

MAINE STATE LEGISLATURE

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

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COMMUNICATIONS

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 Bill:

An Act To Reduce Energy Costs, Increase Energy Efficiency,
Promote Electric System Reliability and Protect the Environment
(EMERGENCY)

H.P. 1128 L.D. 1559

Comes from the House, 121 members having voted in the affirmative and 11 members having voted in the negative, the veto of the Governor was **OVERRIDDEN** and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, it's been a long time getting to this point this evening where we have this very important bill, which is L.D. 1559. I know there's been a lot of attention paid to this. I wanted to read a portion of a letter that I have in my hands for the Chief Executive. It's dated June 26, 2013. I think it's incredibly important that everybody know and understand what's in this letter. It says, "As you know, L.D. 1472, An Act to Provide for Economic Development With Off-Shore Wind Power, passed the Legislature that would have accomplished what the chairs and I agreed upon, allowing an equal playing field for our University to compete for off-shore wind development. Effectively, this provision has been addressed. As a result enactment, L.D. 1559 should proceed into law. Thank you for your consideration." It's signed by Paul R. LePage. I'm very pleased that, through cooperation from both parties, we've been able to achieve this very important objective and look forward to doing exactly what the Chief Executive has encouraged us to do. When all three branches, or both branches, of government, we don't want to involve the Judiciary here, agree that this very important piece of legislation should, indeed, become law. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. I rise today to speak about the override that is in front of us and the importance of moving forward in overriding the current veto. This bill will put Maine, or potentially put Maine, on a much stronger footing. It is in our best objective to move forward and strongly vote. There are some challenges in this bill. There are some great opportunities. I think that's what we're here to do tonight. It's also important to note that in this bill, itself, it gives a real opportunity to make investments in natural gas so that our mills can become stronger and our families can, potentially, have lower energy bills, but also there are some potential challenges in the bill. We've got to make sure when the state moves forward that these investments, these investments that some of the ratepayers will make, that are critically important, are done correctly; done correctly so they are minimizing the impacts on Maine's families and at the same time we improve our overall economy. We've got great opportunities with this bill and I think it's important that we all act, and we act unanimously, to override the Governor's veto. 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 yeas 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 (#352)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFKY, GOODALL, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: None

35 Senators having voted in the affirmative and No Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

ENACTORS

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

Act

An Act To Protect Cellular Telephone Privacy
S.P. 484 L.D. 1377
(S "A" S-322 to C "A" S-278)

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

Ordered sent down forthwith.

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

ENACTORS

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

Emergency Measure

An Act To Delay the Implementation of Changes to the Business Equipment Tax Exemption

S.P. 611 L.D. 1570

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Measure

An Act To Prevent the Double Funding of Certain MaineCare Costs

S.P. 612 L.D. 1571

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/17/13) matter:

An Act To Lower Costs to Municipalities and Reduce Energy Consumption through Increased Competition in the Municipal Street Light Market

H.P. 885 L.D. 1251
(C "A" H-472)

Tabled - June 17, 2013, by Senator **CLEVELAND** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, June 13, 2013, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-472)**, in concurrence.)