

(H.P. 1128) (L.D. 1559)
(H. "A" H-350)

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be very brief. This energy bill is an omnibus energy bill that was worked on by a committee that did great work on this. It came out as a 12-1 report, worked on for five months. They did great work. It's a great piece of legislation. It seeks to reduce the cost of energy in Maine by at least \$200 million a year by erasing what's called the basis differential. It will help protect jobs in our mills, keep people employed and allow for future economic development here in the State of Maine. It has money in it to reduce energy costs in elements of conservation and efficiency. I would urge you all to follow my light in voting to override the veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Mr. Speaker. I do support overturning this veto; however, I would like to make a point if I may and that point is the Governor has requested and there is a vehicle in the Senate that an amendment that would allow a full evaluation of all offshore wind projects...

The SPEAKER: Would the Representative defer? It would not be proper to talk about the Chief Executive on the second floor by name or by motivation or another piece of legislation other than the one that is currently before the body.

The Chair reminded all members that it was inappropriate to refer to the motives of the Chief Executive.

Representative **DUNPHY**: Okay. Thank you, sir.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of overriding this veto because there was so much bipartisan work that went into this. We really took a multitude of bills, pulled them together in a way that really brought a true bipartisan compromise, and I believe that we have a real opportunity to move Maine's energy future forward. There are things that happened this evening that are quite disappointing and I would hope that we would override this veto so we could once again put this bill back on track, put the State of Maine on track for a strong energy future so we can reduce energy costs. I hope you will follow my light and override this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Hobbins.

Representative **HOBBINS**: Thank you very much, Mr. Speaker. Mr. Speaker, Women and Men of the House. I rise tonight to ask you to join with me to override this veto. As the good gentleman from Newport said, this bill was actively developed over a five month period. It received an overwhelming endorsement, bipartisan endorsement, and it's a bipartisan effort on the part of many stakeholder groups and an almost unanimous committee to put together what I believe is an historic bill. I urge you to join me, this evening, to make history to put this bill back on track to pass for the benefit of Maine people. Thank you.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you for allowing me to speak again, Mr. Speaker. I also support overriding this veto, but I would request, do you have the Governor's letter explaining why he vetoed it, and if you do, would you read it, please?

The SPEAKER: The Governor's letter should be on Supplement No. 25, distributed on members' desks or on the Paperless Chamber. The Clerk will read the letter.

The same Representative **REQUESTED** that the Clerk **READ** the Communication.

The Clerk **READ** the Communication in its entirety.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be very brief. The item referred to in the Chief Executive's letter in regards to the University of Maine, the particular language, actually in the omnibus bill, puts the University of Maine in a position so that it can actually compete. The University of Maine was consulted heavily and participated directly in the language that was involved in the omnibus energy bill. In fact, by not passing the energy bill, my belief is, and I can stand corrected,

the University of Maine is completely out of the game. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping-Spitz.

Representative **TIPPING-SPITZ**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be very brief. I did not think I would be saying this tonight, but I concur with the Representative from Newport. I helped create the language that was in this bill. I ran it by the University. This is a good bill for a lot of different reasons and makes sure the University has a fair shot at getting the contract and moving our state forward with offshore wind. I will end with that.

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. 397V

YEA - Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Crockett, Daughtry, Davis, DeChant, Devin, Dill, Dion, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald W, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Parry, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Wilson, Winsor, Wood, Mr. Speaker.

NAY - Cray, Fitzpatrick, Jackson, Jones, Libby A, Long, Maker, Peavey Haskell, Reed, Timberlake, Willette.

ABSENT - Ayotte, Beaudoin, Campbell J, Campbell R, Cotta, Dickerson, Doak, Johnson D, Johnson P, Kent, Kornfield, MacDonald S, Nadeau A, Newendyke, Nutting, Pease, Peterson, Werts, Winchenbach.

Yes, 121; No, 11; Absent, 19; Excused, 0.

121 having voted in the affirmative and 11 voted in the negative, with 19 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Improve Access to Oral Health Care"

(H.P. 870) (L.D. 1230)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-531) AS AMENDED BY HOUSE AMENDMENT "A" (H-564)** thereto in the House on June 19, 2013.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Non-Concurrent Matter

Bill "An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit" (EMERGENCY)

(H.P. 534) (L.D. 783)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552) AS AMENDED BY HOUSE AMENDMENT "B" (H-567) thereto in the House on June 19, 2013.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552) AS AMENDED BY HOUSE AMENDMENT "A" (H-561)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Provide Tax Fairness to Maine's Middle Class and Working Families"

(H.P. 785) (L.D. 1113)

Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-526) AS AMENDED BY HOUSE AMENDMENT "A" (H-565)** thereto in the House on June 19, 2013.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **ADHERE**.

REPORTS OF COMMITTEE

Pursuant to Joint Rule 309

From the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Improve the Return to the State on the Sale of Spirits and To Provide a Source of Payment for Maine's Hospitals" (EMERGENCY)

(S.P. 75) (L.D. 239)

Received by the Secretary of the Senate on June 19, 2013, pursuant to Joint Rule 309.

Came from the Senate with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Subsequently, the Bill and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

Pursuant to Joint Rule 309

From the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Strengthen the State's Wholesale Liquor Business" (EMERGENCY)

(S.P. 234) (L.D. 644)

Received by the Secretary of the Senate on June 19, 2013, pursuant to Joint Rule 309.