

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session
beginning January 8, 2014

beginning at Page 1544

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Thursday
May 1, 2014

Senate called to order by President Justin L. Alford of
Cumberland County.

Prayer by Senator Thomas B. Saviello of Franklin County.

SENATOR SAVIELLO: Let us be in a spirit of prayer. Grant me
the serenity to accept the things I cannot change, the courage to
change the things I can, and the wisdom to know the difference.
Grant me patience in the changes that will take time, appreciation
for all that I have, tolerance for those with different struggles, and
the strength to get up and try again one day at a time. Amen.

Pledge of Allegiance led by Senator Roger J. Katz of Kennebec
County.

Reading of the Journal of Thursday, April 17, 2014.

Doctor of the day, David Axelman, MD of Norridgewock.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 930

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT

April 3, 2014

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule
505 of the Maine Legislature, the Joint Standing Committee on
Labor, Commerce, Research and Economic Development has
had under consideration the nomination of Steven H. Levesque of
Farmingdale, for appointment to the Loring Development
Authority of Maine.

After public hearing and discussion on this nomination, the
Committee proceeded to vote on the motion to recommend to the
Senate that this nomination be confirmed. The Committee Clerk
called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		2	Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland

Eleven members of the Committee having voted in the affirmative
and zero in the negative, it was the vote of the Committee that the
nomination of Steven H. Levesque of Farmingdale, for
appointment to the Loring Development Authority of Maine be
confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the
recommendation of the Committee on **LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with
Joint Rule 506 of the 126th Legislature, the vote was taken by the
Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#617)

YEAS: Senators: None

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

Representatives 9 Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro

NAYS 0

ABSENT: Senator: MAZUREK

ABSENT 2 Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Steven H. Levesque** of Farmingdale for appointment to the Loring Development Authority of Maine was **CONFIRMED**.

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Miles R. Williams of Caribou, for reappointment to the Loring Development Authority of Maine be confirmed.

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

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 931

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

April 3, 2014

The Doorkeepers secured the Chamber.

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

The Secretary opened the vote.

ROLL CALL (#618)

Dear Mr. President:

YEAS: Senators: None

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Miles R. Williams of Caribou, for reappointment to the Loring Development Authority of Maine.

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

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

ABSENT: Senator: MAZUREK

YEAS Senators 2 Patrick of Oxford, Cushing of Penobscot

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Miles R. Williams** of Caribou for reappointment to the Loring Development Authority of Maine was **CONFIRMED**.

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

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Rita M. Armstrong of Freeport, for reappointment to the Midcoast Regional Redevelopment Authority be confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#619)

YEAS: Senators: None

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

ABSENT: Senator: MAZUREK

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Rita M. Armstrong** of Freeport for reappointment to the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

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

The Following Communication: S.C. 932

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

April 3, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Rita M. Armstrong of Freeport, for reappointment to the Midcoast Regional Redevelopment Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		2	Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland

The Following Communication: S.C. 933

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

April 3, 2014

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

ROLL CALL (#620)

YEAS: Senators: None

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Carl W. Flora of Presque Isle, for appointment to the Midcoast Regional Redevelopment Authority.

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Carl W. Flora** of Presque Isle for appointment to the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

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

YEAS	Senators	1	Patrick of Oxford
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		3	Sen. Cleveland of Androscoggin, Sen. Cushing of Penobscot, Rep. Hamann of South Portland

The Following Communication: S.C. 934

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

April 3, 2014

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Carl W. Flora of Presque Isle, for appointment to the Midcoast Regional Redevelopment Authority be confirmed.

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Signed,

Dear Mr. President:

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Christine M. Phillips of Calais, for appointment to the Washington County Development Authority.

READ and ORDERED PLACED ON FILE.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

YEAS Senators 1 Patrick of Oxford
Representatives 9 Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Christine M. Phillips** of Calais for appointment to the Washington County Development Authority was **CONFIRMED**.

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

NAYS 0

ABSENT 3 Sen. Cleveland of Androscoggin, Sen. Cushing of Penobscot, Rep. Hamann of South Portland

The Following Communication: S.C. 935

STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Christine M. Phillips of Calais, for appointment to the Washington County Development Authority be confirmed.

April 22, 2014

The Honorable Justin L. Alfond
President of the Senate
3 State House Station
Augusta, Maine 04333

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

Dear President Alfond,

READ and ORDERED PLACED ON FILE.

This is to inform you that I am today nominating the following for appointment as alternates to the Commissioner on the Public Utilities Commission:

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

Francis C. Marsano of Belfast
John R. Atwood of Newcastle
Paul L. Rudman of Orono

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

Pursuant to Title 35-A, MRSA §108-B, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

The Doorkeepers secured the Chamber.

Sincerely,

The Secretary opened the vote.

S/Paul R. LePage
Governor

ROLL CALL (#621)

READ and ORDERED PLACED ON FILE.

YEAS: Senators: None

The Following Communication: S.C. 936

STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR

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

29 April 2014

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 1827, "An Act to Authorize a General Fund Bond Issue To Support Maine Small Business and Job Creation"

While the title of this bill sounds good, we can serve our small business community better.

Maine taxpayers are spending over \$70 million in debt service annually until 2015. This number will increase starting in 2016 due to the voter approval of \$100 million of bonds in November, 2013. We must get off the routine of borrowing for everything.

Access to capital is also important to Maine businesses. I support providing flexible capital for Maine small business. However, I believe that borrowing money on the backs of all Maine taxpayers is not the right way to go. Furthermore, the mechanism by which the \$8 million portion of this bill is disbursed to the small businesses does not yield the highest return on Maine taxpayer's investment. I do support the portion of this bill that provides \$4 million to insure portions of loans to small businesses made by financial institutions.

Maine small businesses are the backbone of our economy. It is imperative that they have an environment that allows them to grow and expand their businesses. My Administration has worked tirelessly over the past three-and-a-half years to make Maine more competitive by reducing taxes, streamlining regulations, reducing the cost of doing business and changing the attitude of state government.

For these reasons, I return LD 1827 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 Authorize a General Fund Bond Issue To Support
Maine Small Business and Job Creation
S.P. 732 L.D. 1827

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 (#622)

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

NAYS: Senators: MASON, THIBODEAU, THOMAS, WHITEMORE

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, and 31 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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

The Following Communication: S.C. 937

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

April 18, 2014

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 1431, "An Act To Support School Nutrition and Expand the Local Foods Economy."

The bill requires the Department of Agriculture, Conservation and Forestry to issue grants as high as \$30,000 to support the creation of local "food hubs" in an effort to influence local school districts to buy locally grown and processed food.

Doing so would divert money away from the Agricultural Marketing Loan Fund, which provides low-interest loans to agriculture and uses the interest to finance the Agricultural Development Fund. That fund provides grants to well-established Maine agricultural businesses. Both are programs to which "food

hubs" may already apply for competitive funding under current law.

Proponents of this bill argue that Maine's environmentalists, farmers and schools all agree that more locally grown food should be in our school lunch rooms. If this were true, then this would already be happening and there would be no need for this bill. The fact that they believe that a new law is necessary to make "local food hubs" viable only exposes the fact that school districts have better food options and thus no interest in supporting them.

Under the National School Lunch Program, local school districts are required by federal law to purchase food for their lunch programs through competitive bidding. If food hubs can provide their products to school districts within that requirement, they may sell to schools under current law without this bill.

If local food providers cannot convince local school districts that their products are superior and more economical to that of other providers, then state taxpayers should not be forced to subsidize these providers in order to overcome the natural forces of a free market.

For these reasons, I return LD 1431 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 Support School Nutrition and Expand the Local Foods Economy (EMERGENCY)

S.P. 517 L.D. 1431

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. I rise asking for your support for this Override. This is a good policy. It's one that I know that's had strong support in this Body, 33-0 previously. I want to bring, briefly, to your attention a little bit of information, three floor sheets, which address the kinds of concerns raised in the Governor's letter and speak to them directly. Excuse me, the Chief Executive's letter. We have an UPED by John Pottle which points out, importantly, the actual benefits to the agricultural community and farms and the protections that we worked on both sides of the aisle to put into this bill to ensure that these loans would, indeed, achieve that end. You have an editorial from the Portland Press Herald which points out the significant opportunity for Maine, for our economy, for our farms, for our farmers, for our schools, in growing the amount of food we produce in Maine to meet demand that does exist in our schools and reach larger markets for our farms. You have before you a letter from the School Nutrition Association and Farm to School Network talking about how there is a great deal of interest and demand in our schools for what this bill would provide. I hope that you will take their points, people on the ground, in the field, doing this sort of

work seriously and stand with me in support of this Override. 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 (#623)

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

NAYS: Senators: HAMPER, MASON, SHERMAN, THIBODEAU, THOMAS

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, and 30 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

The Following Communication: S.C. 938

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

29 April 2014

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 1824, "An Act to Provide Additional Authority to the State Board of Corrections."

We in Maine are outliers because elected officials thought it would be wise to pass a law to regulate jails by creating a State Board of Corrections that shares authority with county officials. The Board of Corrections system of governing jails should be a case study in how wrong Democrat experiments can go. The victims of this failed system are the Maine taxpayers.

The Board of Corrections system is a holdover from the Baldacci Administration. Since its conception in 2008, it has cost the Maine taxpayers millions of dollars. In 2008 it cost Maine taxpayers around \$62 million to house prisoners in jail. That spending is now close to \$80 million.

It is very hard to understand how lawmakers can come to the defense of a framework that is so obviously doomed to failure. It is also very difficult for me to understand how they believe that such minor proposed changes will fix it. Of course, the answer is that this system created vested stakeholders. Those stakeholders benefited from this increased spending, and this legislation came up in an election year.

The hard-working people of Maine count on their elected officials to make wise, efficient policy. This bill masquerades as a fix to the Board of Corrections system, but it is nothing more than a bill of goods that was passed by those without the fortitude to fix one of the most troubling problems in the State budget. I believe that if there is a problem, it should be fixed.

For this reason and the others stated above, I return LD 1824 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 Provide Additional Authority to the State Board of Corrections (EMERGENCY)

S.P. 730 L.D. 1824

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 (#624)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, FLOOD, GERZOFOSKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, CUSHING, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

27 Senators having voted in the affirmative and 8 Senators having voted in the negative, and 27 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

The Following Communication: S.C. 939

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

28 April 2014

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 347, "An Act to Amend Insurance Coverage for Diagnosis of Autism Spectrum Disorders."

This bill raises premiums for private health insurance ratepayers (including those obtaining coverage through the exchange) and imposes a cost to taxpayers for funding the State Employee Health Plan. Addressing the first issue, it is perplexing that any legislator would promote individuals seeking inexpensive coverage through the exchanges while simultaneously voting for a bill like this, which makes that coverage less affordable.

With respect to the taxpayer-funded State Employee Health Plan, every bell and whistle we put on that plan adds to its "richness." In just a few years, the ACA's Cadillac tax on rich health insurance benefits will take effect—if we simply keep adding benefits on to the State Employee Health Plan, the estimated Cadillac tax to be paid from the State is \$18 million for the first year. I ask you to consider if this bill will help or hurt us in the long run.

For these reasons, I return LD 347 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 Amend Insurance Coverage for Diagnosis of Autism Spectrum Disorders

S.P. 127 L.D. 347

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 (#625)

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

NAYS: Senators: BURNS, CUSHING, HAMPER, WHITTEMORE, YOUNGBLOOD

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, and 30 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

The Following Communication: S.C. 940

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

29 April 2014

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 1833, "Resolve, Directing the Workers' Compensation Board To Further Study Improving Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance."

I fully support addressing the issue of workers injured in Maine while working for uninsured employers. The problem of employees working for uninsured employers may not be major in terms of size, but if there is a single worker injured while working for an uninsured employer, the problem is paramount for that person. Therefore, we must work to find a solution.

The original version of the bill had specific recommendations developed by a stakeholder group to address the issue. The committee proceeded to change the bill into a resolve with formal directives.

As the Legislature knows, I have serious objections to resolves and unfunded mandates being placed on the Executive branch. While each one may not be significant by itself, taken together they create a significant drain on valuable state resources. The Workers' Compensation Board Executive Director will continue to work with stakeholders to improve the workers' compensation system. When that work is done, the Executive Director will come forward with a recommended proposal for the Legislature to consider.

For these reasons, I return LD 1833 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 Resolve:

Resolve, Directing the Workers' Compensation Board To Further Study Improving Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance

S.P. 736 L.D. 1833

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 (#626)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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. 941

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

29 April 2014

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 440, "An Act to Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas."

I am not opposed to providing young professionals with incentives to make their homes in Maine. In fact, I believe we should do more to encourage our well-trained young people to relocate or return to Maine to live and work.

The reason I veto this bill is because it takes dedicated revenue from a completely unrelated program—the Medical Marijuana Program—and appropriates it to fund this tax break. The Medical Marijuana Program is statutorily required to be self-funding: it receives nothing from the General Fund and should not

be used as a slush fund when the Legislature does not want to appropriate sufficient funding for a new project.

Licenses in Maine have a reasonable expectation that the fees they pay—whether it is medical marijuana caregivers and dispensaries to the Medical Marijuana Program, or professionals such as social workers, plumbers and barbers to their State oversight boards—will fund the programs that license them. If these fees are taken to support unrelated programs, they amount to an unfair tax on the individuals who paid them.

For these reasons, I return LD 440 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 Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas

S.P. 172 L.D. 440

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 (#627)

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

NAYS: Senators: BURNS, MASON, THIBODEAU, THOMAS, WOODBURY

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, and 30 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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

The Following Communication: S.C. 942

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

25 April 2014

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 1468, "Resolve, Directing the Public Utilities Commission To Study the Potential Benefits and Barriers Involved in Making Renewable Thermal Technologies Eligible for Qualification in Maine's Renewable Energy Portfolio Standard."

I support the increased usage of wood for heating Maine homes. However, I do not support forcing the Public Utilities Commission to study the benefits and barriers involved in expanding the State's renewable portfolio standard.

Adding thermal energy to the current portfolio mechanism would likely add further complexity to an already costly process for encouraging electricity generation from renewable sources in Maine.

While this Administration will continue to promote the expansion of affordable energy, I do not believe this study is the best mechanism to carry out that objective and would unnecessarily add to the workload of the Public Utilities Commission.

For these reasons, I return LD 1468 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 Resolve:

Resolve, Directing the Public Utilities Commission To Study the Potential Benefits and Barriers Involved in Making Renewable Thermal Technologies Eligible for Qualification in Maine's Renewable Energy Portfolio Standard

S.P. 542 L.D. 1468

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 (#628)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 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. 943

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

29 April 2014

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 1310, "An Act To Improve Access to Dental Care through Empowering the Denturist Subcommittee of the Board of Dental Examiners."

This bill would significantly alter the current structure of the Board of Dental Examiners. The purpose of the Board of Dental Examiners, as with the other licensing boards, is to protect the health, safety and welfare of the public. A licensing board is neither a guild nor a trade association. A licensing board must act, both in evaluating citizen complaints and developing rules, to protect the safety of the public. In this way, boards are conservative by nature—their goal must never be promotion of a trade above ensuring the health and welfare of Mainers.

This bill would create a board within a board for denturists. It would, in essence, require that the Board of Dental Examiners rubber stamp all rulemaking proposed by the denturist subcommittee, even when the non-denturist members of the Board oppose the rulemaking. The public's health and welfare is better served when it can develop consensus to support new policies. This bill also would eliminate dental hygienists from the Board of Dental Examiners. Dental hygienists provide valuable input and service to the Board, and I cannot support their removal.

For these reasons, I return LD 1310 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 Improve Access to Dental Care through Empowering the Denturist Subcommittee of the Board of Dental Examiners
S.P. 453 L.D. 1310

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

On motion by Senator **HASKELL** of Cumberland, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: S.C. 944

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

29 April 2014

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 1640, "An Act To Expand MaineCare for Veterans and Low-income Residents."

As stated in a prior Medicaid Expansion veto message, Maine cannot afford to expand Medicaid to 100,000 able-bodied adults. The expansion offered through Obamacare would have a disastrous impact on Maine's budget, and those truly needy individuals, our disabled and elderly, who rely today on the scarce resources in our program. Maine has been down this road before and we know where it leads. It leads to broken budgets and massive waitlists, and I will not stand by and watch Maine travel this ill-fated path again.

It is fascinating to me that this bill purports to be about veterans, when, like the other Medicaid expansion bills, it's about providing taxpayer-funded medical welfare to nearly 100,000 able bodied Mainers. About half of this population is already able to qualify for taxpayer-subsidized private health insurance. There is nothing about this bill that is specific to veterans—it's the same old Medicaid expansion language, just packaged with a new title.

If the proponents of this bill argue for Medicaid expansion because the federal Veteran's Administration health benefit does not provide accessible healthcare for our nation's veterans, they should look for a federal solution to that federal problem. I feel strongly that our country should care for the veterans who have served us so ably, but expanding Medicaid does not address the weaknesses in the VA. Why would we trust the federal government to run a fiscally sound Medicaid program if it's argued they cannot adequately fund the federal VA healthcare benefit?

Like all of the other Medicaid expansion bills, this one will lead to broken budgets, hospital bills being paid late, and the neediest of our citizens—the elderly and disabled—continuing to wait for appropriate services. Those results help no one—not the average citizen, and not our veterans.

For these reasons, I return LD 1640 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 Expand MaineCare for Veterans and Low-income Residents

S.P. 631 L.D. 1640

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 (#629)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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. 945

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

28 April 2014

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 1641, "An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation."

I am vetoing this bill because the right created is preempted by the National Labor Relations Act, which vests in the Federal National Labor Relations Board the exclusive right to determine what constitutes protected asserted activity. This bill interferes with an open and free flow of information between employers and employees and, likely, would be severely disruptive of an employer's right to have a statutory second opinion pursuant to the provisions of Title 39-A M.R.S.A. Section 207.

This proposed policy is a solution to a problem that does not exist in the majority of businesses in the State of Maine.

For these reasons, I return LD 1641 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 Amend the Workers' Compensation Laws as They Pertain to Employee Representation

S.P. 632 L.D. 1641

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I stand in hopes that we would Override this veto. This bill was put in by me as the result of what I look at as a gray area in the law within the Workers' Comp System. Where the system should be fair and balanced, if anyone knows anything about Workers' Comp, it can be kind of complex. To simplify it as quick as I can, when a person becomes injured, through no fault of his own, the company has the right to send that employee to a doctor of the company's choice for the first 10 days then beyond the 10 days a person is allowed to go to a treating physician, or physicians, of his choice. During that injury process the company, therefore, has the ability to send that employee to a 207 examiner and any employee being treated by healthcare provider of the employee's own choice shall, after an injury and all reasonable times during the continuance of disability, if so requested by the employer, submit to an examination by a physician, surgeon, or chiropractor authorized to practice as such under the laws of the state to be selected by the employer and paid by the employer. The employer, at any time, has the ability to ask an employee to have an independent exam through a 207 employer. Later, in Section 207, it says, "If an employee refuses or neglects to submit through any reasonable examination provided for in this act or in any way obstructs any such examination or if the employee declines a service that the employer is required to provide under this act, then such employee's rights to compensation are forfeited during the period under the infractions if the board finds that there is adequate cause to do so." What this bill does is, we already have in Section 311 a section that is called "Inadmissible Statements", what this bill does is if an employee who is already under stress, anxiety, and duress when he's called in to see an employer's physician, who doesn't fall within the 206 or doesn't fall within the 207, feels that he doesn't have the ability to understand what's going on, it replaces the bill and it puts in Section G, which would say, "Continued questioning by an investigator, an employer, an employer's representative of an employee after that employee requests a representative of the employee's choice be present during questioning and that request is denied, this paragraph applies without limitations to questions regarding employee's ability to work and job modifications." All

this is saying is if a company has a right to choose a physician for you, which is already law under 207, and they have the ability to ask for a 312 exam, what this is saying is that at other examinations of the employer's choice if an employee becomes confused or doesn't understand what his rights are to say, "Hey, wait a minute. I'd like to have someone here to take notes for me." That's all this does. I would hope that this small clarification would allow everyone to see it in their infinite wisdom to support the Override. Thank you, Mr. President.

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

Senator CUSHING: Thank you Mr. President. Ladies and gentlemen of the Senate, I think many of you know the esteem I hold my good colleague from Oxford for and I appreciate his passion, but this is just not a good idea and I'd appreciate it if we could Sustain the veto. 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 (#630)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, THE PRESIDENT - JUSTIN L. ALFOND

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, and 19 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. 946

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

29 April 2014

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 1837, "An Act to Provide Former Employees of the Maine Military Authority the Ability to Sue for Severance Pay."

This legislation represents an attempt by MSEA to circumvent the judicial process by changing the rules in the middle of the game.

The Maine Military Authority (MMA) is a state agency established by statute within the Executive Branch, and MMA employees are state employees just like the employees of any other department or agency. The longstanding view of the Maine Department of Labor and the Maine Attorney General's office is that the Severance Pay Statute does not apply to state employees. Rather, the Severance Pay Statute grants severance pay to employees of private industrial or commercial facilities employing 100 or more people when the facility substantially ceases its industrial or commercial operations.

In October 2013, due to a drastic funding loss – but not a substantial cessation of its operations – the MMA was forced to lay off approximately 150 workers. Those workers are covered by a collective bargaining agreement which has a binding arbitration clause. The Maine State Employees Association (MSEA) filed a grievance under that agreement, and there have already been several days of hearing concerning the layoff. The arbitrator in that case has the authority to issue remedies to these employees if she finds that the layoff violated the collective bargaining agreement.

In addition to filing the grievance, however, the MSEA also brought suit in the Superior Court against the MMA under the Severance Pay Statute. The MMA, a state entity, raised the defense of sovereign immunity, a defense that government agencies have which protects them from suits. There are several reasons for sovereign immunity, two of which are: 1) to protect the public purse and the government's ability to function and 2) to prevent all taxpayers, equally innocent of any wrongdoing, from having to bear the costs of an injury. Once the State raised this legitimate legal defense, MSEA went to the Legislature and asked it to take the defense away in the lawsuit it had already filed.

I am opposed to this bill for several reasons. First, because the Severance Pay Statute has never been applied to the State before, MMA had no reason to factor in the \$1.16 million in severance pay when it was making its layoff decisions. It is completely unfair for the Legislature to enact this legislation so long after the fact. If MSEA wanted its members to be entitled to severance pay upon layoff, they should have tried to negotiate it into their contract, rather than get the Legislature to do an end run around the courts after they filed suit.

Secondly, while layoffs are never pleasant or easy decisions to make, they are sometimes necessary for the ongoing viability of an operation. In this situation, the MMA took great care to implement this layoff in compliance with the collective bargaining agreement. If the MMA fell short in some way, then the arbitrator already hearing the case can order fair and equitable remedies; there is no need to waive sovereign immunity for these employees to receive due process – they are already getting it.

This legislation is nothing more than the Legislature's pandering to MSEA who promised these laid-off employees they would get severance pay they are not entitled to. The legislation also violates the Maine constitutional prohibition against special legislation that benefits a small group of people over the general citizenry.

For these reasons, I return LD 1837 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 Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay
S.P. 740 L.D. 1837

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I don't think I will be changing many votes on this issue, but I am compelled to speak on this because I feel so strongly about it. As many of you are aware, this act is to provide former employees of the Maine Military Authority the ability to pursue a severance pay. As I mentioned before, this business was retrofitting Humvees and almost 200 people were laid-off. They were told that they would receive severance pay. I think the law is very clear, that this law would apply to this situation. I'm concerned that we are not only laying people off but not giving them the severance pay they're entitled to under Maine State Law. This legislation simply seeks to hold the State of Maine to the same standard that we hold any other employer when it engages in industrial production and implements a mass lay-off as a result of substantial cessation of business. The Maine Military Authority, last October, essentially shut down its industrial operations in Limestone and laid off 147 production workers, a great loss to Aroostook County, very devastating. I think any other industrial employer of this size in the state would be required by law to pay severance and I feel that we are not opening the floodgates. This is a one-time situation and I would respectfully ask that we would vote yes on the pending motion. 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 (#631)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MAZUREK, MILLETT, PATRICK, SAVIELLO, SHERMAN, TUTTLE, VALENTINO, VITELLI, THE PRESIDENT - JUSTIN L. ALFOND

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, and 22 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. 947

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

29 April 2014

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 1750, "An Act To Establish Submission Requirements for Wind Energy through Rulemaking."

The legislation circuitously attempts to restrict the ability of the Department of Environmental Protection (DEP) from requesting additional information from wind developers for proposed projects. Apparently, the Legislature does not believe it would be helpful to understand how a wind project would help reduce energy prices, provide part-time as well as full-time jobs and have potentially detrimental environmental effects.

I disagree. It might have been controversial if the DEP required that projects demonstrate specific energy benefits or employment levels. That is not what DEP has requested. The DEP simply updated their submission requirements for applications for future applications and requested some pertinent questions. The Legislature has offered no valid reason to oppose these questions being asked of wind developers.

Wind development can have a dramatic effect on our entire State, but it is most acute on the local populations. Their voices should be enhanced in the permitting process, and providing information only informs the State of the pros and cons for development. The DEP's request is a modest one in the context of a decision that will have implications for decades in rural communities.

For these reasons, I return LD 1750 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 Establish Submission Requirements for Wind Energy through Rulemaking

S.P. 692 L.D. 1750

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 (#632)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 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. 948

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

29 April 2014

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 1765, "An Act to Establish the Criminal Law Revision Commission."

There is nothing in statute that would prevent the Criminal Law Advisory Commission from conducting the same studies that are contemplated in this bill. Indeed, the enabling legislation specifically contemplated that one of CLAC's duties would be to examine aspects of Maine's criminal law, including substantive, procedural and administrative matters.

It also provides that CLAC is tasked with submitting suggested changes to the criminal laws at the start of each legislative session. It simply does not make sense to create a paid commission to study substantive issues in the criminal code if an existing commission can accomplish the same task.

For these reasons I return LD 1765 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 Establish the Criminal Law Revision Commission
S.P. 700 L.D. 1765

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

On motion by Senator **HASKELL** of Cumberland, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: S.C. 949

STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR

18 April 2014

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 1851, "An Act To Delay Implementation of the Maine Metallic Mineral Mining Act and Related Statutory Provisions."

Two years ago, the Legislature passed LD 1853, a law that has become known as the "Maine Mining Act." This law, which created the framework within which metallic mineral mining could be conducted in Maine, required the Executive branch to promulgate rules to carry out this law.

This bill seeks to delay for two more years the implementation of this law. The motive behind the bill is to prevent the approval of the legally and properly developed rules that comply with the Mining Act as enacted two years ago.

For those who oppose mining in Maine, or would have the State implement rules that differ significantly from those brought forth by the Executive branch, the proper legal path provided by the State Constitution is to amend or repeal the Mining Act itself. No legislative committee brought forward a single bill to do so.

Attempting to thwart or delay a duly enacted State law by postponing its implementation to a date four years past its enactment is clearly a violation of the principles expressed in the Constitution that we all took an oath to uphold.

For these reasons, I return LD 1851 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 Delay Implementation of the Maine Metallic Mineral Mining Act and Related Statutory Provisions
S.P. 750 L.D. 1851

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 (#633)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 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.

Senate at Ease.

Senate called to order by the President.

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

COMMUNICATIONS

The Following Communication: H.C. 429

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

April 25, 2014

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 1858, "An Act To Achieve the Savings Required under Part F of the Biennial Budget and To Change Certain Provisions of the Law for Fiscal Years Ending June 30, 2014 and June 30, 2015."

I cannot support a budget that uses gimmicks to keep it balanced. This bill cuts funding to the MaineCare account by \$20 million in General Fund dollars by slowing down payments to providers. Hundreds of thousands of MaineCare-eligible citizens and tens of thousands of health-care providers that serve them all depend on a MaineCare program that has adequate funding to pay the bills for services rendered. This bill is another example of kicking the can down the road so the controversial and tough decisions can be made after the next election.

The inability to make tough decisions will leave the MaineCare baseline underfunded by at least \$6 million in FY 2015. This budget also claims to fund the waitlists for our elderly and disabled, as well as nursing facilities, but all of the so-called funding is not being made available until 2016. This budget fails to provide funding adequate to eliminate the waitlists or in time to keep at-risk nursing facilities open. Keeping our safety net strong for our most vulnerable citizens is critically important to me.

Instead of setting priorities to address the real problems facing Mainers, the Legislature chose to support welfare for cities and towns and preferred to fund earmarks for political posturing. Instead of focusing on job creation, reducing taxes and lowering energy costs—initiatives that would have benefited all Mainers—the Legislature spent its time waging a political battle by trying to expand welfare five times, even though it would benefit those who already have options for virtually free health care.

Instead of reining in rampant waste, fraud and abuse in our taxpayer-funded welfare programs, the Legislature tried to give solar rebates to wealthy Mainers and worked to prevent teenagers from getting a job.

Furthermore, this budget is soft on the drug problem plaguing our State. It fails to provide the resources necessary to combat drug distribution and trafficking, and it fails to address proper treatment for addicts. Shame on the Legislature for ignoring such major issues that often result in deadly consequences for our citizens.

This budget sets priorities based on a partisan political agenda, not on the best interest of Mainers.

For these reasons, I return LD 1858 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 Achieve the Savings Required under Part F of the Biennial Budget and To Change Certain Provisions of the Law for Fiscal Years Ending June 30, 2014 and June 30, 2015 (EMERGENCY)

H.P. 1349 L.D. 1858

Comes from the House, 134 members having voted in the affirmative and 12 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 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 (#634)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, 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.

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

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

COMMUNICATIONS

The Following Communication: S.C. 960

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

May 1, 2014

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Elizabeth E. Pingree of East Machias, for appointment to the Maine Maritime Academy, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Millett of Cumberland, Johnson of Lincoln
	Representatives	9	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta
NAYS		0	
ABSENT		2	Sen. Langley of Hancock, Rep. Rankin of Hiram

Rep. Soctomah of Passamaquoddy Tribe was absent.

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Elizabeth E. Pingree of East Machias, for appointment to the Maine Maritime Academy, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett
Senate Chair

S/W. Bruce MacDonald
House Chair

READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you Mr. President. Ladies and gentlemen of the Senate, I have the pleasure this morning to rise and speak about the nominee, Eliza Pingree. I cannot tell you how impressed the Education and Cultural Affairs Committee was this morning. She presented herself to the committee with exceptional poise and in a highly articulate manner. Her service as Cadet Chief Engineer, Community Honor Board Co-Chair, Mid-Shipman Training Officer, Officer In Charge, Teaching Assistant, Residential Assistant, and Yeoman reflects, without question, her leadership, integrity, and intelligence. It was a pleasure that the Education and Cultural Affairs Committee unanimously approved the nomination of Ms. Pingree to the Maine Maritime Academy, Board of Trustees and she is here with us this morning.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Burns.

Senator **BURNS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm very proud today to be the Senator for this young lady who you are going to, in a moment, vote on to be a member of the Board of Trustees at the Maine Maritime Academy. As you just heard, her incredible accomplishments already in life really make her stand out. I also just noticed on my computer here that she is sending out e-mails on behalf of some of these vetoes too. Very pleased to welcome her today.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#635)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Elizabeth E. Pingree** of East Machias for appointment to the Maine Maritime Academy, Board of Trustees was **CONFIRMED**.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Eliza Pingree of East Machias. She's a junior at Maine Maritime Academy and just was put on the Maine Maritime Academy Board of Trustees. She is the guest today of the Senator from Washington, Senator Burns. Will she please rise and accept the warm greetings of the Maine State Senate.

The Following Communication: S.C. 961

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 1, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Gwendolyn E. Viles of Athens, for appointment to the State Board of Education.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Millett of Cumberland, Johnson of Lincoln, Langley of Hancock
	Representatives	10	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta, Rankin of Hiram
NAYS		0	
ABSENT		0	

Rep. Soctomah of Passamaquoddy Tribe was absent.

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Gwendolyn E. Viles of Athens, for appointment to the State Board of Education be confirmed.

Signed,

S/Rebecca J. Millett
Senate Chair

S/W. Bruce MacDonald
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#636)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Gwendolyn E. Viles** of Athens for appointment to the State Board of Education was **CONFIRMED**.

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

The Following Communication: S.C. 959

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 1, 2014

The Honorable Justin L. Alfond
 President of the Senate of Maine
 126th Maine State Legislature
 State House
 Augusta, Maine 04333-0003
 Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Paul M. Nelson of Biddeford, for appointment to the University of Maine System, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Millett of Cumberland, Johnson of Lincoln, Langley of Hancock
	Representatives	10	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta, Rankin of Hiram
NAYS		0	
ABSENT		0	

Rep. Soctomah of Passamaquoddy Tribe was absent.

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Paul M. Nelson of Biddeford, for appointment to the University of Maine System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett
 Senate Chair

S/W. Bruce MacDonald
 House Chair

READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you Mr. President. Ladies and gentlemen of the Senate, thank you for your patience with me this morning. I do rise with great pleasure to speak about Paul Nelson. He presented himself, also, with great poise and in a highly articulate manner to the Education and Cultural Affairs Committee and, in fact, handled some rather tough questions posed about the financial situation for the URISA system, the cost of education, and completion, which are all issues that we, on the

committee ourselves, are struggling with and I am very confident that his role on the State Board of Education will be very, very helpful. I'm sorry, this would be to the University of Maine System, Board of Trustees. Mr. Nelson has served with the 101st Air Refueling Wing as the Intelligence Analyst. He currently is working at the University of Southern Maine in Veteran's Services, assisting veteran students in the transition from military to college life, helping them navigate the veteran's affairs educational benefits process, and assisting coordination in the updating and posting of all key information to the Veterans' Affairs Bureau. He serves on the University of Southern Maine's Student Senate as the At-Large Senator and Public Relations Committee member and we are absolutely confident, on the committee, that he will be a great asset to the University System and unanimously approved his nomination. Thank you.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#637)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Paul M. Nelson** of Biddeford for appointment to the University of Maine System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 954

**STATE OF MAINE
 ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
 COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

May 1, 2014

ROLL CALL (#638)

The Honorable Justin L. Alford
 President of the Senate of Maine
 126th Maine State Legislature
 State House
 Augusta, Maine 04333-0003

YEAS: Senators: None

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Energy, Utilities and Technology has had under consideration the nomination of Paul L. Rudman of Orono, for appointment to the Public Utilities Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Cleveland of Androscoggin
	Representatives	7	Hobbins of Saco, Beavers of South Berwick, Dunphy of Embden, Gideon of Freeport, Newendyke of Litchfield, Rykerson of Kittery, Tipping-Spitz of Orono
NAYS		0	
ABSENT		5	Sen. Jackson of Aroostook, Sen. Youngblood of Penobscot, Rep. Harvell of Farmington, Rep. Libby of Waterboro, Rep. Russell of Portland

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Paul L. Rudman** of Orono for appointment to the Public Utilities Commission was **CONFIRMED**.

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

The Following Communication: S.C. 955

**STATE OF MAINE
 ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
 COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

May 1, 2014

The Honorable Justin L. Alford
 President of the Senate of Maine
 126th Maine State Legislature
 State House
 Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Energy, Utilities and Technology has had under consideration the nomination of Francis C. Marsano of Belfast, for appointment to the Public Utilities Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Paul L. Rudman of Orono, for appointment to the Public Utilities Commission be confirmed.

Signed,

S/John J. Cleveland Senate Chair	S/Barry J. Hobbins House Chair
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READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

Signed,

S/John J. Cleveland
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#640)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John R. Atwood** of Newcastle for appointment to the Public Utilities Commission was **CONFIRMED**.

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

The Following Communication: S.C. 958

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON JUDICIARY**

May 1, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of John C. Norman of Portland, for appointment to the Maine Human Rights Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Burns of Washington, Tuttle of York
	Representatives	6	Priest of Brunswick, Beaulieu of Auburn, Crockett of Bethel, Monaghan-Derrig of Cape Elizabeth, Moonen of Portland, Peavey Haskell of Milford

NAYS 0

ABSTAIN 1 Rep. Moriarty of Cumberland

ABSENT 4 Sen. Valentino of York, Rep. DeChant of Bath, Rep. Guerin of Glenburn, Rep. Villa of Harrison

Rep. Mitchell of Penobscot Nation was absent.

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John C. Norman of Portland, for appointment to the Maine Human Rights Commission be confirmed.

Signed,

S/Linda M. Valentino
Senate Chair

S/Charles R. Priest
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#641)

YEAS: Senators: None

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

NAYS 0
 ABSENT 3 Sen. Cleveland of Androscoggin, Sen. Cushing of Penobscot, Rep. Hamann of South Portland

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John C. Norman** of Portland for appointment to the Maine Human Rights Commission was **CONFIRMED**.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Amie M. Parker of Lewiston, for appointment to the Maine Labor Relations Board be confirmed.

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

Signed,
 S/John L. Patrick Senate Chair S/Erin D. Herbig House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 950

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

**STATE OF MAINE
 ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
 COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
 ECONOMIC DEVELOPMENT**

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

May 1, 2014

The Honorable Justin L. Alfond
 President of the Senate of Maine
 126th Maine State Legislature
 State House
 Augusta, Maine 04333-0003

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#642)

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Amie M. Parker of Lewiston, for appointment to the Maine Labor Relations Board.

YEAS: Senators: None
 NAYS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITEMORE, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

ABSENT: Senator: WOODBURY

YEAS	Senators	1	Patrick of Oxford
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Amie M. Parker** of Lewiston for appointment to the Maine Labor Relations Board was **CONFIRMED**.

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

The Following Communication: S.C. 957

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

May 1, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Kevin P Joseph of Oakland, for appointment to the Maine State Housing Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		2	Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Kevin P. Joseph of Oakland, for appointment to the Maine State Housing Authority be confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#643)

YEAS: Senators: None

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

ABSENT: Senator: WOODBURY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kevin P. Joseph** of Oakland for appointment to the Maine State Housing Authority was **CONFIRMED**.

The Following Communication: S.C. 951

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

May 1, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of John J. Bouchard of Brunswick, for appointment to the Midcoast Regional Redevelopment Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	9	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		2	Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John J. Bouchard of Brunswick, for appointment to the Midcoast Regional Redevelopment Authority be confirmed.

Signed,

S/John L. Patrick Senate Chair	S/Erin D. Herbig House Chair
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READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#644)

YEAS: Senators: None

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

ABSENT: Senators: GERZOFISKY, WOODBURY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John J. Bouchard** of Brunswick for appointment to the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

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

The Following Communication: S.C. 952

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

May 1, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Veterans and Legal Affairs has had under consideration the nomination of Patricia A. Rice of Veazie, for appointment to the State Liquor and Lottery Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Tuttle of York, Mason of Androscoggin
	Representatives	7	Luchini of Ellsworth, Beaulieu of Auburn, Fowle of Vassalboro, Kinney of Limington, Longstaff of Waterville, Saucier of Presque Isle, Schneck of Bangor
NAYS		0	
ABSENT		4	Sen. Patrick of Oxford, Rep. Gifford of Lincoln, Rep. Russell of Portland, Rep. Turner of Burlington

Rep. Mitchell of Penobscot Nation was absent.

Nine members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Patricia A. Rice of Veazie, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed,

S/John L. Tuttle
Senate Chair

S/Louis J. Luchini
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#645)

YEAS: Senators: None

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

ABSENT: Senator: WOODBURY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Patricia A. Rice** of Veazie for appointment to the State Liquor and Lottery Commission was **CONFIRMED**.

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

The Following Communication: S.C. 953

STATE OF MAINE
126TH LEGISLATURE
SPEAKERS OFFICE

April 30, 2014

Honorable Darek M. Grant
Secretary of the Senate
#3 State House Station
Augusta, ME 04333-0003

Dear Secretary Grant,

Pursuant to my authority under Title 5, MRSA, Chapter 371-A, §7030, I am pleased to appoint Jessica Laliberte of Waterville to the Permanent Commission on the Status of Women.

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

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

Senator **HASKELL** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

On motion by Senator **JACKSON** of Aroostook, **RECESSED** until 2:00 in the afternoon.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Clarify the Specific Purposes of Recently Enacted Legislation Authorizing the Issuance of a General Fund Bond"
H.P. 1360 L.D. 1865

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Senate at Ease.

Senate called to order by the President.

Bill "An Act To Correct an Error in the Laws To Assist Victims of Human Trafficking" (EMERGENCY)
H.P. 1359 L.D. 1863

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

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

SENATE PAPERS

Bill "An Act To Support Nursing Facilities and Home Care for Seniors and Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas" (EMERGENCY)
S.P. 758 L.D. 1864

Presented by Senator HAMPER of Oxford. (GOVERNOR'S BILL)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

On motion by Senator HILL of York, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent down for concurrence.

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

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

COMMUNICATIONS

The Following Communication: H.C. 455

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

April 29, 2014

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 297, "An Act To Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms."

I fully support arming the forest rangers. The ranger mission has evolved beyond just forest fire protection, and there is good reason for them to carry firearms. However, it is irresponsible—and deceitful—to propose arming the forest rangers, then purposely underfund the costs of their training and job reclassifications.

Forest rangers cannot be armed without the appropriate training, and they cannot be trained without the ability to pay for it. If forest rangers are to be armed, they must be trained properly and paid fairly.

A certain number of rangers have received proper training, but many have not (see attachment). Providing a bare minimum of 64 hours of training as specified in LD 297 in an attempt to save money could result in unintended, but disastrous, consequences. First, a firearms-related incident by a ranger who was not adequately trained would create an enormous liability for the state. Second, reducing the number of training hours would encourage other law enforcement agencies to abandon their more extensive training for the shortened 64-hour program.

Current law exempts forest rangers from the same training standard as other full-time law enforcement officers. If the forest rangers are to be armed, this exemption must be repealed and they must complete the full training course at the Maine Criminal Justice Academy. In fact, several forest rangers sent my office a letter in February 2014 stating that current training standards for part-time officers (the Law Enforcement Pre-Service, or LEPS program, which is a 200-hour course) is not a sufficient final level of training for forest rangers. Funds from the Forest Protection

Account in the Bureau of Forestry could be used to pay for this training.

In addition to failing to fund training for the rangers, the proposed legislation also fails to provide money to pay for the reclassification of the rangers. The state now has over \$600,000 in reclassifications to pay for, which is accumulating interest daily. Adding more reclassifications without the ability to pay for them is disingenuous and fiscally irresponsible.

Arming the forest rangers requires the proper training and the proper funding. Anything less is unacceptable. For these reasons, I return LD 297 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 Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms

H.P. 206 L.D. 297

Comes from the House, 131 members having voted in the affirmative and 15 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 York, Senator Dutremble.

Senator **DUTREMBLE:** Thank you Mr. President. Ladies and gentlemen of the Senate, I stand before you with this very important bill. We've talked about reclassification. We've talked about psych evaluations. We've talked about training, all which have been taken care of within the discussions around this bill. Reclassification will not happen. Psych evals, training will happen. The Chief Executive, in one of his other bills, stated the Maine Constitution is very clear on a person's right to bear arms. It states every citizen has a right to keep and bear arms and this right shall never be questioned. This right is one that I have constantly fought to protect from legislation that would seek to impose illogical, often hurtful, regulations on Maine citizens. He continues with, "Eventually I believe we will see legislation that will allow people to carry concealed weapons without going through the bureaucratic maze of applying for a permit." Studies now confirming that where there are more concealed handguns there is less violent crimes. Yet we have a bill in front of us that we question whether our law enforcement personnel are allowed to carry weapons or wear protective vests. Public Law Chapter 352 states, Section 4, Prohibition: "The Commissioner of Conservation may not purchase bulletproof vests, firearms, or related materials, including but not limited to ammunition and boxes for storage, without specific authorization by the Legislature." I think it's time that we give this authorization and we give all our law enforcement people that protection that they need and deserve in this wonderful state. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gerzofsky.

Senator **GERZOFSKY:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today not to speak an extremely loud but in an extremely clear voice. I want to rise today to support, I want you to hear this correctly, I'm rising today to support the Governor's veto on this bill for the same reasons that the Governor is using. The Chief Executive understands, as I do and as many people in this Chamber understand, the natural inherent danger of the State arming people, the State arming people, without proper training, without the proper psychological examinations, without the proper equipment. It's the State that would be doing the arming. It's not the same as a civilian arming themselves. There is a huge liability. I have spoken in the past about part of that liability and it still gets my dander and I doubt if I can be too quiet when I say the Law Memorial down the hill here, that we will all go to on Memorial Day, has not forest rangers currently on it. There's a reason for that. There's a big reason for that. The day we start arming our rangers, the day we start putting them in harm's way, we, every person in this Chamber and the Chamber down the hall and the second floor, should feel comfortable, should feel confident that we gave them the very best training and, by the bill's own admission, not the least training. We should give them the best that we can give them. We do that to all our law enforcement. We should do it just as well for the forest rangers. The policy should have gone in front of the committee of oversight. It didn't. The only thing that came in front of the Legislature is should we arm, not the policy of how we do it, not the policy on how we're going to train them to do. That was all dumbed down in a fiscal note that everybody should be ashamed of. Ladies and gentlemen, I stand here with a clear voice and a clear conscience and asking this Body to vote to Sustain this veto, not to Override this veto. It's life and, ladies and gentlemen, it's death. We don't need that. We want to do it right. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Plummer.

Senator **PLUMMER:** Thank you Mr. President. Men and women of the Senate, I rise to make two quick points. The first one is it is not the firearm that makes a law enforcement officer a target. It's the uniform. Unless we intend to strip the forest rangers of their uniforms, they are already a target. My second point is I can't say anything to improve on what the good Senator from York, Senator Dutremble, said, so I'll merely say I agree with everything that he said. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Burns.

Senator **BURNS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I won't belabor this, but I did want to say a couple of things because I know how emotionally charged this bill has been throughout its history. It's been a very simple concept for me, though. I know what the State has done. I know that the State has charged the men and women that are forest rangers with the responsibility of enforcing laws in the state. They have put them in a uniform for a reason. They have a badge. They are identifiable. People don't discriminate when trouble

happens as to what agency they belong to. These men and women are identified as law enforcement. If we, as the State of Maine, are going to do that, and we've already done that, then I agree with what the Governor said, the Chief Executive said, in his veto message that they need to be protected. I have great confidence, after looking over this list that's been provided to us on the various degrees of training that these people have, that no one will be issued a weapon until they are fully trained to the level that they need to be. There are very different aspects of training for law enforcement. The one that pertains to the issuance and the use of firearms will be taken care of under this bill. I have great confidence that this is going to be a safety mechanism that needs to be put in place for these men and women and I hope that you will vote to Override this veto and keep these folks safe. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Lachowicz.

Senator **LACHOWICZ:** Thank you Mr. President. First of all I want to thank my colleagues that have gotten up and stood in support of this bill. I agree with you. What I want to mention to people is just this, the bill's very simple. People who are law enforcement officials are members of families. They have husbands. They have wives. They have children. They want to go home every night just like your local police officer or fireman does, or the wardens. They want to be safe. It was my believe, in co-sponsoring this bill, that they should have access to the protective gear and the firearms to keep them safe because I never want to read about a kid losing one of their parents. Everyone knows that's kind of my issue. I would ask you all to vote in favor of Overriding this veto so the people who do the job can be safe when doing their job. Thank you very much.

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

Senator **VITELLI:** Thank you Mr. President. Men and women of the Senate, I'm rising also to speak in favor of Sustaining this veto. I do that very simply as the co-chair of the committee of oversight and my deep concern for the safety of our forest rangers. We need to provide them with the best training, the proper equipment, and the committee needs to thoroughly look at how best to do that and to fund it in a way that does not jeopardize their other roles in protecting the forests from forest fires and other natural predators. I am asking people to please vote in this instance to Sustain the Chief Executive's veto. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Valentino.

Senator **VALENTINO:** Thank you Mr. President. Men and women of the Senate, I wasn't planning on speaking on this bill, but where other people have spoken in reference to their committees, I serve also on the Judiciary Committee. We deal a lot with gun issues on the Judiciary Committee. We deal a lot with concealed weapons. There's a lot of people that have voted many, many times to allow everybody the right to carry a gun and to have concealed weapons. I find that irresponsible not to be arming somebody that is in a uniform, with a badge, that is putting their life on the line and I read directly from the veto message.

The veto message says, "I fully support arming forest rangers," however, it goes on to call us irresponsible and deceitful to propose arming forest rangers and then underfund their training and their classifications on that. I would say that, if this is a good bill, we should support it and, if we find any money today, then we should fund this bill. Even if we don't find any money today, then we should pass the bill because if we're willing to give every person in the state of Maine an opportunity to carry a firearm without any training why would we not give the opportunity to arm forest rangers who carry a badge, who wear a uniform, and go out and protect the citizens of the state of Maine? I think we owe it to them. We owe it to their safety. We owe it to their families to Override this veto. 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 (#646)

YEAS: Senators: BURNS, CAIN, CLEVELAND, DUTREMBLE, GRATWICK, HAMPER, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, PATRICK, PLUMMER, SAVIELLO, THOMAS, TUTTLE, VALENTINO, WHITTEMORE, WOODBURY, YOUNGBLOOD

NAYS: Senators: BOYLE, COLLINS, CRAVEN, CUSHING, FLOOD, GERZOFISKY, HASKELL, HILL, MASON, MILLETT, SHERMAN, THIBODEAU, VITELLI, THE PRESIDENT - JUSTIN L. ALFOND

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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.

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

COMMUNICATIONS

The Following Communication: H.C. 462

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

April 30, 2014

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 1043, "An Act To Improve the Regional Economic Development Revolving Loan Program."

Access to capital is important to Maine businesses. I am supportive of the concept of broadening the criteria for businesses to access this program. The changes outlined in LD 1043 provide access to more businesses by increasing not only the types of businesses eligible, but raising the eligibility criteria on size and sales from 50 to 100 employees and annual sales from \$5 million to \$10 million. This opens up the program to more of Maine's small businesses. The bill also increases the dollar amount on the maximum loan available to the borrower.

An issue I have with this bill is the continued reliance of this program on borrowing money on the backs of the Maine taxpayer. If this program is worthy, let's fund it properly and not pay interest on funds to help Maine businesses.

Also, I am very supportive of providing flexible capital for Maine small business. However, the mechanism by which the funds from this program are disbursed to the small businesses does not yield the highest rate of return on Maine's taxpayer investment.

For these reasons, I return LD 1043 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 Improve the Regional Economic Development
Revolving Loan Program

H.P. 734 L.D. 1043

Comes from the House, 114 members having voted in the affirmative and 32 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 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 (#647)

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

NAYS: Senators: BURNS, MASON, THIBODEAU, THOMAS

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, and 31 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:

COMMUNICATIONS

The Following Communication: H.C. 432

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

April 18, 2014

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 1747, "Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education."

Two years ago, LD 1858, "An Act to Ensure Effective Teachers and School Leaders," became law with the unanimous approval of the Education Committee and both houses of the Legislature.

After many months of work carrying out the process for drafting major and substantive rules, the experts at the Department of Education presented their work to the legislative committee for approval. These rules had the support of the Maine Superintendents Association, the Maine School Boards Association and the Maine Principal's Association, all of whom testified in favor.

Instead of recognizing the hard work and expertise of Commissioner Rier, his staff and the support of those who run Maine schools, the committee, in just one work session, disregarded much of this work and replaced it with a set of amended rules supported by the Maine Education Association.

The amended rules contained in LD 1747 have removed a minimum standard of effectiveness that requires that 20 percent of a teacher's evaluation be based on student achievement. Instead, the altered rules leave the issue of how teachers will be evaluated to a stakeholder group in each district, two-thirds of which must be teachers. This means that teachers will control the process that determines how they should be evaluated, and this process will vary from district to district.

The resistance by the MEA to holding teachers accountable can be summed up in just two sentences, taken directly from the testimony of MEA president Lois Kilby-Chesley: "If my students don't score at a defined level on a standardized test, I may not be called effective. This seems ludicrous."

What is ludicrous is a teacher arguing that a test is not a good way to judge someone.

If a student in a classroom shows no progress on the same test by which all other students at that grade level in Maine are being assessed, then the student has not learned. When this is the case, then at least 20 percent of that failure must be rooted in teaching and that teacher should be held accountable. In fact, I would wager that most Mainers feel that 20 percent is far too low a minimum standard.

When the first vote on this bill in the House of Representatives did not go as the MEA had hoped, their head of Governmental Relations stood just outside the chamber, shouting and verbally assaulting members of the Legislature as they left. This kind of thuggish behavior has no place in the legislative process, but it is revealing in that it demonstrates this organization's attitude toward those who dare disagree with them.

Commissioner Rier and the staff at the Department of Education are the most knowledgeable people in Maine when it comes to these issues, which they work on every day. Dismissing their work and replacing it with rules that diminish the more rigorous standards that our children deserve from those who educate them is wrong and will do nothing to raise the bar in our State or improve educational outcomes for our young people.

For these reasons, I return LD 1747 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 Resolve:

Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1254 L.D. 1747

Comes from the House, 123 members having voted in the affirmative and 23 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 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 (#648)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, FLOOD, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, TUTTLE, VALENTINO, VITELLI, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, CUSHING, HAMPER, MASON, THIBODEAU, THOMAS, WHITEMORE

28 Senators having voted in the affirmative and 7 Senators having voted in the negative, and 28 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:

COMMUNICATIONS

The Following Communication: H.C. 450

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

April 28, 2014

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 1729, "An Act to Increase the Period of Time for the Calculation of a Prior Conviction for Operating under the Influence."

How many families have to be victimized before we pass legislation whereby the trauma that is suffered by victims and their families is reflected in the punishments that are handed down to the criminals that inflict that trauma?

As it was first proposed, this bill would have simply increased the period for calculating what constitutes a prior conviction from 10 years to 15 years. This would have made penalties a bit harsher for those who choose not to obey the law and put innocent drivers in jeopardy. However, this would not have gone far enough to punish repeat offenders.

The change in calculation now only affects a smaller portion of those who have been convicted of OUIs. Since this would give the majority of repeat offenders an easier time in the criminal justice system, I cannot go along it.

I have spoken to too many families who have lost loved ones to drunk drivers to support the continued existence of a sunset for OUI convictions. When repeat offenders choose to drink and drive, they put innocent lives at risk. This bill does not reflect that risk and sends the wrong message to society.

OUI convictions should be forever considered when calculating prior OUI convictions. If drunk drivers risk permanently injuring or even killing innocent victims, it is wrong that their prior OUI convictions are not permanently used to calculate whether they are repeat offenders.

For these reasons I return LD 1729 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 Increase the Period of Time for the Calculation of a Prior Conviction for Operating under the Influence
H.P. 1237 L.D. 1729

Comes from the House, 137 members having voted in the affirmative and 9 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 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 (#649)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, 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:

COMMUNICATIONS

The Following Communication: H.C. 449

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

April 28, 2014

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 1600, "An Act to Require Health Insurers To Provide Coverage for Human Leukocyte Antigen Testing To Establish Bone Marrow Donor Transplantation Suitability."

This bill imposes a new coverage mandate on private health insurance companies. During this initial period of Affordable Care Act implementation, the cost of a brand-new mandate must be defrayed by the State and therefore the taxpayers. The cost of this mandate to the State is estimated at \$48,000 annually. We do not yet know how the federal government will assess this amount, only that they require the State to defray the cost. However, there is no appropriation to pay for it. This will be yet another unfunded cost that will end up in a supplemental budget.

When the ACA implementation phase comes to a close, these costs will then be imposed onto the private health insurance ratepayer. Again, I cannot support making health insurance less affordable, now or down the road. I understand the very difficult circumstances that create a desire for bills like these. But I firmly believe there are more ways to help our neighbors in times of need than developing new insurance mandates, especially unfunded ones.

For these reasons, I return LD 1600 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 Require Health Insurers To Provide Coverage for Human Leukocyte Antigen Testing To Establish Bone Marrow Donor Transplantation Suitability

H.P. 1172 L.D. 1600

Comes from the House, 98 members having voted in the affirmative and 48 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 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 (#650)

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

NAYS: Senators: BURNS, THOMAS

33 Senators having voted in the affirmative and 2 Senators having voted in the negative, and 33 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:

COMMUNICATIONS

The Following Communication: H.C. 434

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

April 18, 2014

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 1806, "An Act To Implement the Recommendations Contained in the State Government Evaluation Act Review of the Maine Public Employees Retirement System."

A section in this bill will charge the Executive Director of the Maine Public Employees Retirement System with establishing a task force to make recommendations to the Board of Trustees of the Maine Public Employees Retirement System on environmental, social and governance policy. I believe that this task force's recommendations will include yet another unnecessary attempt to divest assets invested in fossil fuel companies.

Many Maine citizens rely on jobs in the energy business. If fossil fuel companies were unnecessarily targeted and the State began to divest assets invested in fossil fuel companies, many Mainers could lose their jobs. Fossil fuel companies are also constantly investing in new ways to provide cleaner energy that helps consumers and the environment. Let's not get in the way of this progress.

For these reasons, I return LD 1806 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 Implement the Recommendations Contained in the State Government Evaluation Act Review of the Maine Public Employees Retirement System
H.P. 1297 L.D. 1806

Comes from the House, 113 members having voted in the affirmative and 33 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 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 (#651)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFSKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, SHERMAN, TUTTLE, VALENTINO, VITELLI, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, MASON, PLUMMER, THIBODEAU, THOMAS, WHITTEMORE

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 29 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:

COMMUNICATIONS

The Following Communication: H.C. 438

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

April 22, 2014

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 1821, "An Act To Implement Recommendations of the Right To Know Advisory Committee."

I am committed to a transparent government that allows the citizens of Maine to easily access information pertinent to their lives. Indeed, my Administration has taken significant steps to increase the average citizen's access to information. We launched a new financial transparency website to provide Maine citizens with access to basic, easy-to-understand information regarding state finances and government spending. We have responded to thousands of Freedom to Access Act (FOAA) requests, producing millions of documents. I pushed state government to be more customer friendly – ensuring that everyday requests for information from citizens are responded to daily without the formality of a FOAA request.

This bill would make minor changes to the FOAA recommended by the Right to Know Advisory Committee. The purpose of the Advisory Committee is to "serve as a resource for ensuring compliance ... and upholding the integrity of the purposes underlying [this law] as it applies to all public entities in the conduct of the public's business." Unfortunately, these recommendations just nibble around the edges of the law without addressing real flaws in it. The recommendations do not address the use of FOAA by special interest groups to harass the Executive Branch. They do not address practical concerns that make compliance virtually impossible for many Executive Branch agencies. They do not address real inequities in the application of the law to different branches of government as contained in the Advisory Committee's mandate to advise on applying the law to "all" public entities.

The FOAA law, meant to allow access to government, is instead being used as a weapon to hinder effective and efficient state government. My office has received many overly broad requests from special interests groups. They request years of all communications between my office and certain commissioners, my personal grocery bills and other fishing expeditions that are not about a transparent government. Instead, they are about trying to cripple the operations of my office with thousands of hours of staff time and creating a distraction from conducting the people's business.

The Maine State Police testified that they cannot comply with portions of the law dealing with timing of when a document is received for purposes of the law. If the top law enforcement agency in the State cannot comply with the law, that is a serious problem that must be addressed. Yet the Advisory Committee and the Judiciary Committee both declined to make a reasonable fix to the law.

Most troubling, the FOAA law is inequitable. The Legislature has given itself a "working papers" exception, yet refuses to extend the same courtesy to the Executive Branch. We should either give the Executive Branch a similar exception or strip the Legislature of theirs. Either way, this inequity should not stand. Until it is righted, the Legislature cannot claim its own operations are transparent.

Until these major problems with the law are fixed, I cannot support this legislation.

For these reasons, I return LD 1821 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 Implement Recommendations of the Right To Know
Advisory Committee

H.P. 1311 L.D. 1821

Comes from the House, 137 members having voted in the affirmative and 8 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 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 (#652)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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.

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

COMMUNICATIONS

The Following Communication: H.C. 440

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

April 23, 2014

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 1479, "An Act To Clarify Telecommunications Regulation Reform."

The bill raises fundamental concerns regarding the authority for taxation as well as state-mandates on business. The bill is straightforward. It attempts to delay a tax increase on phone service. First, I cannot accept – at any point – an increase of taxes on all phone services in the State. Delaying the inevitable is not really a delay. It will only increase the costs when we actually address the underlying problem. If it requires hard work to overhaul public policy that is what the Legislature is elected to

accomplish. This is one of the clearest examples of simply punting a hard issue until after an election.

Second, the bill would clarify that tax increases would occur in just over a year depending on the appropriate level determined by the Public Utilities Commission (PUC) under existing law. While I trust the expertise of the PUC in developing just and reasonable rates, I do not believe that they should be delegated what is a Legislative function, the increase of a tax on all phone service, to the Commission. Under the Maine Constitution, Article IX, Section 9, "The Legislature shall never, in any manner, suspend or surrender the power of taxation." This should be a legislative decision. At the beginning of the 126th Legislature the Commission requested direction on the use of Maine Universal Service Funds for use in maintaining provider of last resort service. Instead of direction, this legislative response simply abrogates responsibility to an unelected Commission and a potential action by a future Legislature.

Finally, current law requires that incumbent local exchange carriers "shall provide provider of last resort service." This is an increasingly antiquated model of delivering quality and cost-effective phone service. I support modernizing this requirement and reducing the costs. However, this bill does not modify the underlying policy. Either we need to fund this policy or it needs to be eliminated. Simply retaining the mandate without a method of paying for it is bad public policy.

For these reasons, I return LD 1479 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 Clarify Telecommunications Regulation Reform
H.P. 1060 L.D. 1479

Comes from the House, 134 members having voted in the affirmative and 12 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 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 (#653)

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

NAYS: Senators: THOMAS, WHITEMORE

33 Senators having voted in the affirmative and 2 Senators having voted in the negative, and 33 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.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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

COMMUNICATIONS

The Following Communication: H.C. 441

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

April 28, 2014

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 906, "An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities."

This is one of many bills that sought to place restrictions or outright moratoriums on charter schools and their students. Each of the previous efforts has failed in the Legislature, and this one should as well.

This bill would allow superintendents to deny charter school students from their districts the opportunity to participate in extracurricular or interscholastic activity "if the noncharter public school does not have the capacity to provide (it)."

Since the idea of "capacity" is sufficiently vague, it could be used as an excuse to issue denials without proper justification. Many superintendents have used this same approach in the past to deny student transfer requests by stating simply that it is "against our policy" without regard for whether it is the right thing for the student.

Since the bill does not define what is meant by "capacity" or place any constraints on how this should be considered, it leaves the door wide open for wholesale denials. This is unfair to the students who deserve a more clear and well-defined process.

For these reasons, I return LD 906 unsigned and vetoed on behalf of Maine's public charter school students. 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 Permit a School Administrative Unit Discretion
Concerning Participation of Students from Charter Schools in
School Extracurricular and Interscholastic Activities
H.P. 630 L.D. 906

Comes from the House, 124 members having voted in the affirmative and 22 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 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 (#654)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFSKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, 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:

COMMUNICATIONS

The Following Communication: H.C. 444

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

April 28, 2014

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 1194, "Resolve, Directing a Study of Social Media Privacy in School and in the Workplace."

This resolve would direct the Joint Standing Committee on the Judiciary to study the issue of social media privacy as it relates to school and the workplace. The purpose of the study is to derive proposed legislation that will regulate social media privacy. The current members of the Judiciary Committee will then present that proposed legislation to the members of the Judiciary Committee as it will be constituted in the 127th Legislature.

Studies of this nature are nothing more than pass-the-buck efforts with little or no lasting results. This kind of sleight-of-hand attempt to look like they are doing the people's business when they aren't is a waste of time and energy. If the present members of the Committee want privacy legislation passed in the next Legislature, then they should run for reelection and propose it if they are reelected.

For these reasons I return LD 1194 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 Resolve:

Resolve, Directing a Study of Social Media Privacy in School and in the Workplace (EMERGENCY)

H.P. 838 L.D. 1194

Comes from the House, 133 members having voted in the affirmative and 14 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 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 (#655)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, TUTTLE, VALENTINO, VITELLI, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, HAMPER, MASON, THIBODEAU, THOMAS, WHITTEMORE

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 29 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:

COMMUNICATIONS

The Following Communication: H.C. 451

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

April 28, 2014

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 1757, "Resolve, To Establish the Blue Ribbon Commission on Independent Living and Disability."

This resolve establishes a commission that would duplicate work performed by the federally mandated Statewide Independent Living Council ("SILC"). According to its mission statement, the Maine SILC "advances independent living by engaging in or supporting research, publication, employment, community organizing, advocacy, and systems reform." The Maine SILC is also responsible for developing successive three-year plans, which include goals and funding priorities for independent living, something the proposed blue ribbon commission also would do.

The Maine SILC is also responsible for communicating to the Maine State Rehabilitation Council about addressing needs of specific disabled populations. The State Rehabilitation Council, in turn, is responsible for communicating to the Division of Vocational Rehabilitation how well the latter's programs are assisting individuals with disabilities in Maine.

In sum, we have many existing councils whose role it is to contribute to the development and implementation of statewide goals for independent living, transportation for the disabled, employment of the disabled, etc. I fail to see how establishment of another group will help accomplish these goals.

For these reasons, I return LD 1757 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 Resolve:

Resolve, To Establish the Blue Ribbon Commission on Independent Living and Disability (EMERGENCY)
H.P. 1261 L.D. 1757

Comes from the House, 110 members having voted in the affirmative and 37 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 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 (#656)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 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.

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

COMMUNICATIONS

The Following Communication: H.C. 457

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

April 29, 2014

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 1154, "An Act to Establish the Maine Length of Service Award Program."

LD 1154 would establish a new statewide pension-type program for certain municipal public safety volunteers. Volunteer firefighters and emergency medical technicians are critically important to all of Maine's municipalities and citizens. These brave men and women fulfill their civic responsibility in an especially meaningful manner. Their public service is laudable and should be encouraged.

Unfortunately, this bill, while well-intentioned, is fundamentally flawed. It removes local control, disrupts employer/employee relationships and expands state government at a time when the taxpayers of Maine can least afford it. A new state-run pension program for individuals who are not state employees is a bad idea.

In this instance, employers (municipalities) would be free to negotiate any compensation package to which the parties could reach agreement. The state would be bifurcated from those negotiations, acting as only a third party with no direct involvement in compensation or supervision of employees. This paradigm of using a state-managed retirement benefit to relieve the burden of recruitment and retention issues for local public safety volunteers of some localities is fundamentally unfair. This model has also been proven to be actuarially unsound.

Our state is already carrying an enormous burden for pension costs from the days when school employee pensions were shifted from the local level. We continue to struggle to fund those past obligations, which are significantly greater than the present value of assets in the current retirement plan. Opening ourselves to the possibility of pension obligations for liabilities controlled at the local level is unwise. Prudence and common-sense dictate I not put at risk millions of dollars of hard-working Mainer's money by letting the state stroll down a paved-with-good-intentions road once again.

For these reasons, I return LD 1154 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 Establish the Maine Length of Service Award Program
H.P. 819 L.D. 1154

Comes from the House, 128 members having voted in the affirmative and 16 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 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 (#657)

YEAS: Senators: BOYLE, BURNS, CAIN, CRAVEN, DUTREMBLE, FLOOD, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, THE PRESIDENT - JUSTIN L. ALFOND

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, and 22 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.

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

COMMUNICATIONS

The Following Communication: H.C. 463

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

April 30, 2014

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 1744, "An Act to Protect Maine Lakes."

This bill has a number of major flaws, not the least of which is that it creates a new 25-foot setback that prevents use of fertilizers along the shorelines of Maine's Great Ponds. In addition to adding yet another restriction on Maine people, the bill would create a massive enforcement burden on the Department of Environmental Protection—monitoring and enforcement of all of the land within 25 feet of the shoreline of every major lake in Maine—without providing a single dollar to carry out that work.

This is particularly troubling since the sponsor is among the most vocal critics of the DEP, frequently arguing that it does not do enough to carry out its mission. Yet, here is that same critic adding an enormous new work requirement to the department

while denying it the tools to carry it out. Should this bill become law, we would no doubt hear from him next year, complaining that this new work was not completed. Perhaps he feels that DEP staff should volunteer their free time on evenings and weekends in order to carry out his whims?

Regulations that have impacts on property rights must adhere to principles of sound science and undergo a rigorous public process. Had the fertilizer application prohibition discussion undergone a rigorous scientific review, the property rights of Mainers would not be unreasonably restricted. Two New England states have no comparable fertilizer application restriction at all, and the remaining five that do have some restrictions for fertilizer application within 20 or 25 feet allow for closer application through the use of a drop spreader, rotary with a deflector or a liquid targeted spray. None of these reasonable practices would be allowed under LD 1744. The draconian 25-foot restriction of fertilizer application in LD 1744 is far outside the bounds of reason.

In addition, the new setback may do more environmental harm than good. Much of the soil in these areas is bare and low in nutrients so that grasses and other plants whose roots prevent erosion of soils do not grow well. Properly applying fertilizers can help create root systems that help slow or stop the erosion of soil into the lakes. Thus, restricting the application of fertilizers will cause harm to these lakes.

For these reasons, I return LD 1744 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 Protect Maine Lakes

H.P. 1250 L.D. 1744

Comes from the House, 125 members having voted in the affirmative and 21 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 Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. I want to take a minute to share the good news and the bad news on this particular bill and I also want to share some of the things that I want to get on the record as far as this bill is concerned. The good news, the two most important things were funded: the voluntary lakes monitoring program, data analysis, and the Lake Smart Funding Program that will actually go out and educate people where and where not to fertilize, what not to do on their properties, both around the lake and in the watershed. I'm really proud that we were able to do that and if that was all we had in this bill, or that was part of this bill, I'd perhaps would be voting to

Override the veto. Now to the bad news. After 14 years I should have known better. I should have read the amendments. I should have stuck and made people stick to those things that they ensured me that they wanted to have accomplished. I did not do that. As I walked into this session this year, after the summer, there were pretty scathing reports and allegations against the DEP. I was very concerned. I was worried that, in fact, the lakes in my area, which are significant, were not fully being protected because I do realize the economic and environmental importance of them.

In December Representative Keschl of the other Body, and I met with the Lakes Society and asked them their priorities, knowing these bills were going to come in front of us. They made it very clear to us their two priorities were the Lake Smart Program and funding for the voluntary lake monitoring program and data analysis. Both of them committed to do this and, in fact, began lobbying both leadership and committee chairs and Appropriations that this is what we wanted to have accomplished, that many of the other things that were asked for there would not be adequate funding for.

Surprise to us, L.D. 1744 came out and, to our surprise, the Lake Association decided that's what they wanted instead of what we had agreed upon. In fact, the original L.D. 1744 did not fund the Lake Smart Program or the voluntary lake monitoring program. Mistake number one. I did not verify with the Lake Association what they wanted, nor did they tell me that they were different. L.D. 1744 also began to address many of the perceived deficiencies that the DEP had in relation to the bill in relation to lake protection. A hearing took place, and my good Chair ran a very good hearing, where many of the deficiencies that were prescribed for DEP we found out, in fact, they were doing. They were taking care of roads and so forth and educating people. They just hadn't done a very good job of putting that information out there or carrying forward. We pared down the bill significantly, and I think it's safe to say I was a significant part of actually trying to put that bill together. In that bill we put a 50' ban on fertilizer applications close to the lake. The only thing, and I want to emphasize, 50' and we suggested that we needed a soil test before one could fertilize. Now, as a soil scientist, I know the importance of putting some fertility down around lakes and I actually gave myself and our committee credit for this great idea. In a minute I'll explain to you why it wasn't such a great idea because somebody beat us to it. Plus we put the funding in for the Lake Smart and voluntary lake programs. I felt we crafted somewhat of a safe amendment, but, ultimately, it went to Appropriations and they stripped out the voluntary lake program and the Lake Smart Program and made sure we funded out. We all, in fact, voted for that. As I said before, that was the good news.

However, there still was a fiscal note on the rest of bill, so the Majority Leader in the other Body decided to offer an amendment. My mistake number two is that I didn't read the amendment because I really felt like the bill was going to be vetoed or it was going to be stripped in Appropriations and that we really didn't have to pay attention to the amendment. Mistake number two, as I said, because it came to us as that. It was clear to us and we felt, some of us that were there, that this would be gone and we would not have this conversation and debate today. Now, sadly, at the last day, I did read the amendment. My mistake, as I said. I was told by the Majority Leader that it was too confusing to explain to the caucus that we needed to add a soil test within the 25'. Yet within hours we were dealing with a New Hampshire

Medicaid expansion. I don't think that was too confusing? Do you?

Now going back to the soil testing. Many of you have gotten a letter that talks about the other states that, in fact, have a 25' ban. Well, in part that's right, but not quite. In Vermont, I will tell you yes they do, in fact, have a ban on fertilizer within 25' but I would also point out to you they have no shoreline zoning rules. You don't need to worry about fertilizing your lawn because you'll build your house right up to the lake. In fact, they are now in the process, literally as we speak today, trying to rectify the difference between a House bill and a Senate bill on shoreline in the state of Vermont. In New York, New Hampshire, and New Jersey they do have either a 20' or 25' distance, however, they also say you can fertilize in that area if you have, surprise to me, a soil test and use low phosphorous fertilizer. The original idea we thought we had, somebody else had it. That tells me we're on the right track. As I looked at the 25' ban I also asked myself, "How are we going to enforce this?" Jeff Purdue, who used to be the Attorney General representative when I was a Chair of the Pesticide Control Board, used to tell me if you have a rule that's not enforced you have no law. That's why today, sadly, I'm going to vote to Sustain the veto, but I do promise this, because I still think we're on the right track with the 50', I still think we're on the right track to have the 25', but we need to understand how soil testing fits into place, we have to understand how the enforcement is done in these other states. That's why today I'll be voting to Sustain the veto. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Boyle.

Senator **BOYLE:** Thank you Mr. President. Men and women of the Senate, I rise in support of an Override of the veto. As the good Senator from Franklin said, this has been a long, and somewhat tortuous, bill and process, but I really want to focus more on the original bill and how it was altered over time. I thought the original bill was pretty good, but we stripped a lot of things that would have had a fiscal note. We stripped all that cost out of it. We did add some funding for the Lake Smart Program, which I think was a good thing. We stripped out the requirement for photographic records and shoreline inventories, classroom instruction, development of a priority list of great ponds, training for code enforcement officers, and landscape contractor certification. Those were all things that were in the original bill that we stripped out of it, moved it down to a pretty finite last couple of items, which I still think would do good things. It supports continuing the education of the public on health and function of our lakes and the importance of our lakes. It does direct the DEP to make lake water quality research information available on its website, something that they are doing to a certain extent now but it would support that and enhance that program. It further supports partnerships with lake associations, municipalities, businesses, and others.

We did have a 50' protective zone. It was then changed to 25' and the restriction of saying no fertilizer. I wouldn't think we'd get into an argument about soils here in the Senate Chamber, but if someone were hiring me to come out to their waterfront property on a great pond, and, in fact, people do. I do real estate development, waterfront property development, myself. I hire landscapers and contractors. The first thing we do is not to go to fertilizer. The first thing we say is make sure you have good top soil. That has the organic nutrients already in it. Make sure you

leave leaves and sticks on top of that top soil. That allows water to infiltrate slowly, gives the roots of the plants the sufficient moisture that they need. Look at the kind of sunlight you have on that area that needs to have vegetation. If you have a lot of sun, plant vegetation that's sun loving. If you don't, get a grass mix that loves the shade. Those are the things that you do first. You don't go first to fertilizer, certainly not right along the shore. If we had a provision for a soil test; in fact, we did have in the bill in the Committee Amendment. We had a provision and would have had a qualified professional doing that soil test. It was a concern at the department that the department would have to make a determination of who was qualified. In the whole part of the process of working the bill from committee up to the point where I got to the floor, that provision was stripped out as a potential expense. That's kind of what left us in this position.

I would have preferred that we worked out a bill that everybody could support and it would be 35-0. We didn't quite get there on the last day. Despite that, I still support it and I think the key thing is plants only use the nutrients that they need. If there are excess nutrients, and you don't know how much they need and you put the fertilizer down, it goes into the water if it's 25' from the pond. The excess will go into the water and that's what causes deterioration of lake water quality and alga blooms and etcetera. It's pretty common knowledge, but apparently it's not common enough knowledge. Maine has done an excellent job maintaining water quality in comparison to other states, so I think we are setting the bar. We need to continue to keep that bar high and I think this bill moves the needle slightly in that direction of maintaining and improving water quality here in the state of Maine. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. I love it when two foresters debate because we're both right. Let me just point out a couple of things. One of the things, the 25' gives the wrong impression that when you draw a line there that I can do anything beyond the 25'. Number two, let me point out that you're right. We did put some research ideas in there. We did put cooperation in there. Somebody may not be well satisfied, because it's not well defined, and we'll all be reading about it in the newspaper, unfortunately, that, in the environment that we're in, they aren't doing the job again, only to come back with another bill and find out that they are in fact. It is true that you can put good top soil in the area, but if you don't get a root catch, that good topsoil will end up in the lake. Thank you very much, 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 (#658)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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.

Senate at Ease.

Senate called to order by the President.

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

COMMUNICATIONS

The Following Communication: H.C. 465

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 1, 2014

Honorable Darek M. Grant
Secretary of the Senate
126th Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

House Paper 975, Legislative Document 1367, "Resolve, To Improve Early Diagnosis, Treatment and Outcomes for Youth and Young Adults with, or at Risk for, Serious Mental Health Conditions," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

94 voted in favor and 52 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 33, Legislative Document 38, "Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

82 voted in favor and 64 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1263, Legislative Document 1761, "An Act To Ensure That Large Public Utility Reorganizations Advance the Economic Development and Information Access Goals of the State," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

83 voted in favor and 62 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1303, Legislative Document 1816, "An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

96 voted in favor and 50 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1300, Legislative Document 1809, "An Act Concerning Meetings of Boards of Trustees and Governing Bodies of Quasi-municipal Corporations and Districts That Provide Water, Sewer and Sanitary Services," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

93 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 792, Legislative Document 1120, "An Act To Improve Maine's Tax 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

88 voted in favor and 58 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 829, Legislative Document 1185, "An Act To Enhance Efforts To Use Locally Produced Food in Schools," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

96 voted in favor and 51 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1164, Legislative Document 1593, "Resolve, To Eliminate Financial Inequality in MaineCare Reimbursement for Community-based Behavioral Health Services," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

93 voted in favor and 54 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1270, Legislative Document 1772, "Resolve, Regarding Metallic Mineral Exploration, Advanced Exploration and Mining," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

94 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1286, Legislative Document 1794, "An Act To Cancel the No-bid Alexander Group Contract To Produce Savings in Fiscal Year 2013-14," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

83 voted in favor and 63 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1317, Legislative Document 1829, "An Act To Require the Department of Health and Human Services To Report Annually on Investigations and Prosecutions of False Claims Made under the MaineCare, Temporary Assistance for Needy Families and Food Supplement Programs," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

94 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1309, Legislative Document 1820, "Resolve, Directing the Department of Health and Human Services To Develop a Report with Data on Out-of-state Access to Temporary Assistance for Needy Families Program Benefits," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

87 voted in favor and 59 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 183, Legislative Document 222, "An Act Regarding the Issuance of a Permit To Carry a Concealed Handgun," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

87 voted in favor and 58 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1149, Legislative Document 1578, "An Act To Increase Health Security by Expanding Federally Funded Health Care for Maine People," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

94 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

Senator **HASKELL** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

On motion by Senator **JACKSON** of Aroostook,
RECESSED until 6:30 in the evening.

After Recess

Senate called to order by the President.

Senator **SAVIELLO** of Franklin requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Session.

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

COMMUNICATIONS

The Following Communication: H.C. 460

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

April 29, 2014

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 1850, "Resolve, To Establish the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula."

If ever there was an example of why legislative resolves are a waste of the Legislature's time and the taxpayer's money, this is it. This resolve—stop me if you've heard this before—"establishes a commission." Setting aside the fact that most of these commissions accomplish very little, producing reports that future

legislatures pay attention to even less, let's examine this one in particular.

As stated in the resolve, a panel of fourteen members is required to meet in July, October, November and December of this year and discuss the weighty and complicated issue of school funding. As the sponsor of both the resolve and the amendment are fully aware, this is simply not possible.

The Commissioner of Education has made it clear to those legislators that his department cannot, until at least mid-October, provide the information that this commission needs to have before it in order to carry out its mandated work. So much for the July meeting.

This means that the group must tackle the difficult and complicated issue of Maine's school funding formula in less than seven weeks so as to meet the reporting deadline of December 9, 2014. During this brief time the commission "shall hold no more than six meetings" before producing the required result—"A plan to strengthen the adequacy and equity of the following cost components of the Essential Programs and Services Funding Act."

This must include public preschool, special education allocations, debt service for school construction, cost adjustments for teacher's salaries, State contributions to fund the cost of the unfunded actuarial liability for retired teachers and much more. All in six meetings over seven weeks, by a large group of fourteen people.

The proper and most efficient way to handle this challenging issue is to simply ask that the Commissioner and staff of the Department of Education devote the appropriate level of attention to it and make a report back to the Joint Standing Committee on Education in January 2015, when the next legislature is seated.

At that time, the staff and the members of the committee can consider the information that the department has assembled and make decisions on how to move forward. In fact, I have already asked the Commissioner to do just that.

None of this requires the time and expense of legislative action and certainly not a fourteen member commission who could not possibly consume all of the necessary information, understand it, and then make proper recommendations on how to act upon it in just six meetings over less than two months.

For these reasons, I return LD 1850 unsigned and vetoed. I strongly urge the Legislature to save us all from wasting a great deal of time and energy by sustaining it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Resolve:

Resolve, To Establish the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula (EMERGENCY)

H.P. 1335 L.D. 1850

Comes from the House, 139 members having voted in the affirmative and 7 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 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 (#659)

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

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

ABSENT: Senator: GERZOFISKY

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being absent, and 22 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.**

(See action later today.)

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

COMMUNICATIONS

The Following Communication: H.C. 431

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

April 18, 2014

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 1719, "An Act To Improve Education about and Awareness of Maine's Health Laws and Resources and To Increase the Reimbursement Rate for Adult Day Services."

With the exception of the increase in hourly reimbursement for adult day services, this bill serves only to direct funding to health outreach programs and pilot projects. The Department of Health and Human Services has made it abundantly clear that such programs and projects could easily be funded through grant requests and that this funding should be used to support our most vulnerable citizens.

There are nursing homes in Maine that are on the verge of imminent shutdown due to the decade-long failure of the Legislature to adequately fund them. They need funding now, not tomorrow and not starting in June of 2015, which is when the Legislature's proposed budget would start increasing their funding. The funding stream attached to this bill should be used to keep the doors open at Maine's nursing homes, as well as to increase adult day services, which help to keep seniors in their homes. It's time we figure out our priorities. A vote to override this veto is a vote to close nursing facilities.

For these reasons, I return LD 1719 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Improve Education about and Awareness of Maine's Health Laws and Resources and To Increase the Reimbursement Rate for Adult Day Services

H.P. 1229 L.D. 1719

Comes from the House, 105 members having voted in the affirmative and 41 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 laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

On motion by Senator **HASKELL** of Cumberland, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

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

COMMUNICATIONS

The Following Communication: H.C. 447

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

April 28, 2014

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 1463, "Resolve, To Develop a Process for Tax Expenditure Review."

This Resolve directs the Office of Program Evaluation and Government Accountability to develop a proposal for implementation of a process for ongoing review of tax expenditures by the Legislature. The office is required to submit the proposal by March 1, 2015 to the Government Oversight Committee and the Joint Standing Committee on Taxation.

Last summer, instead of producing a balanced budget, the Legislature convened a task force to study tax expenditures and to raise taxes by \$40 million to help pay for more welfare. The task force was a complete and utter failure. The Legislature now offers this Resolve as political cover for that shortcoming.

Under current law, significant resources go into providing the Legislature with a detailed report on tax expenditures every two years. The availability of this information at the beginning of each Legislature provides ample time and data for the Joint Standing Committee on Taxation to study Maine's tax expenditures and make any recommended changes they deem necessary. To add another study on how to study tax expenditures is duplicative and unnecessary. Moreover, annual reviews of important economic development incentives will set up an unstable and inconsistent tax environment for businesses looking to locate in Maine. Once again, Democrats in the Legislature are persistently trying to kill jobs in Maine by creating an anti-business environment.

For these reasons, I return LD 1463 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 Resolve:

Resolve, To Develop a Process for Tax Expenditure Review
H.P. 1048 L.D. 1463

Comes from the House, 104 members having voted in the affirmative and 42 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 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 (#660)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, FLOOD, GERZOFOSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

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

25 Senators having voted in the affirmative and 10 Senators having voted in the negative, and 25 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:

COMMUNICATIONS

The Following Communication: H.C. 456

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

April 29, 2014

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 933, "An Act To Establish a State Board of Dental Hygiene."

This bill would remove dental hygienists from the Board of Dental Examiners, which serves as the licensing board for dentists, registered dental hygienists, independent practice dental hygienists, denturists, expanded function dental assistants, and dental radiographers. The Maine Board of Dental Examiners has existed since 1891, and is responsible for ensuring the health, safety, and welfare of Maine citizens with respect to oral health care.

The creation of a separate affiliated board would serve to increase licensing fees for dental hygienists as well as the other professionals licensed by the Board of Dental Examiners. Despite the initial funding provided to this proposed dental hygiene board, the loss of economies of scale would result in a fee increase by 2016 to each licensed dental hygienist from the current \$140 fee per biennium to \$240-290 per biennium. Such a fee increase is unacceptable.

Additionally, the establishment of dental therapy as a new profession in Maine makes it even more imperative that the entire oral health team stay together under one Board so that all may contribute to the discussion of implementation. For these reasons, I return LD 933 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 Establish a State Board of Dental Hygiene
H.P. 657 L.D. 933

Comes from the House, 138 members having voted in the affirmative and 8 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 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 (#661)

YEAS: Senators: BOYLE, BURNS, CRAVEN, DUTREMBLE, FLOOD, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, WOODBURY

NAYS: Senators: CAIN, CLEVELAND, COLLINS, CUSHING, GERZOFKY, HAMPER, LANGLEY, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 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.

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 Correct an Error in the Laws To Assist Victims of Human Trafficking

H.P. 1359 L.D. 1863

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.

Act

An Act To Clarify the Specific Purposes of Recently Enacted Legislation Authorizing the Issuance of a General Fund Bond
H.P. 1360 L.D. 1865

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

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

COMMUNICATIONS

The Following Communication: H.C. 466

**STATE OF MAINE
126TH LEGISLATURE
CLERKS OFFICE**

May 1, 2014

Honorable Darek M. Grant
Secretary of the Senate
126th Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

House Paper 962, Legislative Document 1345, "Resolve, To Study the Design and Implementation of Options for a Universal Health Care Plan in the State That Is in Compliance with the Federal Patient Protection and Affordable Care Act," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

91 voted in favor and 54 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1361

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Commission on Independent Living and Disability, referred to in this order as "the commission," is established.

1. Membership. The commission consists of the following members, a majority of whom must be individuals with disabilities:

A. The President of the Senate shall appoint:

(1) Two members of the Senate;

(2) Two members of the public with experience or expertise in the challenges of independent living for individuals with disabilities in the State; and

(3) One representative of a program serving individuals with disabilities who are members of a federally recognized Indian tribe in the State;

B. The Speaker of the House of Representatives shall appoint:

(1) Two members of the House of Representatives;

(2) One member of the public with experience or expertise in the challenges of independent living for individuals with disabilities in the State;

(3) One representative of a business that is a model workplace for individuals with disabilities;

(4) One representative of a statewide association of providers of services for individuals with intellectual disabilities and autism; and

(5) One representative of a statewide association of adults with developmental disabilities and autism; and

C. The commission shall invite the participation of the Commissioner of Health and Human Services, or a designee; the executive director of the Disability Rights Center, or a designee; the executive director of Alpha One, or a designee; the chair of the Maine Statewide Independent Living Council, or a designee; and the Attorney General, or a designee.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

3. Appointments; convening of commission. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. Duties. The commission shall evaluate the needs of Maine citizens with disabilities, review existing available resources and services and recommend priorities for cost-effective changes designed to promote independent living and community inclusion. Specifically, the commission shall examine the State's laws governing access to housing, transportation, public accommodation, education and employment. In developing its recommendations on measures to improve the

lives of, and increase overall community participation by, Maine citizens with disabilities, the commission shall consider the expansion of access to:

A. Assistive technology;

B. Appropriate and accessible housing and community-based living opportunities;

C. Appropriate education and training opportunities to promote employment of individuals with disabilities; and

D. Cost-effective transportation.

5. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

6. Report. No later than November 5, 2014, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

Comes from the House, **READ** and **PASSED**.

READ and **PASSED**, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.C. 467

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 1, 2014

Honorable Darek M. Grant
Secretary of the Senate
126th Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

Senate Paper 517, Legislative Document 1431, "An Act To Support School Nutrition and Expand the Local Foods Economy," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

96 voted in favor and 50 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 881, Legislative Document 1247, "An Act To Expand Coverage of Family Planning Services," 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 House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

92 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Improve Access to Dental Care through Empowering the Denturist Subcommittee of the Board of Dental Examiners
S.P. 453 L.D. 1310

Tabled - May 1, 2014, by Senator **HASKELL** of Cumberland

Pending - **CONSIDERATION**

(In Senate, April 17, 2014, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, May 1, 2014, Veto Communication (S.C. 943) **READ** and **PLACED ON FILE.**)

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 (#662)

YEAS: Senators: BOYLE, CRAVEN, DUTREMBLE, HASKELL, JACKSON, JOHNSON, PATRICK, VALENTINO, VITELLI

NAYS: Senators: BURNS, CAIN, CLEVELAND, COLLINS, CUSHING, FLOOD, GERZOFISKY, GRATWICK, HAMPER, HILL, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

9 Senators having voted in the affirmative and 26 Senators having voted in the negative, and 9 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 Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Establish the Criminal Law Revision Commission
S.P. 700 L.D. 1765

Tabled - May 1, 2014, by Senator **HASKELL** of Cumberland

Pending - **CONSIDERATION**

(In Senate, April 17, 2014, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, May 1, 2014, Veto Communication (S.C. 948) **READ** and **PLACED ON FILE.**)

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 (#663)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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.

Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later Assigned (3/31/14) matter:

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Directing the University of Maine System and the Maine Community College System To Study the Establishment of a Pilot Program Based on Oregon's 'Pay Forward, Pay Back' Model of Funding Public Postsecondary Education

S.P. 667 L.D. 1702

Report - **Ought to Pass**

Tabled - March 31, 2014, by Senator **MILLETT** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 31, 2014, Report **READ**.)

On motion by Senator **MILLETT** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/3/14) matter:

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase College Affordability and the Rate of Degree Completion"

S.P. 668 L.D. 1703

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-489)**

Tabled - April 3, 2014, by Senator **MILLETT** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In Senate, April 3, 2014, Report **READ**.)

On motion by Senator **MILLETT** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

On motion by Senator **JACKSON** of Aroostook, the Senate **RECONSIDERED** whereby it **SUSTAINED THE VETO** on the following:

Resolve, To Establish the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula (EMERGENCY)

H.P. 1335 L.D. 1850

(In House, May 1, 2014, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**.)

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 (#664)

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

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

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, and 24 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.

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

Senate at Ease.

Senate called to order by the President.

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **PATRICK** of Oxford, the following Joint Order:

S.P. 759

ORDERED, the House concurring, that, notwithstanding Joint Rule 353, the Commission To Improve Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance, referred to in this order as "the commission," is established.

1. Membership. The commission consists of the following members.

- A. The President of the Senate shall appoint:
- Two members of the Senate;
 - One representative of the American Federation of Labor and Congress of Industrial Organizations;
 - One representative of the Maine State Chamber of Commerce;
 - One representative of the National Federation of Independent Business; and
 - One attorney who primarily represents injured workers.
- B. The Speaker of the House of Representatives shall appoint:
- Three members of the House of Representatives;
 - Two representatives of workers' compensation insurance carriers;
 - One representative of the Workers' Compensation Coordinating Council of Maine; and
 - One representative of the construction industry.
- C. The President of the Senate and the Speaker of the House shall invite the participation of the executive director of the Workers' Compensation Board, or a designee.

Legislative members of the commission must be from each of the 2 parties holding the largest number of seats in the Legislature.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

3. Appointments; convening of commission. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of

the commission. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. Duties. The commission shall study the issue of improving protections for injured workers whose employers have wrongfully not secured workers' compensation payments, including the prevalence of the problem, and identify potential funding sources to address the problem.

5. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

6. Report. No later than November 5, 2014, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

READ.

On motion by Senator **KATZ** of Kennebec, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#665)

YEAS: Senators: **BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND**

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

ABSENT: Senator: **MAZUREK**

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being absent, the Joint Order was **PASSED**.

Ordered sent down forthwith for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act To Enhance the Availability of Special Restricted Licenses in Cases of Medical Need" (EMERGENCY)

H.P. 1357 L.D. 1862

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-852)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-852)**.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-852) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Ordered sent forthwith to the Engrossing Division.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Improve Education about and Awareness of Maine's Health Laws and Resources and To Increase the Reimbursement Rate for Adult Day Services

H.P. 1229 L.D. 1719

Tabled - May 1, 2014, by Senator **HASKELL** of Cumberland

Pending - **CONSIDERATION**

(In House, May 1, 2014, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**.)

(In Senate, May 1, 2014, Veto Communication (S.C. 943) **READ** and **PLACED ON FILE**.)

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 (#666)

YEAS: Senators: **BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND**

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

ABSENT: Senator: **MAZUREK**

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being absent, and 20 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.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1358

**JOINT RESOLUTION RECOGNIZING
MAY AS FOSTER CARE MONTH**

WHEREAS, National Foster Care Month originated in 1988 when the National Foster Parent Association persuaded the United States Congress to introduce a resolution to proclaim May as National Foster Care Month and to recognize and show appreciation for the tremendous contributions of foster parents across the nation; and

WHEREAS, recognizing a Foster Care Month in Maine provides an opportunity for people to focus their attention on the year-round needs of children and youth in foster care and to raise awareness about foster care and encourages citizens to get involved in the lives of these children; and

WHEREAS, Maine is strongly committed to the important task of ensuring that our children grow up healthy and safe, and boys and girls in foster care too often go without the love, protection and stability of a permanent family; and

WHEREAS, during Foster Care Month, we recognize the foster parents and professionals who work every day to lift up the children in their care toward a bright, productive future; and

WHEREAS, there are more than 100,000 children in Maine who are looking for permanency with caring parents and meaningful, long-term relationships that will help them transition into adulthood; and

WHEREAS, in order to give foster youth the support they need, people in every Maine community are stepping up to serve as mentors, teachers, faith leaders, caseworkers, advocates and kinship caregivers to make a difference; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, pause in our deliberations to recognize May as Foster Care Month and we urge people in Maine to be supportive adults for children in need and we send our appreciation to the countless people who are answering that call to action.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

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

THE PRESIDENT: Since I have you all here and we have a little bit of time, I thought I'd capture our final moments together as the 126th Maine State Senate. Seventeen months ago we all were sworn in and I was given my greatest honor of my professional life. You elected me as the President of the Maine State Senate. In my inaugural remarks I called upon all of us here to disappoint those who were eager for us to fight and instead put the people's work first. I'll be the first to admit this session, like many others in the past, had its share of lively and colorful debates, but isn't that what makes democracy work? What made this Legislature unique is that time and time again, despite the first time a divided government has been here in Maine in 20 years, we put aside our differences, did the difficult work, and accomplished great things for the state of Maine. We successfully passed five budgets. We successfully overrode two budgets. We prevented a massive property tax hike by restoring revenue sharing. We made historical investments in our workforce so Maine workers can be prepared for the jobs of today and tomorrow. We worked for our veterans by expanding our treatment courts and providing tuition breaks. We passed bond packages aimed at investing in our assets from our roads and bridges to our higher ed institutions to our research labs. Our investments keep an eye on our future while getting folks back to work today. We are well on our way to insuring no child in Maine ever goes hungry at our schools. Sometimes I find myself reflecting in the hallways behind this Chamber. It's filled with pictures of people who once wielded this gavel and our books are filled with laws made by those who sat in here with those past Presidents. When future Senators and the people of Maine look to the work we've done here we will not be remembered by the volumes of voices when we disagreed or hard we shook our fists when we lost, but we will be remembered by the lasting effects of the work we did together. That's all that will be captured.

While most of us will be returning to our districts to ask the voters to once again send us back here, some of us will be leaving this Body for other things. Senator Sherman, you served 16 years of distinguished service. You made Aroostook County proud with your tireless efforts for rural Maine. You are a gentleman and a scholar and we all wish you luck. Get some R and R in the County and thank you for being a true gentleman. Senator Craven, you and I came into the Senate together in 2008 and it has been an extreme pleasure serving with you. Senator, you epitomize what it means to be a dedicated public servant. You are one of the most passionate voices for the underserved and a fierce advocate for anything Lewiston. It will be difficult for the next Senator from Lewiston to fill your shoes. Your absence will truly be felt. There is always a person in every group that wants to push people to the edge of their comfort zones. For us it's Senator Woodbury. Senator, you are a big thinker and want big change. You've led this Body around incredible difficult issues like tax reform, voting rights, and budget issues. Who knew an economist could be so passionate and have such a sense of humor. We will miss your advocacy, your clever problem solving in the Senate, and best of luck. Textbook, textbook is how I describe Senator Plummer as he's addressing the Chair. His confidence and voice is a model for all of us. Senator, it's been very clear how deeply you care about public safety and the security of Maine people. You've served the state admirably for 10 years. No small feat. I've appreciated our work together to support Cumberland County. I'll see you next year at a Pirate's game back in Portland. Thank you very much. I don't think anyone would argue with me if I were to say that hardest job in this building is serving on Appropriations. Anyone who chooses to spend their time tucked in those small dinky back offices that Approps serves in deserves a medal. Senator Flood's eight years of service on that committee deserves a big thanks from the entire state. Senator, as you leave us this Body is losing a gentleman, one who not only has the skills to build budgets but also cares deeply for what's in them. You are one of the most patient, calm, and thoughtful people I have ever had the pleasure to work with. I wish you lots of luck, lots of rest, and you'll be deeply missed. Thank you. Senator Cain and I first crossed paths in 2004. I was a new organizer in Maine and she was a first time candidate in Orono. You could tell back then that she was going places. Senator, you are one of the most talented legislators I have ever had the pleasure of working with. Over the last 10 years you have proven yourself to be an incredible problem solver and a consensus builder; a perfect choice for service on Approps and in leadership. You are a strong advocate for your community. You stand up for your beliefs always. You will be sorely missed. Good luck. Even though Senator Mazurek is not here, I've always felt, obviously, a deep connection with Senator Mazurek. As the two professional athletes in the Chamber, we always had that connection. You know, just one more thing about Senator Mazurek. He didn't talk a lot, but when he did we all listened. He served the state incredibly well. I'm sorry that he's not here and I just want to thank him, and his family, for everything that he has done for the state of Maine.

None of us could have had the success we had this session without the support and guidance of leadership on both sides of the aisle. Senator Hill, you are a fair, confident, and steady leader who I always could count on. Senator, you have led this Body through five successful budgets, one of which kept this state from shutting down. While you are not a member of the Legislative Council, no one can question the incredible leadership

you have shown on Appropriations. I cannot express enough my deep appreciation for our working relationship and all the great things we've done together. Thank you very much. I still remember when I became the Assistant Minority Leader in the 125th. A young, very, very inexperienced freshman Senator, Senator Katz, asking me if I liked being in leadership. He was very worried about the partisan nature of being in leadership. Well, Senator Katz, welcome to leadership. How did it go? It has been a real pleasure working with you on the biggest issues that we have faced over the last two years. Healthcare, tax reform, it could go on and on. In divided government we need people willing to forge compromises to do the real difficult work. Thank you for your tireless leadership and I look forward to working with you in the future. Back in December of 2012 many looked at Senator Thibodeau and I, who couldn't be more polar opposites politically, I know this is a shocker, and thought there was no way anything was going to get done in the Senate. Not with these two guys. Well, Senator, we proved them wrong. It's been a real pleasure getting to know you better, disagreeing with you at times, and building a deeper working relationship. You stand by your convictions proudly. I have deep respect for your work. You treated me fairly and I thank you and there is no one in this Chamber that was pulling harder for us to get our work done than you. With a new baby at home, I can't thank you enough. From the first time I decided to run for office Senator Haskell has served as a mentor to me. Senator, I can't believe you accepted this. You stepped into leadership last year naturally while juggling your difficult work as the Chair of Taxation. You are a consummate professional, cool as a cucumber, some of us like to call you, and bring all your years of experience to our leadership team. From the Senior Senator from Portland to the Junior Senator from Portland, I can't wait to see what we will do together in the coming years. Thank you Senator Haskell. There is no one in this Body I've learned more from than Senator Jackson. Senator, your ability to talk to the issues facing us with both your heart and mind is second to none. Your commitment to Maine workers is something that will guide me for the rest of my life. While you are leaving this Body, I know we haven't seen the last of you. It's been an honor to serve with you for six years, to be in leadership with you, and I know you will continue working to improve the lives of Maine people for years to come. Thank you Senator Jackson.

Now we know that we are only as good as those who support us. All of here are blessed to have such hard working and dedicated staffers helping us serve and be the best to the people of Maine. In the Secretary's Office we have the Secretary of the Senate Darek Grant, Assistant Secretary of the Senate Joy O'Brien, Barbara Thayer, Tabetha Peters, Melissa Wright, Sean Paulhus, Lynn Horr, and Lucas Butler. Will they all please rise and accept our appreciation. Our Chamber staff, Sergeant at Arms Tom Bull, our doorkeeper John Seed, our Senate Chamber staff Alex McAuliff, Sam Rhodes and Hannah Heidt. Will they please continue to rise and accept our appreciation. In the President's Office, my Chief of Staff Michael LeVert, Communications Director Erika Dodge, our Policy Team of Ted Potter and Ken Hardy, my Special Assistant Jack Woods, and, of course, Marcia Homstead, who will be keeping the Senate together long after all of us leave. Will they please rise and accept our deep appreciation. In the Democratic Office, Chief of Staff Andy Roth-Wells, Deputy Communications Director Amy Cookson, Senior Secretary Karen Mills, our Legislative Aides Dan Shagoury, Morgan Pottle Urquhart, Lily Teitelbaum, and Max

Rush. Will they please rise and accept our deep appreciation. In the Republican Office, Heather Priest, Diane Johanson, Jim Cyr, Rob Caverly, Meghan Russo, and James Israel. Will they please rise and accept our deep appreciation. There are many involved in helping us with our work that we don't see on the third floor very much, but are integral to getting our stuff done. The Executive Director's Office, OPLA, the Revisor's Office, OFPR, the Law Library, OPEGA, Legislative IT, and the Legislative Information and Committee Clerks. They are all the reason that we are successful here and will they hear and feel our appreciation. Thank you very much.

As we close the 126th Legislature, I want to thank all of you for this tremendous opportunity to get to work with you, to get to know you, to listen with you, and to lead over these last two years. Thank you very much and God bless the great State of Maine.

Senator **THIBODEAU** of Waldo was granted unanimous consent to address the Senate on the Record.

Senator **THIBODEAU**: Thank you Mr. President. Ladies and gentlemen of the Senate, I'm here tonight to talk about a few things that will surprise the folks that were here just 18 months ago. The fact of the matter is, when we all arrived here in January, 18 months ago, I can't tell you how many people would come up to me and say, "Well, how do you think that you're going to be able to get along with the Senate President? He's got a very different background than your own." Obviously, you're from the big city and I'm just a country boy. Very different backgrounds. I can remember telling one of the individuals who asked me, "How do you anticipate that you're going to be able to get anything done for the people of the state of Maine?" I can remember saying, "Well, quite frankly, I don't anticipate that President Alford is going to become a Conservative. I don't anticipate that I'm going to become a Liberal. Somehow, we're going to work together and get our job done." Mr. President, I think we've been able to do that. From time to time, I think, probably, we've gone toe-to-toe, sometimes for good reasons and sometimes not. The fact of the matter is I think we both had one goal in mind and that's to do the very best job that we could for the state of Maine. I thank you for your leadership in that role.

Now probably one of my pleasant moments here in Senate, well we had one today, is when we can get the Senate President, the Chief Executive from the second floor, and myself all voting together on a bill. We've had fun with that. They are rare moments, sometimes, but they are also memorable moments. I've enjoyed them immensely, Mr. President. What separates us, as a group in here, is probably far less than what unites us because I believe that each and every individual in this Chamber loves the state of Maine. We care deeply about it. We care about our families. We care about our communities. I believe each one of us came here with a unique perspective but one goal and that's to make the state of Maine a better place to live. Sometimes I think we get worn with each other, sometimes we can't understand why somebody doesn't see things the same way we do, but I don't think for a minute that any of us ever suggested or thought that the other person didn't come at it with the most sincere motives. Mr. President, that includes you, and I certainly appreciate that about you.

If I started to thank each and every individual that deserves thanks and recognition here tonight, I probably would miss a bunch because I don't have an exhaustive list here. I did want to take time and mention Senator Sherman. Senator Sherman is not going to be back with us next year, at least in this Chamber, although there's a strong possibility we might see him roaming these halls just the same. I had the good pleasure of serving with Senator Sherman back when he was on the Energy and Utilities Committee, as well as on the Ag Committee. I can tell you that I learned a lot from Senator Sherman. He was a real role model and I enjoy his company and look forward to seeing him this summer as we're out maybe doing some stuff in Aroostook County and look forward to seeing him back here next winter. Senator Flood, I enjoyed serving with you in the House for a good number of years, I think four years in the House and now two years in the Senate. We've become friends. Senator Flood is a quiet guy, puts up with us all pecking him right to death with questions. It's always another question. We've all got our pet projects. He endures it and I appreciate that about him. Senator Plummer, what can I say? What a wonderful man. I spent four years in the House with Senator Plummer, two years here in the Senate, going to miss him dearly. I know that he's got a young lady back home that he wants to spend some time with and I guess I don't blame him. I don't see any of the guys in the Senate Republican Caucus that are quite as handsome as she is cute. Congratulation, Senator Plummer. Senator Haskell, I certainly have enjoyed serving with you in the leadership role. When Senator Goodall left, I wondered who in the Democratic Caucus would be picked to fill that role and I don't think that they could have picked better. Thank you for what you've done. My friend Senator Jackson and I, I'm not sure if I'm going to be visiting him someplace down in Washington D.C. or up in Fort Kent, but it doesn't matter. When I'm in either location, I'm going to look him up because he is my friend. We served together in the House for a good number of years and served now in the Senate together for four years. You came before I did, Senator Jackson. He's one of the first guys that ever took a moment to really give me some advice. I was up on the House floor trying to give a speech and Senator Jackson came up the middle aisle and, well maybe he'll explain it to you someday, he said, "Thibodeau, you just got to give them a little more body English, you know." It was one of the more memorable experiences as he walked up the center aisle and I completely lost my composure, which is easy to do. Him and I have been friends for many years here. I mean that. He's a guy that I will look up when we're both done with our service here at the State House because we truly are friends. We obviously have an enormous staff, well there's five or six of us. The Senate Republican staff has been amazing. We love each and every one of them. They try so hard for us and we appreciate everything that they've done for us. Senator Katz, I can't tell you what a help he's been to me. I know that when I have Senator Katz by my side, and we're on the same side of the issue, I know we can't be wrong. He has served as a tremendous asset, a great Assistant Leader, and has done a good job for our caucus. I can't tell you how much I've enjoyed the conversations that we've had, sitting here talking about things that probably nobody else in Chamber would even believe we talk about. Senator, you've been a real great assistant and I appreciate your friendship very much, Senator.

I want to end with a little story. You see, I lost my Grandfather about a year ago in what can only be described as a very tragic accident. I appreciate all the folks that showed

sympathy during that time. I want to share a little story about kind of a special story that me and my grandparents had. Every time I told them this story they laughed at me. When I was out campaigning four years ago in Belfast I went up and I knocked on this little old lady's door and she was an elderly woman. She came to her door and I introduced myself. I gave her my materials. She read it and she said, "Humm, Mike Thibodeau. Now what relation are you to Reno and Viola?" I said to her, "Well, they're my grandparents." I want you to know that when you're in Belfast as a Republican and somebody knows your grandparents, you're sizing the lawn real quick, okay. You're thinking, "Where does the sign go?" because that is probably where I get the most amount of my support. I'm sizing up her lawn. Again, she says, "Who are Reno and Viola?" I said, "They are my grandparents." She said, "Really. Are they Republicans too? They seem so nice." Let me assure you that I believe that there are nice people on both sides of the aisle. Yeah, our politics might be different but there aren't very many people that you meet in this Chamber that you wouldn't like to have for a next door neighbor. Thank you and may God bless each one of you.

The following proceedings were conducted after 12:01a.m., Friday, May 2, 2014.

At this point a message was received from the House of Representatives, borne by Representative BERRY of Bowdoinham informing the Senate that the House had transacted all business before it and was ready to Adjourn Without Day.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate on the Record.

Senator **JACKSON**: Thank you Mr. President. Ladies and gentlemen of the Senate, I'd like to first start off that, as far as for the people that work for us and make us look so great, I don't consider them staff, I consider them friends and people that I've really gotten to know over the past couple of years and I really appreciate all the work that they've done for us. I just wanted to say how much I really appreciate it. I know, on both sides, how much the staff does for us, how they go above and beyond, and I just really wanted to say that before I said anything else, how much I've appreciated every one of you, like I said, both in the Majority and Minority Office. People have gone to extreme lengths to be kind, courteous, friendly, and completely making someone like myself look like I knew each and every day what I was doing. It's really, seriously, for all of you, I really appreciate it.

Senator Alford and Senator Thibodeau did such great jobs. Really hard to follow them, but I guess to put a little different spin on it, I came here 12 years ago as an Independent and didn't really know much about anything in here. I didn't have, you know, a lot of people really telling me anything about how this building works. Now, 12 years later, you know, I'm someone that, I have a half-sister but she's 10 years younger than me, I don't know her really as well, but every time I'd leave here, right from that first year on, and go home I kept having this feeling that I missed

people. That continues right to today and I've said it numerous times how this has become my family when I'm not at home and when I am back home with my children and my family I have a longing to get back here. It's not because of nights like this, it's because of people of you, both sides of the aisle, every one of you. I know that we've, at times, probably argued, but I can't think of one of those times right now. I can think of all the times that we've had a laugh, like Senator Thibodeau said, going up the hall and going out to get milkshakes. Every one of you. Really, honestly, tonight is really bittersweet because I'm going to have that feeling of missing you and it will be hard because I won't be back here in November or January or whatever. I don't know how that's going to actually work, but I just want you to know that, you know, this has been one of the greatest professional things that I've ever done, or ever probably will do, and I honestly will miss every one of you and I hope the best for every one of you because you certainly made my life a lot better for knowing each and every one of you.

Senator Alford, thank you for the last six years. Thank you for all the work that you've done. The leadership team, I don't need to call you out. Senator Haskell, you've been rock solid, someone that, any of my crazy ideas, I've been able to bounce off you and you've talked me down. Really, regardless of what anyone may say or whatever, please know how much I've appreciated knowing each and every one of you, be it for the last two years or be it for the last 12. I can't thank you enough for the time that I've had with you and I will, undoubtedly, miss this place tremendously, because of the people in it not because of the building. Thank you.

Senator KATZ of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator KATZ: Thank you very much Mr. President. Men and women of the Senate, I did want to say a couple of things. First of all, to my own party, thank you for the incredible honor of being the Assistant Leader in this Body and, to my friend, Senator Thibodeau, with whom I serve, it's been a great honor and a wonderful experience for me, Senator, so thank you very much. When I started in leadership, one of things I get to do every day is to meet with the Assistant Majority Leader and to go over the schedule and go over the day's calendar. I thought I had it pretty good during the first year because I got to meet every morning with Senator Goodall, who I knew somewhat, he became a good friend. When he left I was wondering what the next year would bring. I just want to say that the best part of my day, every day, is meeting with Senator Haskell and going over with her the calendar. She is a calm, kind, courteous, bright, and honest woman. I think if anyone were to see us for the ten or fifteen minutes that we spend every day they would have trouble telling whether we were different parties or not. I want to thank her. She's become a good friend and it's been a great part of serving here.

The other thing I want to say, Mr. President, particularly with respect to those who are leaving us this year, after I got out of law school I worked as a clerk for a judge in Prince George's County outside of Washington. The courtroom that I served in the jury box backed right onto the wall. The people who were in the back of the jury box, those six people, would lean back in their chairs and they'd lean their heads on the wall. Over the years the oil

from the hair, or just the indentation, it left like a little bit of indentation and a little bit of color for those six people. It was almost like you could see the ghosts of former juries there. I think it really impressed on people, as they came into that courtroom, that they were really part of something much larger than themselves, that there had been jurors there before them and there would be jurors there after them, but they were getting to make the important decisions in the particular case on which they served. I think it's really the same with us. All these seats have been filled with people before us, who have kind of set a standard for us, and there will be people who come after us, who will sit in these seats. Right now we are in them and I often hope that all of us will act and will conduct ourselves in a way which will help set a standard for the next generation that comes. Everybody who I have served with here these last two years, every single person in this Chamber, particularly those who are no longer going to be with us, I think they've served this institution with honor and with dignity and that we have, collectively, set a very good standard for those who will follow us. Mr. President, thank you for your leadership. To my own colleagues, it's an honor to serve with you. To the other side of the aisle, you are all our friends. As I have an opportunity to reflect over my long three minute drive home tonight, I will be thankful for the opportunity to have the friendship of all 34 of you. Thank you, Mr. President.

Senator HASKELL of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator HASKELL: Thank you very much Mr. President. There's not a lot left to say now, folks have said so much, but I don't want to miss the opportunity and I want to start out by talking about a speech I gave last night. I spoke to an organization my husband belongs to and I gave a speech off one piece of paper like this that I've given eight or ten times since I've been in leadership. It doesn't change. That is that people outside this building don't have any idea what kind of a family this is in here. I say that this is truly representative government. I say, "If you've got an uncle who wears crazy Christmas socks all year long, you know we've got one of those. You've got a really smart sister-in-law, you know we've got one of those too. We've got everything in between." This is an extraordinary group of people and this is like my family. There are times when I'm really frustrated with my son-in-law, sorry Sam, just like there are people in here that you think, "Really," and yet you let somebody from the outside say something and my back goes up. Wait a minute, these are my colleagues. Do you know how hard it is to work up there? Do you have any idea what a long committee hearing is? You've never sat in Appropriations. The hours that these people have. I feel defensive. I feel honored to have this group of people as part of my family. People talk about my colleague on the Taxation Committee. How do you two get along anyhow? I'm going, we're great buddies. You know he had us up to his house. We had a wonderful time. This is the way I feel about my family and this is the way I feel about the people who are here.

I have to tell you, Mr. President, as I did on your inaugural speech, how much respect I have for you. I have respect for your leadership, a respect for your integrity, a respect for your caring about the State of Maine. I have a lot of respect about the way you treat all of us who are here, about the way you give each and

every one of us the same amount of opportunity to be heard and to be part of this process and to have our opinions and values put out in front of us. I can't thank you enough for being in that position. It makes all of us better and we're so glad to have had the opportunity to have worked with you and to work with this, the rest of my family. Thank you.

Senator **TUTTLE** of York was granted unanimous consent to address the Senate on the Record.

Senator **TUTTLE**: Thank you Mr. President. Members of the Senate, I've been a member of this institution for 28 years. It's hard to believe it. When I was first elected I was 26 and now I'm 63. My father always said in my area if they want to get rid of you for a couple of years they'd elect you to the Legislature. Dad, you were right. I'd like to share something with you. I wrote this a few years back and it goes like this: In the corner and around the bend sits a State House that has no end. Days go by and weeks rush on and before I know it a year has gone. I never see my old friend's face, for life is a swift and terrible race. He knows I like him just as well as in the day when I rang his bell, he rang mine. We were younger than, and now we are busy, tired men, tired with playing a foolish game, tired with trying to make a name. Tomorrow, I say, I will call on Dan just to show that I'm thinking of him, but tomorrow comes and tomorrow goes and the distance between us grows and grows. Around the corner and miles away I receive a telephone call that my friend, Dan Gwadosky, has died today. That's what you get and deserve in the end. Around the corner, a vanishing friend.

Thank you, Mr. President.

Senate at Ease.

Senate called to order by the President.

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 Enhance the Availability of Special Restricted Licenses in Cases of Medical Need

H.P. 1357 L.D. 1862
(C "A" H-852)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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.

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

ORDERS

On motion by Senator **JACKSON** of Aroostook, the following Senate Order:

S.O. 29

Ordered, that a message be sent to Governor Paul R. LePage informing him that the Senate is ready to Adjourn Without Day, and invite him to attend and make such communications as pleases him.

READ and PASSED.

The Chair appointed the Senator from Aroostook, Senator **JACKSON** to deliver the message to the Governor. The Senator was escorted to the Governor's Office.

Subsequently, the Senator from Aroostook, Senator **JACKSON** reported that he had delivered the message with which he was charged.

On motion by Senator **HASKELL** of Cumberland, the following Senate Order:

S.O. 28

Ordered, that a message be sent to the House of Representatives informing that Body that the Senate is ready to Adjourn Without Day.

READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator **HASKELL** to deliver the message to the House. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Cumberland, Senator **HASKELL** reported that she had delivered the message with which she was charged.

Senate at Ease.

Senate called to order by the President.

On motion by Senator **YOUNGBLOOD** of Penobscot, the Honorable **JUSTIN L. ALFOND**, President of the Senate, declared the Second Regular Session of the 126th Legislature, **ADJOURNED SINE DIE** at 12:35 in the morning.