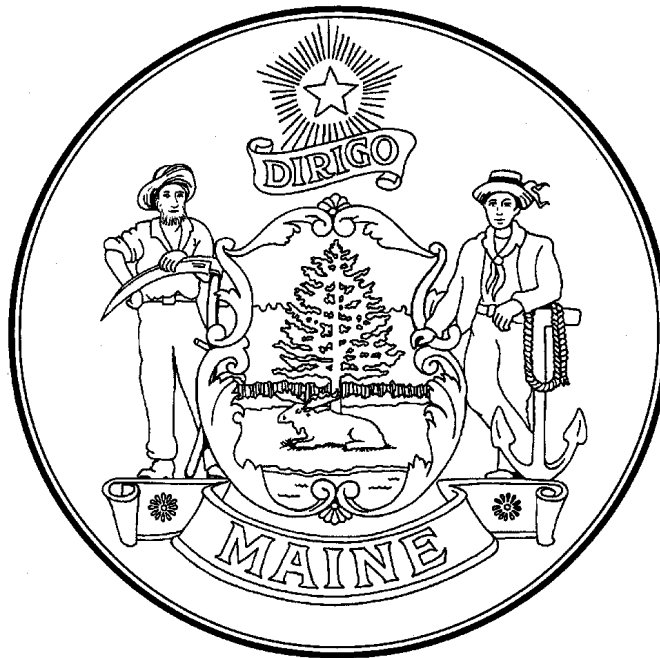


# MAINE STATE LEGISLATURE

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**Journal and Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Eighth Legislature**  
**State of Maine**

**Daily Edition**

**First Regular Session**  
beginning December 7, 2016

pages 1 -

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
FIRST REGULAR SESSION  
70th Legislative Day  
Wednesday, August 2, 2017

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

Prayer by Honorable Denise A. Tepler, Topsham.

National Anthem by Larry Gowell, Auburn.

Pledge of Allegiance.

The Journal of Thursday, July 20, 2017 was read and approved.

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

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

**REPORTS OF COMMITTEE**  
**Pursuant to Joint Rule 309**

From the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Protect and Expand Access to Solar Power in Maine"

(H.P. 952) (L.D. 1373)

Received by the Clerk of the House on August 1, 2017, pursuant to Joint Rule 309.

**READ.**

The Bill was **READ ONCE.**

Representative FREDETTE of Newport **OBJECTED** to suspending the rules in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

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

Representative FREDETTE: Thank you, Madam Speaker. The first issue I would raise is whether or not this bill is properly before the body, and what I would mean by that here, Madam Speaker, would be is that this is a fairly substantive bill and, matter of fact, I just learned it's "An Act to Clarify Net Energy Billing." I'm certainly not a member of the Energy Committee. I'm certain many members of the Energy Committee could talk about this to some extent, but certainly most of us in the body probably don't understand this, and so my concern is that this is a very substantive issue, and I would suggest that this is an issue that needs to be and should be properly sent to Committee before something that we would be voting on, and so therefore, I would be making an objection, first, that it is not properly before the body.

Representative FREDETTE of Newport asked the Chair to **RULE** if the Bill was properly before the body.

The SPEAKER: The Chair would rule in response to Representative from Newport, the Chair would rule that this bill is properly before the body pursuant to Joint Rule 309.

Subsequently, the Chair **RULED** that the Bill was properly before the body.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **SUSPEND** the rules in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Suspension of the rules in order

to give the Bill its Second Reading Without Reference to the Committee on Bills in the Second Reading. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 438**

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

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 81; No, 56; Absent, 13; Excused, 1.

81 having voted in the affirmative and 56 voted in the negative, with 13 being absent and 1 excused, and accordingly the rules were **SUSPENDED** in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

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

Representative SANBORN of Portland **PRESENTED House Amendment "A" (H-566)**, which was **READ** by the Clerk.

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

Representative SANBORN: Thank you, Madam Speaker. During the course of this session the Energy Committee and this body have worked to respond to the PUC's widely criticized proposed new rule on Solar Net Metering; a rule that would impose an unprecedented gross metering scheme and costly additional meters that all rate payers would have to pay for, beginning in January. Ultimately, we were able to achieve a compromise that would remove the most onerous and costly parts of the PUC's new rule. After that compromise was reached and received overwhelming support in this chamber, utility lobbyists, and then the Chief Executive, raised the possibility that the PUC may not correctly interpret the language of that compromise, and may in fact issue a rule that credits solar rooftop customers for energy that they consume, rather than the energy they produce and put back on the grid. While I do not share the concern that the PUC might take such a tortured and unlikely approach to implementing solar policy, there is no harm in clarifying that net energy billing customers should in all cases be credited for net generation and not for net consumption, so as to remove any doubt about the PUC's potential interpretation of our legislative intent. Accordingly, I

offer this Amendment, which replaces LD 1373 with a simple clarification of how credits for net metering may be calculated. The clarification codifies the way the credits are already calculated, and I think it's fair to say the way that everyone, on all sides of the solar discussions this year, thought they would continue to be calculated. The text of this amendment satisfies the legislative interpretation concerns of the Emera Maine lobbyists, who originally raised the issue to me about two weeks ago. The language has also been vetted by the PUC staff and by our Committee analyst to ensure that it absolutely, 100 percent, puts to rest any potential misinterpretation. By passing this bill as amended, we will make it absolutely, positively, crystal clear no one, under either the old rules or the new one, will be credited for energy that they did not produce. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm thoroughly confused, as you should be, because laying before this body is LD 1504 as a veto by the Chief Executive. This bill, evidently, LD 1373, was originally Representative Seth Berry's bill, from Bowdoinham; evidently, not anymore. Now we have a very new bill before the body, on what we assume is the last day of session; a new bill before the body that has not gone to Committee, and as I've understood, this entire session there's have been this push that everything needs to go through Committee. We need to go through the process. But here we are on the last day, the last hour, the only difference is it's not dark yet, that we have a brand new bill, a bill that's amending a bill that the Chief Executive has vetoed. So, when we vote on the veto, are we going to be voting to sustain or override that bill with this amended language, or what? I don't really know, because I don't think we know. So, I'm going to take the unusual minute here to actually read the bill to you, because you probably haven't seen it, because I didn't until about 5 minutes ago. So, this is LD 1373, it says it amends the bill by striking out the title and substitute the following. So, the first thing we do is we take Representative Berry's bill, and now we make it Representative Sanborn's bill, and now we're going to strike out the title of Representative Berry's bill and rename it with a new bill to call it "An Act To Clarify Net Energy Billing." Well, that's the first issue we need to deal with. Then it goes on to say, we're going to amend the bill by striking out everything after the enacting clause and before the summary and inserting the following. So, what's that mean? We're going to just erase everything that was in Representative Berry's bill, and we're going to insert the new bill. The new bill, evidently, says Section 3209-B Application of Access Generation states the following: "In adopting rules pursuant to Section 3209-A for net energy billing that relate to reducing the percentage of net energy to be included in determining a net energy billing customer's transmission and distribution bill, the commission shall apply the percentage only to the excess energy generation subject to the net energy billing arrangement. For purpose of this section "excess energy generation" means the amount of energy subject to a net energy billing arrangement that is greater than the amount of energy consumed by the consumer subject to that net energy billing arrangement." Does anybody that's not on the Energy Committee understand any of that? I mean, this is a substantive statute that is not going to Committee, that's not being vetted by 13 members of both chambers and of both parties, and is put before us today on a bill, evidently, if we were to acknowledge and take it to its logical conclusion, one

would be acknowledging if we don't adopt this bill, we should be sustaining the Chief Executive's veto on 1504, because we're trying to fix it before we even vote on it.

The SPEAKER: The member will defer. The Chair recognizes the Representative from Kittery, Representative Rykerson and inquires as to why he rises?

Representative **RYKERSON**: I believe the bill we're discussing is 1373, not another bill.

On **POINT OF ORDER**, Representative RYKERSON of Kittery asked the Chair if the remarks of Representative FREDETTE of Newport were germane to the pending question.

The SPEAKER: The Chair will remind the member from Newport, and all members, during the course of debate to direct all of your comments towards the bill under debate and not any other bill. The Representative may proceed.

The Chair reminded Representative FREDETTE of Newport to confine his debate to the question before the House.

Representative **FREDETTE**: I'm almost done. Thank you, Madam Speaker. So, I would only suggest to the body, I mean, unfortunately, it's August folks. We're going to be back here in about four months. So, this bill needs to go back to Committee. A bill needs to go back to Committee. The Committee can properly work a bill and have a bill for this body to work on and vote on as early as January, if they want to work on it over the summer. But, to do it through this process, to present this bill by essentially hijacking Representative Berry's old bill and adding a new name and adding all new language, is not the proper way to do it, particularly when we're talking about energy policy, which is very complicated. I would submit to this body that now is not the proper time to be voting on this bill, and for that reason alone, you should be voting against it, and I ask that you follow my light. Thank you, Madam Speaker.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-566)**.

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

The SPEAKER: There are four members in the queue. The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Madam Speaker, and I, like the good Representative from Newport, stand here before you, and the only piece of paper that I can find is this one here on my desk and it's got like one sentence on it. So I don't know how I'm supposed to support this bill or be against this bill if I don't have a stinking thing on my desk that tells me what's in this bill, other than what Representative Fredette, from Newport, just told me. And I think what we're doing here today, on the last day, is totally wrong, and this isn't the way this process is supposed to work and, you know, people wonder why we don't accomplish the things that we should accomplish while we are here, and it's because we do things like this, Madam Speaker. And I'm sorry, but this should go in January, go before the Committee, be heard, be done right and be brought before you. Heck, it's August, it's only like four or five months away, and we're going to be back here again anyway. It ain't going to make a difference. Let's do it right.

The SPEAKER: The Chair would advise all members, whether regarding this bill, this amendment, or any bill or any amendment, if members would like to receive paper copies at their desks, then they need to have indicated that to chamber staff and those copies, including this amendment, have been

delivered. If you do not receive paper copies at your desk, they have been posted in the usual manner in the correct timeframe. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would beg a question, and the question would be this: this bill does seek to purport to amend the bill which is not yet a law.

The **SPEAKER**: The Representative will defer. The Representative may proceed.

Representative **FREDETTE**: Thank you, Madam Speaker. And so, to the extent that there is sort of some confusion there, because I'm certainly confused, that the question that I would even ask would be this, and if the body would just sort of follow this logic a little bit: if this bill were to pass today and we were to adjourn *sine die*, I would assume that the Chief Executive would have ten days to consider whether or not to veto this bill, and therefore, the underlying... or, I guess, to the bill that it's amending, this is not yet a law, could in fact could be passed and this not actually take effect until January, I guess, to the extent that the Chief Executive would have time to veto it and we would then have to be back here in January to decide whether or not to override the veto; and so, I guess, for a period of four or five months, we would be in limbo about a bill that this might be amending, which we can't talk about. So I think it even adds more confusion and, really, concern, to a process where we're going to pass a bill which we know is flawed and not know the answer to clarifying it until we come back in January. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do understand energy policy. I have not had any time at all, and even if I did, it takes me more than five minutes to go through a comprehensive policy and understand it. It is evident to me that this bill is before us because there are serious drafting efforts in other legislation. It has become a desperate attempt to try to pass something, which, I believe, if the people of this state knew how these actions happened in this House, they would have less faith in government than they already do. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, I'm sorry to see that there is a great deal of confusion, or there appears to be a great deal of confusion, regarding this amendment. The measure that's before us is two sentences, and it simply states, it clarifies current practice and simply states that a person who owns rooftop solar cannot be compensated in any way for energy that they did not produce. It's as simple as that; and that is current practice, and if we enact this without any other bills today, it will work fine. If we fail to enact it, without any other bills today it will work fine too. I want to emphasize that. The only reason that we're putting this forward, and I thank the good Representative from Portland for doing so, is simply to address a concern that most of us on the Committee do not share, and that most legal minds that have looked at the issue do not share, but a concern that was raised by the Chief Executive with respect to another matter, a concern that that measure might be misread, and we want to clarify in law, regardless of any other outcomes here today, that you can only be credited for what you produce. It's really as simple as that, and those two sentences that are before us, I think all of us here are intelligent enough to read, and I encourage people to

go to the amendment, if you haven't already, just to look at them: it really is very, very simple. This language was given to all stakeholders, including my good colleague Republican Lead from the House, Representative from Hiram, on July 20<sup>th</sup>. This exact language, these exact two sentences, were provided to the Republican House Lead on July 20<sup>th</sup>, and I do regret if there were some who felt that it wasn't, you know, sufficient to read it, to talk with stakeholders. Certainly all of the representatives of the various interests that have been before our Committee have seen it, have agreed to it, and I want to repeat what the Representative from Portland said, that the representative of Emera Maine, who first raised this concern, is satisfied that it does address the concern and it works with existing statute or with any other action we might take today. Likewise, the Public Utilities Commission has seen it, looked at it, and says it works with current statute or with anything else we might do today. The Committee analyst has said that it works with current statute or anything else we might do today. It is two sentences. Please read it and, Madam Speaker, if it's helpful to anyone here today to have a little extra time to look at this, I would certainly support that, and I don't think that this should really be a matter for a great deal of debate. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Warren, Representative Sutton.

Representative **SUTTON**: Thank you, Madam Speaker. May I pose a question through the Chair, please?

The **SPEAKER**: The Representative may proceed.

Representative **SUTTON**: Does anybody know what the Committee vote was on this bill? I haven't been able to find it.

The **SPEAKER**: The Representative from Warren, Representative Sutton has posed a question through the Chair to anyone who might answer and it looks like the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Madam Speaker. This bill was voted in Committee to be carried over until January. This amendment has no Committee vote.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Madam Speaker. I, too, would like to pose a question through the Chair.

The **SPEAKER**: The Representative may proceed.

Representative **SIROCKI**: Earlier, Madam Speaker, you had been posed a question regarding whether this bill was properly before the body, and you cited a specific Joint Rule number and I wondered if you might share that with me again. I didn't quite catch it.

The **SPEAKER**: The Chair would answer that the Joint Rule is 309. The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like to pose a question through the Chair.

The **SPEAKER**: The Representative may proceed.

Representative **KINNEY**: Thank you. I'm reading online that this was reported out of Committee yesterday after being, as was explained by the Representative from Berwick, after it was asked to be carried over on June 12<sup>th</sup>; and some questions and concerns have been raised regarding the time that we have left. This is our last day of our extending our session, and it seems to me that we need to be leaving this in Committee if we do have other bills that this will affect with later votes we take today. Shouldn't this stay in Committee so that if there is an issue it's taken care of? It seems to me that the bills in question don't even take effect until 90 days after we

adjourn, which should be today, and it would allow, we're talking November and December, and I don't remember exactly where these other bills might start taking effect. We could deal with this in January when we have more vetting and more time to look this over.

The **SPEAKER**: I believe the Representative has posed a rhetorical question. The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Madam Speaker. I'm not prepared to answer that question, but I just want to speak more broadly about this situation. We've just come back, after a break of time, to deal with vetoes from the Chief Executive. The Senate, the other body, I should say, has moved through 16 of those vetoes quickly, and we here in the House are stuck in a quagmire on a procedural move to run an amendment to a bill that hasn't even been voted out of Committee yet. I think this is the stuff that the American people are just completely frustrated with. Just last week we saw, at the federal level, an effort to cram through a repeal of the ACA without going through Committee. I think that that was the wrong approach to take, you know, and our own Senator, at the federal level, said that there should be a process followed, to go to Committee to have the experts weigh in on this. There was 95 pieces of testimony on this bill in its original form, which was then tabled and voted on by the Committee to carry over. Anyone in this body knows that I'm a huge supporter of solar, probably one of the most on my side of the aisle, but I just don't think that this process of trying to make a change is the right one to do, and it's not fair to the process that we have in place, a Committee process to vet bills, to hear from people on both sides of the issue; and for that reason, I won't be able to support this. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker. I just want a point of clarification. That was not a rhetorical question. I think that this is wrong. I think we should be leaving it in Committee, and I guess I'd like to know what the process would be to make sure it stays in Committee and gets dealt with in January.

The **SPEAKER**: The Representative from Knox has posed a question to the Chair. The Chair would answer that right now the status of this bill is that it has been pulled out of Committee, it is no longer in Committee. It is before our body right now. The options to return it to Committee would be a motion to return it to Committee and a subsequent vote that would follow. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I just rise to say that regardless of what happens with this bill, I'm fine with having the more substantive proposals in the bill set aside. I certainly appreciate the concern for those proposals and for the more ambitious ideas that were in the original bill. I had hoped that we might have a vote on them next year, but as a good faith gesture, I just felt that it was best to essentially sacrifice those ideas for this simple clarification. It is intended as a good faith gesture. I hope it is taken that way, but, you know, whatever happens with this bill, I really don't think it's that important. We're simply seeking a clarify a concern that most of us don't share, so I look forward to the vote and I think we'll be able to proceed, as the Representative from Augusta rightly said, with the more substantive business of the rest of the day. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. As you well know, that I have been a long-standing supporter of solar policy here in the State of Maine, and I continue to be so. But I also believe that there is a correct way of conducting business, and I would agree with the good Representative from Augusta that it's very difficult to support legislation that comes to us at well past the eleventh hour. So, for that reason I will not be supporting the motion, the first time that I have voted against any legislation regarding solar power in Maine. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker. You say this is here pursuant to Rule 309 of the Joint Rules, Notice to Report. "The President of the Senate and the Speaker of the House shall jointly establish reporting deadlines for all bills and resolves referred to committees and each committee shall, after receiving notice of the reporting deadlines, report its bills and resolves out of committee to the floor for consideration in accordance with those deadlines." Online, it says this bill was voted out yesterday. Was there a Committee meeting yesterday, and did the Committee vote the bill out? Because according to Rule 309, it is the Committee's jurisdiction to vote it out.

The **SPEAKER**: Representative from Chelsea, Representative Sanderson, has posed a question to the Chair regarding Joint Rule 309. The Chair would answer that the Rule, as you read it, applies to the Committees before the deadline. If the Committee fails to report out a bill before the deadline, then the presiding officers may pull that bill out of Committee, as was done yesterday. The letter, which we will... at the moment is on its way into the chamber. The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Madam Speaker, I'm a bit confused. The Committee did vote this to carry it over. There already was a Committee vote. I'm wondering under what jurisdiction leadership has to override that vote to carry it over and pull it directly to the floor.

The **SPEAKER**: The Chair will point to Rule 309 and direct the members' attention to the following: "Each committee shall, after receiving notice of the reporting deadlines, report its bills and resolves out of committee to the floor," to the floor being the operative words, "for consideration in accordance with those deadlines." The member will defer. Because the bill was not reported to the floor, the presiding officers have the ability to pull the bill forward, as was done. The Chair recognizes the Representative from Presque Isle, Representative Stewart.

Representative **STEWART**: Thank you, Madam Speaker. According to Rule 310, Reports of Bills from Committee, the report would need to be Ought to Pass, Ought to Pass as Amended, Ought to Pass in New Draft, Ought Not to Pass, Refer to Another Committee or Leave to Withdraw. What would be the recommendation at this time, because I have yet to hear one?

The **SPEAKER**: The Chair would answer to the Representative from Presque Isle that the Committee failed to make a recommendation. It is the ruling of the Chair that this is before the body in accordance with Rule 309.

The Chair advised Representative STEWART of Presque Isle that the Bill was properly before the body pursuant to Joint Rule 309.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: I certainly beg to differ, Madam Speaker. The Committee did not fail to make a recommendation. They recommended that this bill be carried over. They certainly made a recommendation and they voted on it.

The SPEAKER: That recommendation was denied by the presiding officers. The Chair has made a ruling. There are four members in the queue on our first order of business for the day. The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Madam Speaker. May I pose a question to the Chair?

The SPEAKER: The Representative may proceed.

Representative **HICKMAN**: Thank you, Madam Speaker. It is my understanding that a Committee can request that a bill be carried over by a Committee vote, and it is also my understanding, that request can be denied by either presiding officer. In the case that that is denied, is it fair to say, Madam Speaker, that the presiding officer can then decide what to do with the bill if the request of the committee voted to carry over is denied?

The SPEAKER: That Chair would answer in the affirmative. The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I serve on this Committee and I have never voted on this amendment. This is the poorest way to make law and this body should not be engaged in this type of behavior. This is government at its worst. This bill should go back to the Committee for full hearing, and I encourage you to defeat this measure. Thank you.

Representative **TIMBERLAKE** of Turner moved that **House Amendment "A" (H-566)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-566)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-566). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 439

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

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Kornfield, Kumiega,

Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Riley, Rykerson, Sanborn, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 64; No, 73; Absent, 13; Excused, 1.

64 having voted in the affirmative and 73 voted in the negative, with 13 being absent and 1 excused, and accordingly the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-566)** **FAILED**.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Adoption of House Amendment "A" (H-566). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 440

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

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

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 73; No, 64; Absent, 13; Excused, 1.

73 having voted in the affirmative and 64 voted in the negative, with 13 being absent and 1 excused, and accordingly **House Amendment "A" (H-566)** was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-566)** and sent for concurrence.

#### COMMUNICATIONS

The Following Communication: (H.C. 317)

**STATE OF MAINE**

**CLERK'S OFFICE**

**2 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0002**

July 20, 2017

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

Insurance and Financial Services

L.D. 1274 An Act To Promote Universal Health Care,  
Including Dental, Vision and Hearing Care

Sincerely,

S/Robert B. Hunt

Clerk of House

**READ** and with accompanying papers **ORDERED  
PLACED ON FILE.**

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The Following Communication: (S.C. 574)

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

July 20, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought to Pass Report from the Committee on Judiciary and Passage to be Engrossed on Bill "An Act To Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus" (H.P. 241) (L.D. 327), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 575)

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

July 20, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 422, Legislative Document 1259, "An Act Regarding Pay Equality," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

20 voted in favor and 11 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained;

Senate Paper 551, Legislative Document 1573, "An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Timber Harvested in 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 Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

14 voted in favor and 16 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained;

Senate Paper 345, Legislative Document 1043, "An Act To Promote Impartiality in the Probate Court," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?" 18 voted in favor and 13 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained;

Senate Paper 649, Legislative Document 921, "An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

16 voted in favor and 15 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 576)

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

July 20, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it

Failed to Enact Bill "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General" (H.P. 68) (L.D. 100), in non-concurrence;

Failed to Finally Pass Resolve, To Alleviate Hunger in Rural Maine in Areas of High Unemployment (S.P. 352) (L.D. 1070), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 577)

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

July 20, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:



Please be advised the Senate today adhered to its previous action whereby it Failed to Enact Bill "An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone" (H.P. 159) (L.D. 203), in non-concurrence;

Best Regards,  
S/Heather J.R. Priest  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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

### SPECIAL SENTIMENT CALENDAR

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

#### Recognizing:

Sarah Cox, of Waterville, a junior at Waterville Senior High School, who has been named the *Morning Sentinel* Girls Track and Field Athlete of the Year. Sarah also won the Class B state individual title in the shot put with a throw of 38 feet, 7.25 inches. We extend to Sarah our congratulations and best wishes;

(SLS 539)

On **OBJECTION** of Representative HERBIG of Belfast, was **REMOVED** from the Special Sentiment Calendar.

#### READ.

On motion of the same Representative, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

#### Recognizing:

the Capital Area Youth Softball Association 12U Mainiacs Softball Team, of Augusta, which won the Maine ASA 12U-A Softball State Championship. We extend to all the members of the team our congratulations and best wishes;

(HLS 657)

Presented by Representative POULIOT of Augusta.

Cosponsored by Senator KATZ of Kennebec, Representative BRADSTREET of Vassalboro, Representative DOORE of Augusta, Representative WARREN of Hallowell.

On **OBJECTION** of Representative POULIOT of Augusta, was **REMOVED** from the Special Sentiment Calendar.

#### READ.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I think my fondness of hotdogs started around a softball field watching my sister, Megan, as she played as a member of the Capital Maniacs, probably about 15 years ago now, right here in Augusta. So, it's with great honor that I rise today to recognize the 12 and under Capital Maniacs, based out of the Capital Area Youth Softball League, for winning the Maine American Softball Association 12 and Under State Championship. They finished their season with an extremely impressive record of 40 wins and four losses, and they only lost one game here in the State of Maine; and they've taken the title now for the third straight year, which is extremely impressive. This team is made up of players from Augusta, Gardiner, Hallowell,

Oakland, Rome, Windsor, and Whitefield, and every single one of them is an honor roll student at their respective schools. I want to thank these girls who are here today, along with their parents, for being so patient as we worked through the work of this body early here in session, and I would ask that you all join me in congratulating them on their great success.

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

Representative **WARREN**: Thank you, Madam Speaker. I almost hesitated because my good friend from Augusta did such a nice job, but I just want to add we have had so much fun following this amazing team, their amazing coaches and teachers. They have heart, they have spirit, and we are just so proud of them. Thank you.

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

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

#### COMMUNICATIONS

The Following Communication: (H.C. 318)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 99, "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles."

This bill would add detectives in the employment of the Department of the Secretary of State's Bureau of Motor Vehicles to the list of state employees eligible for participation in the 1998 Special Retirement Plan, which is found at 5 M.R.S.A. §17851-A. While this plan is largely limited to law enforcement-type positions, I cannot support this proposal due to the high costs to the General Fund.

Allowing additional employees to participate in the 1998 Special Plan will increase both the normal cost and unfunded actuarial liability components of the employer retirement rate, resulting in increased employer contributions to the Maine Public Employees Retirement System for detectives beginning in fiscal year 2018-19. While the Department of the Secretary of State has indicated it will pay for the cost of this change with existing resources, I remain concerned about the costs of this legislation in future years. Additionally, any new hires who fill these positions will be placed in the 1998 Special Plan. The additional cost for this plan is estimated to be between \$2,000 and \$3,000 per position each year.

I have consistently opposed expansion of eligibility for the Special Plan. During the 127th Legislature, I vetoed—and the legislature sustained—a similar bill that would have added detectives in the Office of the Attorney General to the 1998 Special Plan. Further, LD 100, which contained an identical proposal, died between the chambers earlier this year.

Our administration has worked hard to reduce unfunded pension liabilities, and proposals like this one signal that the

legislature seeks to undo the progress we have made and jeopardize the security of our public pension system.

For these reasons, I return LD 99 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles

(H.P. 67) (L.D. 99)

(C. "A" H-249)

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise as a sponsor to LD 99 and urge members of this body to join me in voting to override the Chief Executive's veto. Contrary to the understanding one might come away with after reading the veto letter, the Secretary of State is prepared to absorb the modest cost of this bill, within budgeted resources. Not only is this bill the right thing to do for our law enforcement officers, it can be accomplished without the need for additional allocations. It is not up to us to determine if a department can absorb costs, it is their purview. If they, who know their budgets better than many of us, can say they can absorb the cost, then we should believe that they can. Madam Speaker, I ask you and all of our colleagues to support these law enforcement officers by voting to override. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you very much, Madam Speaker, Men and Women of the House. I rise to urge you to support the current... the Chief Executive's veto message. My reason is simple. This bill would put in the special retirement plan some investigators in the Bureau of Motor Vehicles in the Department of the Secretary of State. And it's true, they probably can absorb that cost within their department, but it is a cost and it's a cost that has to be borne somewhere. In addition to that, there's any number of people who would like to be put into the special retirement plan. This is a retirement plan that allows people, you pay an enhanced amount in for each employee in their salary, and then the employees get an opportunity to retire early, I think at age 55 with 25 years of service, instead of the normal retirement plan. It's an enhanced benefit, but it doesn't come free, there is a cost to it, and I would urge you to support the Chief Executive's veto.

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

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

**ROLL CALL NO. 441V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Grant, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean,

Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Riley, Rykerson, Sanborn, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Timberlake, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Grohman, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Pouliot, Reckitt, Schneck, Turner, Ward.

Yes, 76; No, 59; Absent, 15; Excused, 1.

76 having voted in the affirmative and 59 voted in the negative, with 15 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 319)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 162, "An Act To Improve Care Provided to Forensic Patients."

It is essential that our mental health system is capable of providing an adequate level of services for those who need it most, and this bill clearly recognizes the need for one of these specialized services. It is heartening to know the Legislature agrees with the necessity of a secure forensic rehabilitation facility. Our Administration is eager to expand the quality and accessibility of psychiatric services, and we are excited about the impact these services will have on the broader mental health services community, including Maine's psychiatric hospitals, Dorothea Dix and Riverview Psychiatric Centers. Unfortunately, even in our agreement that this service is necessary, we differ in approach and location of a secure forensic rehabilitation facility. This disagreement is significant. Originally, my administration planned this step-down facility in Augusta adjacent to the property of the Riverview Psychiatric Center. The proposed service was similar to services provided by our Maine community providers for decades. When the Legislature began politically motivated stalling tactics and refused to approve this approach several times, we were forced to identify an alternative solution. As we began to consider alternative approaches, our best option for patients and services was to build the facility on state land in Bangor, adjacent to the Dorothea Dix Psychiatric Center. This provides close proximity to state psychiatrists and the infrastructure of a quality psychiatric hospital.

This plan is well underway, and the passage of LD 162 would create significant disruption in our process and would delay further the development of a step-down forensic facility to

serve forensic patients who are no longer in need of a hospital level of care.

Earlier this spring, DHHS released an RFP for services and the RFQ for the building. Proposals for the provision of the services are due on September 13, and the Department of Administrative and Financial Services is now reviewing quotes for the construction of the building.

Additionally, this bill would require the secure forensic rehabilitation facility to be operated by the state, growing state government at a significantly increased cost to Maine's taxpayers. This bill has not identified the total funding sources to cover the costs of building or running the proposed facility; yet at the same time it intends to utilize the same funds identified by DHHS to fund the Bangor facility.

For these reasons, I return LD 162 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Improve Care Provided to Forensic Patients

(H.P. 120) (L.D. 162)

(C. "A" H-482)

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

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

**ROLL CALL NO. 442V**

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

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

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 73; No, 64; Absent, 13; Excused, 1.

73 having voted in the affirmative and 64 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 320)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 182, "An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals."

I fully support the brave men and women firefighters around the state for their dedicated public service. Keeping them as safe as possible is a priority, but this bill is not the way to do it. The amended bill prohibits the use of any chemical flame retardant in new residential upholstered furniture sold in Maine as of January 2019. However, public facilities such as schools, hospitals and state offices are exempted in the bill. These entities will still be allowed to purchase furniture containing flame retardants. It also does not address numerous consumer products, such as electronics, building materials, home appliances and vehicles containing flame retardants.

By prohibiting the use of all chemicals, this bill eliminates the ability for industry to innovatively develop substances used as flame retardants in furniture. This bill also bypasses the scientific review process provided to the multiple state agencies in current law; instead, it assumes harm to human health from all chemical flame retardants under conditions experienced by firefighters.

Firefighters are routinely exposed to chemical compounds during fire incidents, such as benzene and hydrogen cyanide, from a variety of sources commonly found in structure fires. Many of those substances are highly toxic and thought to be responsible for high rates of disease among firefighters. This bill will not do anything to address these issues. During the committee review, firefighters themselves stated the most effective way to protect the firefighting community is increased use of respiratory protection during all phases of fire response and standardized cleaning of gear after every fire incident.

Not only does this bill create additional red tape for businesses, but it could also lead to Maine consumers having to pay higher prices for furniture. It will disrupt interstate commerce and could decrease the furniture products Maine retailers can sell to their customers. I applaud the intent of the bill, but there are other ways to protect firefighters without negatively impacting the economy.

For these reasons, I return LD 182 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals

(H.P. 138) (L.D. 182)  
(S. "B" S-338 to C. "A" H-215)

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

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

**ROLL CALL NO. 443V**

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

NAY - Espling, Fredette, Grohman, Hanington, Johansen, Lockman, McElwee, Reed, Sanderson, Sirocki, Stetkis, Sutton, White, Winsor.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 123; No, 14; Absent, 13; Excused, 1.

123 having voted in the affirmative and 14 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 321)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 214, "Resolve, To Establish the Commission To Streamline Veterans' Licensing and Certification."

My Administration has a strong record of supporting military veterans and their families. We have streamlined the state occupational licensing processes and connected military veterans with meaningful employment based on their military training and experience. These programs are now integrated into the fabric of two departments: Professional and Financial Regulation and the Department of Labor.

In February of 2016, I signed an Executive Order, "An Order to Promote the Hiring of Skilled Veterans in the State of Maine," establishing the Governor's Veterans' Licensing Review Panel to identify and remove barriers for veterans to obtain state

licenses and make recommendation for changes in licensing laws and rules to reduce red tape and provide flexibility for applicants.

The Executive Order produced a legislative proposal, LD 1592, that was recently passed and signed into law, providing the Licensing Director of the Department of Professional and Financial Regulation with significant authority to modify licensing rules for the benefit of veterans. Additionally, the staff of the Department of Labor's Veterans Program is working collaboratively with employers and educational institutions to provide innovative bridge programs for veterans who have already received excellent military training so they may qualify for state licenses more quickly and take advantage of high-paying employment opportunities.

My administration is committed to the continuation and broader development of these efforts. LD 214 may be well-intentioned, but creating yet another commission or study group is both duplicative and unnecessary.

For these reasons, I return LD 214 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item Resolve, To Establish the Commission To Streamline Veterans' Licensing and Certification (EMERGENCY)

(H.P. 170) (L.D. 214)

(C. "A" H-187)

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

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

**ROLL CALL NO. 444V**

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

NAY - Malaby, Sirocki.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 135; No, 2; Absent, 13; Excused, 1.

135 having voted in the affirmative and 2 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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

The Following Communication: (H.C. 322)  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 642, "Resolve, To Establish the Task Force to Identify Special Education Cost Drivers and Innovative Approaches to Services (Emergency)."

One way to guarantee an important issue is not going to be solved is to relegate it to a legislative study. I agree special education costs are increasing dramatically and that something must be done to provide greater access to services at a lower cost to Maine families and taxpayers. This is why the recently passed biennial budget introduced several reforms that are poised to help build regional capacity for high-cost, low-incidence services. I have also directed the Maine Department of Education to conduct a review of special education cost drivers and make recommendations for reforms. That work is ongoing. While we await recommendations from DOE, I do not believe this task force will be productive.

Further, we know a major driver of increased special education costs are state and federal maintenance-of-effort requirements, which means that local schools must continue to spend more money than they did last year—even if they discover more efficient ways to serve their students. These barriers to efficient and effective services defy common sense.

Worse yet, the composition of the proposed task force seems engineered to produce recommendations that will demand the state spend more on special education, not less, contradicting the name of the task force. Here the legislature has identified rising costs as a problem, and I predict this task force will recommend we spend more money. This task force will not solve our problems; it will simply waste time and money for all involved.

For these reasons, I return LD 642 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services (EMERGENCY)

(H.P. 456) (L.D. 642)  
(C. "A" H-106)

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

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

**ROLL CALL NO. 445V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Hanley, Harlow, Harrington, Hawke, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Kinney J, Kinney M, Kornfield, Kumiega, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perry, Picchiotti, Pickett, Pierce T, Pouliot, Reed, Riley, Rykerson, Sampson, Sanborn, Seavey, Sheats, Simmons, Spear, Stanley, Stearns, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Dillingham, Farrin, Hanington, Head, Johansen, Malaby, Ordway, Perkins, Prescott, Sanderson, Sherman, Sirocki, Skolfield, Stetkis, Strom, Wallace, Winsor.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 119; No, 18; Absent, 13; Excused, 1.

119 having voted in the affirmative and 18 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 323)  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 648, "An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State."

This bill does not do what it purports; furthermore, its effect is offensive not only to the Maine taxpayer, but also to common sense.

There are now limited entities that are permitted access to buy state surplus property before it is made available for sale to the public. Under current law, there are approximately 1,000 entities that qualify as eligible organizations under the state's narrowly tailored nonprofit designation. LD 648 would expand that qualifying number to well over 17,000 organizations located both here in Maine and elsewhere.

Based on the sponsor's testimony, it seems the bill may have intended to only expand access to buying surplus state property to nonprofit, 501(c)(3) organizations. However, that is not what this bill does. Instead, it expands the priority preference and access to the State of Maine's surplus property program to any organization registered under Section 501(c) of the Internal Revenue Code.

For example, a 501(c)(4) organization engaged in political campaigns and lobbying would now be given a preference over Maine citizens when it comes to purchasing the state's surplus property. I do not believe lobbyists in Augusta should have preference over Maine citizens in access to purchasing surplus property that taxpayer dollars originally purchased.

Other organizations that would become eligible for this preferential treatment include labor unions registered under Section 501(c)(5), golf courses registered under Section 501(c)(7) and college fraternities and sororities registered under Section 501(c)(7).

These entities already have the same access to attending publicly advertised, regularly scheduled public sales and auctions. It is an insult to hard-working Mainers—whose tax dollars were used to purchase state property in the first place—to provide these organizations with access to surplus items prior to making it available to the general public.

Moreover, creating a blanket provision qualifying all nonprofit organizations registered under Section 501(c) of the Internal Revenue Code would create conflicts with the federal surplus property program, administered by the State of Maine. General Services Administration policy prohibits entities that do not qualify under federal guidelines from being filed or stored with those that do.

Implementation of this bill would require at least two additional Inventory and Property Associate II positions to be created to handle the anticipated workload newly qualified entities would place on the Department of Administrative and Financial Services. In addition to the salaries, benefits and workplace costs for these new positions, DAFS expects the state will incur considerable costs to implement the provisions of this bill and additional General Fund appropriations will be required.

In summary, this bill gives lobbyists and political organizations advantages over individual taxpayers; it conflicts with federal rules; and it requires growth in government bureaucracy. These reasons necessitate that I return LD 648 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State

(H.P. 462) (L.D. 648)

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, this is a very simple bill. I know there aren't many of those, but this bill went through the Committee on State and Local Government unanimously, both bodies unanimously, and it really clarifies which nonprofits in Maine can come forward and buy Maine surplus property. I think it will make it simpler. It was initiated by someone who worked for that Department. So, I would urge you to please vote to override the veto. Thank you.

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

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

**ROLL CALL NO. 446V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Kinney J, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCreia, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Parry, Perry, Pickett, Pierce T, Riley, Rykerson, Sampson, Sanborn, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Wadsworth, Wallace, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Dillingham, Espling, Farrin, Gillway, Ginzler, Head, Johansen, Kinney M, Lockman, O'Connor, Perkins, Picchiotti, Pouliot, Prescott, Reed, Sanderson, Sirocki, Stetkis, Sutton, Theriault, Timberlake, Tuell, White.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 112; No, 25; Absent, 13; Excused, 1.

112 having voted in the affirmative and 25 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 324)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 970, "An Act to End Homelessness by Expanding Housing Support Services."

This bill demonstrates how a new government entitlement is created. It simply requires a legislator to identify a problem, like homelessness, that everyone acknowledges must be addressed. Then the legislature commits to so-called "one-time funding," such as the \$300,000 that is spent by this bill.

Inevitably, legislators will be back at the trough next year, demanding more public funding to address the hole created by the failure to fund this initiative on an ongoing basis. Financial gimmicks should not be used to grow the social safety net. Mark my words, this will not be a one-time request. If this bill is

allowed to become law, it represents a major ongoing financial commitment for bills to come.

For these reasons, I return LD 970 unsigned and vetoed. I implore the legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To End Homelessness by Expanding Housing Support Services

(H.P. 683) (L.D. 970)

(S. "A" S-330 to C. "A" H-209)

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker. This bill is to help the Department of Education establish public/private partnerships with communities to help kids over the summer so that they don't lose any of their knowledge, but also might gain. Oh, am I on the wrong one? I am so sorry. I am on the wrong bill, but I look forward to 919 sometime in the future. My apologies.

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

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

**ROLL CALL NO. 447V**

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

NAY - Black, Bradstreet, Campbell, Cebra, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Johansen, Kinney J, Kinney M, Lockman, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Wadsworth, Wallace, White, Winsor.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 83; No, 54; Absent, 13; Excused, 1.

83 having voted in the affirmative and 54 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 325)

**STATE OF MAINE**

**OFFICE OF THE GOVERNOR**

**1 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0001**

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1143, "Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine."

While I agree the State of Maine's bicentennial is a milestone to be celebrated and an occasion that might spur increased tourism and economic development, I cannot support this bill. This bill, like many before it, provides a mandate without any resources.

If we are to observe the bicentennial in a manner likely to have the maximum impact, the legislature should fund such an effort. The legislature is appealing to volunteers, and I suspect the work of this new commission will later demand additional unappropriated time and resources from state agencies.

If an effort is truly worth pursuing, it is worth funding with appropriate resources. As the legislature has once again not seen fit to adequately fund such an effort, I must return LD 1143 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine (EMERGENCY)

(H.P. 806) (L.D. 1143)

(S. "A" S-323 to C. "A" H-453)

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

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

**ROLL CALL NO. 448V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grignon, Grohman, Hamann, Handy, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Kinney J, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perry, Pierce T, Pouliot, Riley, Rykerson, Sampson, Sanborn, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Vachon, Wadsworth, Warren, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Craig, Dillingham, Farrin, Haggan, Hanington, Hanley, Johansen, Lockman, O'Connor, Ordway, Perkins, Picchiotti, Pickett, Prescott, Reed, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Sutton, Timberlake, Tuell, Wallace, White, Winsor.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 110; No, 27; Absent, 13; Excused, 1.

110 having voted in the affirmative and 27 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 326)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1396, "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators."

This bill would reverse the progress we have made as a state to crack down on double-dipping and abuse by a small segment of public employees. I believe in the basic principle that no public employee should be entitled to receive a paycheck as well as retirement benefits at the same time from the same public employer for the same job. It makes no sense to me how members of the legislature disagree with this basic principle.

Before I became governor, this kind of abuse was rampant. Superintendents of schools would retire on a Friday, then come back to work in the same job on the following Monday, collecting both a salary and their public retirement benefits. If the system creates incentives for this type of behavior, you really can't blame employees for taking advantage of it. Instead, you must fix the system—which we did. Now, however, certain interest groups, such as highly paid superintendents, are asking for carve-outs and exemptions.

Relying on retired public employees to come back to work is not a sustainable long-term solution. We need to create a pipeline of younger staff members to replace retiring workers. This bill creates disincentives for graduates to pursue certain education careers because it is protecting older retirees at the expense of recruitment of younger professionals.

Legislators should recognize that Maine's policies have discouraged young graduates from pursuing these careers in Maine. Let's stop enacting backwards, protectionist policies that reward double-dippers and instead make sure the money we spend in education actually benefits our students.

For these reasons, I return LD 1396 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators

(H.P. 970) (L.D. 1396)

(C. "A" H-522)

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

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

**ROLL CALL NO. 449V**

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

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

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 74; No, 63; Absent, 13; Excused, 1.

74 having voted in the affirmative and 63 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 327)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1641, "An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities."

The introduction of adult-use marijuana in Maine presents unprecedented challenges. While we work to honor the will of the people, we must also confront the grave public health and safety consequences of legalizing a Schedule I drug.

Unlike this hastily assembled bill, the task will not be easy or quick. Instead, achieving a safe, sustainable program will require a thorough process, driven by the courage to make



responsible decisions. Specifically, these decisions must reconcile the medical marijuana program with the new adult-use marketplace.

The passage of any statute allowing adult-use marijuana must be coupled with legislation to eliminate or reform the medical marijuana program. Maintaining two separate systems with inconsistent rules, enforcement and tax rates would create dueling markets, enable diversion of products and incentivize abuse of the medical program. This bill would perpetuate the division between the systems.

Chief among my other concerns with this particular bill are that it:

- Creates separate licensing bodies, resulting in dual oversight for the same business;
- Requires DHHS to certify labs for both adult-use and medical marijuana prior to licensing, but does not provide DHHS the right of inspection;
- Allows licensing with "provisional" accreditation; and
- Burdens DACF with too many mandates to be completed too soon after the recent passage of LD 243.

You've heard me call the 50 states "laboratories of democracy." We can learn from Colorado's experience. Governor Hickenlooper recently encouraged states to avoid the legal loopholes and bureaucratic redundancy that plagued his state's legal marijuana program.

Governor Hickenlooper further warned of the "gray market" created by "such a looseness" in their rules. He spoke of folks legally growing marijuana under the medical caregiver and adult-use home grow models and diverting their products to the illicit market. We would be foolish to believe Maine will fare differently than Colorado.

In fact, the proliferation in the number of registered caregivers portends a shared fate unless we act on this issue. At the beginning of 2016, Maine had fewer than 2,300 registered caregivers. After the election, that number had skyrocketed to nearly 3,300.

For these reasons, I return LD 1641 unsigned and vetoed. I urge you to reflect on the lessons learned from other states, to make responsible decisions for the citizens of Maine and to sustain this veto.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities (EMERGENCY)

(H.P. 1132) (L.D. 1641)  
(S. "A" S-326)

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

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

#### ROLL CALL NO. 450V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grignon, Grohman, Haggan,

Hamann, Handy, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Johansen, Kinney J, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce T, Pouliot, Prescott, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Dillingham, Hanington, Lockman, Sirocki, Wallace, White.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 131; No, 6; Absent, 13; Excused, 1.

131 having voted in the affirmative and 6 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 328)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 919, "An Act to Establish the Summer Success Program Fund."

This bill demonstrates the argument I have made about education spending since I became Governor. Whenever we increase funding for education, they always ask for more, move the goalpost and make attainment of the "55 percent" truly impossible.

This bill is a brazen attempt to create a new, unfunded state and local mandate to offer summer programs with extended learning opportunities. While unfunded, the bill creates a future obligation for the Department of Education to develop a funding process that includes eligibility calculations and determinations. This bill does not provide funding, but rather creates the leverage for future legislators to say, "Well, the state created the program, so now it needs to meet its commitment to fund it." Even more concerning, it seems to invite the issuance of "social impact bonds," a funding vehicle the state has no experience with and seems intended to increase the state's financial commitment to these local programs.

In addition, real implementation of this bill would require additional staff at the Department of Education, which has not been provided in this bill. This bill poses additional specific program and fiscal responsibilities on the Department and school districts at a time when there are many state and federally required statutory obligations.

Finally, the recently enacted biennial budget already made changes to the funding formula to target an additional five-percent weight for extended learning that benefits economically

disadvantaged students. Before implementing this new section of law and measuring the results, this bill now seeks to impose a similar mandate and create a future financial liability.

Instead of creating a new government program that increases the burden on taxpayers, let's instead hold school districts accountable for results based on the additional \$162 million in education funding the budget just provided to schools.

For these reasons, I return LD 919 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Establish the Summer Success Program Fund

(H.P. 647) (L.D. 919)

(C. "A" H-113)

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

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

**ROLL CALL NO. 451V**

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

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Cebra, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hogan, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Spear, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 73; No, 64; Absent, 13; Excused, 1.

73 having voted in the affirmative and 64 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (S.C. 578)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 512, "Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth."

This bill seeks to form yet another legislative committee to produce yet another report that will do nothing to make real progress in the fight against sexual exploitation. Further, the Legislature failed to fund the proposed committee. This is a sad attempt by do-nothing legislators to go home to their districts and pretend to have tackled the issue.

We need to give law enforcement and prosecutors the proper tools to help protect young people against sexual exploitation. This bill's original intent to prevent minors from being charged with the crime of engaging in prostitution would have limited the state's ability to protect future generations. This bill is unnecessary, and I cannot support it.

For these reasons, I return LD 512 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE** in concurrence.

The accompanying item Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth

(S.P. 173) (L.D. 512)

(C. "A" S-131)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 452V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Herrick, Hickman, Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J,

Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Riley, Rykerson, Sanborn, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

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

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 78; No, 59; Absent, 13; Excused, 1.

78 having voted in the affirmative and 59 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 579)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 517, "An Act To Amend Principles of Reimbursement for Residential Care Facilities."

One of the goals of my administration has been to right-size reimbursement rates and to insert some common sense into state Medicaid regulation and reimbursement structure. Over the last six-and-a-half years we have made significant progress, and we look to continue that progress through the duration of my final term.

While I understand the desire of residential care facilities to have the broader authority and flexibility outlined in this proposal, I remain concerned about one specific provision. This proposal outlines in statute that the costs resulting from regulatory changes made at any level of government be considered allowable costs and reimbursed by the state accordingly.

It makes sense that new regulation created by the state and federal government be considered an allowable cost as it relates to residential care reimbursement. The state and federal governments pay the bills; there is a direct correlation between their regulatory expectations and the rate of reimbursement. However, it does not make sense that local county or municipal governments can approve burdensome or costly regulations and expect state and federal reimbursement to mitigate their irresponsible decision making. The Maine people need to hold every level of their government accountable—including their counties and towns.

For this reason, I return LD 517 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Amend Principles of Reimbursement for Residential Care Facilities

(S.P. 178) (L.D. 517)

(S. "A" S-321 to C. "A" S-91)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 453V**

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

NAY - Black, Espling, Hanington, Hawke, Johansen, Kinney M, Lyford, Malaby, Mason, Seavey, Skolfield, Timberlake, Wallace.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 124; No, 13; Absent, 13; Excused, 1.

124 having voted in the affirmative and 13 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 580)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 721, "An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan."

This bill represents a dramatic shift in public policy by criminalizing moral obligation. Generally speaking, most people are under no legal obligation to report a crime, whether they knew about it in advance or found out about it after the fact. This bill creates a new strict-liability felony crime if a person has knowledge of another person's plan to commit a crime and fails to report such to law enforcement.

I have serious concerns about the potential unintended consequences this bill's vague language may reap. In particular, I believe this bill should provide immunity to the person who reports a terrorist plot.

For these reasons, I return LD 721 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan

(S.P. 238) (L.D. 721)  
(C. "A" S-114)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

27 voted in favor and 7 against, and 27 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

#### ROLL CALL NO. 454V

YEA - Ackley, Alley, Austin B, Babbidge, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Collings, Cooper, Corey, Craig, DeChant, Denno, Doore, Duchesne, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grohman, Hamann, Handy, Harrington, Herbig, Herrick, Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Nadeau, Parker, Perry, Pickett, Pierce T, Riley, Rykerson, Sanborn, Sheats, Sherman, Skolfield, Stearns, Sylvester, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Zeigler, Madam Speaker.

NAY - Austin S, Bailey, Black, Bradstreet, Campbell, Chapman, Daughtry, Dillingham, Dunphy, Espling, Farrin, Fredette, Grignon, Haggan, Hanington, Hanley, Harlow, Hawke, Head, Hickman, Higgins, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, McElwee,

Moonen, O'Connor, O'Neil, Ordway, Parry, Perkins, Picchiotti, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Spear, Stanley, Stetkis, Stewart, Strom, Sutton, Talbot Ross, Theriault, Timberlake, Wadsworth, Wallace, Warren, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 78; No, 59; Absent, 13; Excused, 1.

78 having voted in the affirmative and 59 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 581)

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 808, "An Act To Restore Community Support Services for Adults with Mental Illness."

As a result of the Department of Health and Human Services' review of Section 17, it was determined that for members with conditions such as depression, post-traumatic stress disorder, or anxiety, Section 17 services were very often not clinically appropriate. In making this determination, the Department relied on objective sources, including guidance published up by the National Institute for Mental Health, which recommends other treatments that are available under a separate section of Medicaid policy (Section 65).

In an effort to ensure Section 17 services were directed towards those for whom the services were clinically appropriate, the Department made changes to the clinical criteria to align them with evidence-based treatment. Specifically, the Department required that individuals with diagnoses other than schizophrenia or schizoaffective disorder submit clinical documentation supporting the need for Section 17 services.

This bill would reverse many of the changes made by the Department last year and would force the State to provide reimbursement for treatment that is not clinically appropriate. Specifically, it would require all members with post-traumatic stress disorder or bipolar disorder qualify for all Section 17 services without regard to functional ability or actual demonstrated need. The idea that our State would endorse mental health treatment that is not clinically appropriate is unconscionable.

For these reasons, I return LD 808 unsigned and vetoed. I strongly urge the Legislature to support clinically appropriate treatment for MaineCare members and sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Restore Community Support Services for Adults with Mental Illness

(S.P. 253) (L.D. 808)

(S. "A" S-270 to C. "A" S-241)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

24 voted in favor and 10 against, and 24 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 455V**

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

NAY - Austin S, Black, Bradstreet, Campbell, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stearns, Stetkis, Strom, Sutton, Theriault, Timberlake, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 81; No, 56; Absent, 13; Excused, 1.

81 having voted in the affirmative and 56 voted in the negative, with 13 being absent and 1 excused, accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 582)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby

vetoing LD 891, "An Act to Support the Professional Development of Principals in Maine Schools."

As I travel the state, I often hear teachers and local officials complain about unfunded mandates. This change to require mentoring programs is a mandate, plain and simple. While mentoring is an excellent idea for leaders, the legislature must stop being so dishonest about increasing costs for local districts without providing funding.

I invite the legislature to work with the Maine Department of Education as it updates the rules concerning performance evaluation and professional growth to address mentoring and coaching.

For these reasons, I return LD 891 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Support the Professional Development of Principals in Maine Schools

(S.P. 291) (L.D. 891)

(C. "A" S-237)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

30 voted in favor and 4 against, and 30 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 456V**

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Higgins, Hogan, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 75; No, 62; Absent, 13; Excused, 1.

75 having voted in the affirmative and 62 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 583)

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 949, "An Act Regarding Telehealth."

Technological advances in recent years have led to broader development of telehealth as an available tool for providing health care. Telehealth services have been found to be of particular value for a rural state like Maine, and we have seen rapid growth of telehealth services. Our existing telehealth policies are serving Mainers well.

This bill is a solution looking for a problem. Maine law now prohibits health insurance carriers from denying coverage for telehealth services if the service would be required to be provided in person. Coverage must be consistent with that provided for in-person services and consumers' out-of-pocket costs (copayments, coinsurance and deductibles) cannot exceed those that would apply to inpatient services. The bill rephrases those requirements and adds several unnecessary and expansive clarifications.

In addition to these unnecessary provisions, the expansive nature of the clarifications pose the significant possibility of increased costs for insurers that will ultimately be felt by all health insurance ratepayers, including the State. It is impossible to truly determine the extent of additional costs that coverage of these services might create, but those increased costs will result in increased insurance premiums for already an overburdened healthcare system. Maine cannot afford to add yet another additional cost to health insurance coverage.

For these reasons, I return LD 949 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act Regarding Telehealth

(S.P. 304) (L.D. 949)

(C. "A" S-187)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

27 voted in favor and 7 against, and 27 being more than 2/3 of the members present and voting, accordingly it was the

vote of the Senate that the Bill become law and the veto was overridden.

The **SPEAKER**: The Chair recognizes the Representative from Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, I hope I am in the right protocol, can I speak on this? Great. This is an excellent bill, actually, until you add the part about drug addiction counseling. At that point, it just completely violates federal law. Everything you need to know is in 42 C.F.R. Part VIII. Right off the bat, it prohibits the use of cameras in windows. You cannot use a recording device to record counseling sessions for drug addiction. What this is going to do... by electronic devices, we're talking iPhones, iPads, any electronic device that is capable of recording. You know, everything you need to know is mimicked by state law, because we all know you can't be less restrictive than the federal government. This is also in our state license agreement of 1987. You know, when you get down to it, you go to E. line 12, this is where it talks about, if you go to 1.52 it's got to be done in a nonresidential setting. You go to the bill, and it talks about remaining in a residential setting. This bill is designed for everything but drug addiction counseling. As long as you leave that in there, we're going to be in conflict of everything you guys want to achieve by this. You go to line 10, talks about coverage. Schedule one, two, and three drugs: the license agreement clearly mentions these three drugs when it comes to drug addiction counseling, and it says that it's not permitted. But then you go to line 12, and it says counseling involving opioid addiction is permitted. The bill contradicts itself. You know, of course, then there's always the big question about the fiscal note, which it says they can't figure out what that is going to be at this time, and I'm pretty confident that we're going to end up buying them phones. You go to page two, line four, it talks about in-person consultation not needed. Well that's violated because every time you go to a counseling session, you got to get a drug test and a physical. So, what, now we're going to assess somebody over the phone, and what, mail them their drugs? It goes on and when you go to Section IV, line 27, it talks about if the residence is not able to support telecommunications, you know telemonitoring, you can now do it by phone. But, then again it contradicts itself; you go to line 28 and telephonic services: you can't have that. And the worst part about this bill is it was brought to me and you last term when we voted through telemedicine in general, and was it supposed to be about people out in the suburbs and in the country that didn't have access to services. Well, somehow or another, that got turned... it started off, by the way, it was our older folks whose doctors could confer with a specialist in Boston. That's what started this whole thing last term. And, somehow or another, it got turned into drug addiction counseling by iPhone. So, even this time around, the people... one of the people that sponsored this bill walked right up to me and looked me in the eye, gave me a businessman's handshake, and said this bill is directed at people who are not in areas that have access to counseling services. Unfortunately, you read the bill and it says geographical location can't be used against him. So, what we're going to have now is, people with drug addiction problems could live in a city, right above the clinic, and not even have to get off the couch. It's a shame that somebody had to take a great bill and turn it into a mess. Thank you.

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

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

#### ROLL CALL NO. 457V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Grant, Grohman, Hamann, Handy, Harlow, Hawke, Herbig, Hickman, Higgins, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Riley, Rykerson, Sanborn, Sheats, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Craig, Dillingham, Espling, Farrin, Fredette, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Head, Herrick, Hogan, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 82; No, 55; Absent, 13; Excused, 1.

82 having voted in the affirmative and 55 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (S.C. 584)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 952, "An Act To Ensure Access to Opiate Addiction Treatment in Maine."

I understand the drug-replacement therapy methadone has been recognized by some experts as the best evidence-based substance abuse treatment option available. But, like many people outside the treatment community, I believe that simply replacing one drug with another doesn't actually solve the problem. Families impacted by addiction need normalcy and freedom—daily trips to a Methadone clinic year after year are not a good way to achieve that normalcy.

My administration recently added significant requirements to its Medicaid program to ensure greater accountability for methadone treatment. It makes no sense to pay for treatment

that is simply perpetuating an addiction. Taxpayer dollars should be dedicated to treatment modalities that keep people moving toward true recovery. While the state's reforms may not be perfect, we are heading in the right direction, and these reforms will continually be assessed for increased opportunities to help Mainers succeed.

This bill, among other things, would "allow" the Department of Health and Human Services to amend their rules to increase the reimbursement rate for methadone treatment. I understand this does not provide an actual increased rate; however, until we have been able to take stock of the new regulations, I am not willing to open the door to a possible rate increase. When my team at DHHS can assure me that methadone treatment is taking place in a truly clinical setting, along with the accountability of a clinical team, I would be glad to have this conversation again. I want to pay for treatment that works!

For these reasons, I return LD 952 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Ensure Access to Opiate Addiction Treatment in Maine

(S.P. 307) (L.D. 952)

(S. "A" S-331 to C. "A" S-106)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

30 voted in favor and 4 against, and 30 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **VACHON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise and ask you to support an override. The original bill unanimously passed the Health and Human Services Committee as Amended. The bill passed both chambers under the hammer and was sent to the Special Appropriations Table, where it was amended, then enacted in both chambers in concurrence. The final bill as enacted does the following: it allows RNs and LPNs to dispense methadone to outpatient treatment clinics, consistent with all other states. This change will save money, and LPNs and RNs are very capable of providing this service. It allows outpatient treatment clinics to close one day a week, which is consistent with the federal law and consistent with recently adopted Maine regulations. This will save the state MaineCare transportation funds in the future, but outside of the biennium. It permits DHHS to increase MaineCare reimbursement rates, which are currently \$60 per week, the lowest in the nation, if the Department believes it is justified. The bill does not require a rate increase and it permits the HHS Committee to report out legislation to the second regular session of the 128<sup>th</sup> to increase the MaineCare reimbursement rate. Important to note that this bill was voted unanimously out of the HHS Committee, and had broad support among a wide variety of community stakeholders, which include the Maine Medical Association, the Maine Hospital Association, Maine Osteopathic Association,

Maine Association of County Commissioners, Portland Regional Chamber of Commerce, several police chiefs, Acadia Hospital, Maine Equal Justice Partners. Currently, more than 4,250 patients receive treatment at outpatient medication-assisted treatment clinics utilizing methadone. About 3,000 are MaineCare eligible. Helping to lower the cost for clinics and allowing for increased rates will increase the ability of clinics to increase necessary counseling, that had to be cut due to the MaineCare rates being cut in 2010 and 2012. Medication-assisted treatment utilizing methadone has a long-standing track record as being one of the most effective forms of treatments for opioid use disorder, particularly for individuals with severe addiction. Maine is currently experiencing an opioid abuse epidemic, and this bill is one of the few enacted bills that directly addressed the problem. I hope you will follow my light and vote to override. Thank you.

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

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

#### ROLL CALL NO. 458V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grignon, Grohman, Hamann, Handy, Harlow, Harrington, Head, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce T, Pouliot, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wadsworth, Warren, Zeigler, Madam Speaker.

NAY - Craig, Espling, Farrin, Fredette, Haggan, Hanington, Hanley, Hawke, Johansen, Kinney J, Lockman, Mason, Ordway, Prescott, Sirocki, Stetkis, Sutton, Theriault, Timberlake, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Turner, Ward.

Yes, 114; No, 23; Absent, 13; Excused, 1.

114 having voted in the affirmative and 23 voted in the negative, with 13 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

#### PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance"

(H.P. 1137) (L.D. 1646)

Sponsored by Representative ACKLEY of Monmouth.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

On motion of Representative BERRY of Bowdoinham, the House **RECONSIDERED** its action whereby Bill "An Act To Protect and Expand Access to Solar Power in Maine"

(H.P. 952) (L.D. 1373)

Was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-566)**.

The same Representative moved that the Bill and all accompanying papers be **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, we heard earlier in the debate on this bill concerns raised about process, and I'm very much a believer in process. I had hoped that the amendment that was offered by the good Representative from Portland would be received as an olive branch, it was certainly intended that way. But I have heard the concerns loud and clear, and I want to pledge to work with my colleagues on both sides of the aisle in Committee to take care of any confusion that may arise regarding net energy billing through the Committee process. There is no emergency here. Again, as I said earlier, I don't really see a significant issue, but it was intended to be helpful. Seeing that it was not interpreted that way by all of us here today, I think the wise course of action is to work it in Committee. So, I hope this helps us to vote on other bills relating to solar power, with a clean up or down vote on the matters that they contain, and with no procedural concerns. Thank you, Madam Speaker.

Subsequently, the Bill and all accompanying papers were **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and sent for concurrence.

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

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

#### COMMUNICATIONS

The Following Communication: (S.C. 566)

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

July 10, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:



Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1504, "An Act to Modernize Rates for Small-scale Distributed Generation."

This bill is poor policy and as I have noted many times, net energy billing subsidizes the cost of solar panels at the expense of the elderly and poor who can least afford it. We need to move away from this unsustainable practice. Even the Natural Resource Council of Maine has acknowledged that net energy billing "is not a preferred long-term policy." However, rather than moving away from this practice to a more sustainable approach, LD 1504 instead sets net energy billing into statute in perpetuity.

In addition, the bill's language will result in the nonsensical outcome of net energy billing customers having their electricity usage stepped-down over time, rather than just their generation. Therefore, likely due to last-minute drafting of overlapping amendments, LD 1504 will result in the electricity bills of net energy billing customers being reduced even if they generate no electricity at all.

This bill represents bad policy and contains serious drafting errors that will result in irrational outcomes. For these reasons, I return LD 1504 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Modernize Rates for Small-scale Distributed Generation

(S.P. 529) (L.D. 1504)

(H. "B" H-554 to C. "A" S-276)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

28 voted in favor and 6 against, and 28 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **MALABY**: Madam Speaker, I rise with a Point of Order.

The **SPEAKER**: The Representative from Hancock rises for a point of order. The Chair inquires as to what the point of order may be.

Representative **MALABY**: Madam Speaker, I believe this veto message and, indeed, the underlying bill, LD 1504, is improperly before the body.

The **SPEAKER**: The Chair would inquire as to why the Representative from Hancock thinks it is improperly before the body.

Representative **MALABY**: I'd be happy to explain.

The **SPEAKER**: The Representative may proceed.

Representative **MALABY**: Madam Speaker, LD 1504 is intentionally structured to raise revenues from one class of electric consumers with no means of opting out, and redistributing those funds to another class of rate payers, the solar panel owners. These acts fit squarely within the common court case findings of a tax. The courts have consistently held

that governmental entities can tax through a variety of means. The most recent case of some notoriety is the case of *The National Federation of Independent Business v. Sebelius*. That was the landmark United States Supreme Court decision in which the Court upheld Congress's power to enact most provisions of the Patient Protection and Affordable Care Act. The majority opinion, written by Chief Justice John Roberts, authorized the individual mandate which compels individuals who chose not to participate in an insurance pool to pay a fee, under the constitutionally authorized exercise of Congress's taxing power. And while Congress has the authority to compel non-users to pay a fee under their authority to tax, so, too, does this legislative body have the authority to compel non-users, via LD 1504, to pay a fee under our authority to tax; and Madam Speaker, I would say to you this is not similar, nor is this analogous, this is the exact same issue before us. However, the fact that LD 1504 levies a tax on non-solar users creates a constitutional conflict. Article IV, Part Third of the Legislative Power, Section 9 of the Maine Constitution, clearly states all bills for raising revenue must originate in the House of Representatives. I will read you that. "Bills, orders or resolutions, may originate in either House, and may be altered, amended or rejected by the other; but all bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other cases; provided, that they shall not, under color of amendment, introduce any new matter, which does not relate to raising a revenue." As this bill originated in the other body, and it is clearly a bill which raises a tax, I respectfully submit that it is improperly before the body and is unconstitutional.

Representative **MALABY** of Hancock asked the Chair to **RULE** if the Bill was properly before the body.

The **SPEAKER**: The Representative from Hancock, Representative Malaby, has presented a clearly well-thought-out argument that probably took some time for somebody to put together. Given that, the Chair will take a couple of moments to consider before responding.

There is a pending question posed to the Chair from the Representative from Hancock, Representative Malaby. The question posed is whether this bill is properly before the body. That determination rests on the question posed also by Representative Malaby: is the bill constitutional? The Chair would draw members' attention to *Mason's Manual* Chapter 52, Section 578, Part 6. I will wait for folks to gather their *Mason's Manual* in hand. According to this, the Chair is, actually... it is not the right of the presiding officer to rule upon the constitutionality of bills, because that authority belongs to the House. So in other words, my friends and members of the House, that authority belongs to each one of the 151 members present, or however many of those are present in the chamber right now. So, when we take a vote to override LD 1504 or to sustain the veto, just as when we have voted on this bill and its other iterations before this chamber, every member of this body will be deciding whether they believe that it is constitutional or not. That authority resides with everybody in this House. To summarize, the Chair would rule that this item is properly before the body based on that.

Subsequently, the Chair **RULED** that the Bill was properly before the body.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This issue continues to get more clouded by the minute, and suspecting that we all may want to get home to cookouts with our families and enjoy

the summer, then probably at some point in time we should move on. I would only suggest, with that question being raised as an issue of abdicating our constitutional right in terms of raising taxes in the House to the other body, along with the referring of 1373 back to Committee, we would be acknowledging that there is sort of a gaping hole in this bill, and that is why 1373 was here and even being talked about earlier today; that being now, in my opinion, properly sent back to Committee and will be addressed in January. And so, I would submit to the body today that we sustain the Chief Executive's veto for now two reasons, one being... well, I'd say three reasons actually, the first reason being not abdicating our right of taxation to the other body. The second reason, that I think what we want to do is have sound solar policy that we can all support that, in fact, continues to encourage the growth of solar which has been significant based on the lowering of cost. I don't think it's something we need to continue to drive the cost down; and I think now thirdly, recognizing that 1373 is being sent back to Committee, we simply just can't put a... in my opinion, we should not put a bill into effect by overriding the Chief Executive's veto that sort of has this gaping hole in it. So, I will be voting to sustain the Chief Executive's veto, and I ask that you follow my light. Thank you, Madam Speaker.

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

Representative **SIROCKI**: Thank you, Madam Speaker. I rise in opposition to this bill and urge supporting the Chief Executive's veto. I find the argument that this bill is not properly before this body compelling and the evidence quite strong. In addition to that, I would like to share a few words from Sarah Burns, President and CEO of Central Maine Power, as she recently wrote: "With today's technology, solar energy has new potential to deliver environmental and economic benefits for Maine. Our company has some of the most advanced grid technology in the United States, and parallel advances in solar technology have created entirely new opportunities that were unattainable only a decade ago. We now have the ability to combine cost-effective renewable energy resources and the power of dynamic energy markets to maximize the benefits of solar technology for everyone. However, LD 1504 preserves 1990s era regulations that lock in inefficient solutions and could burden Central Maine Power's customers with as much as \$150 million in unfair costs between now and 2035." She goes on to say, "the success has unintended consequences for customers of the state's electric utilities. Today the people who invest in private solar systems earn their return on the investment by shifting millions of dollars of grid operating costs onto those who don't or can't make the same investment. That is simply not fair." The Maine Legislature, the Maine Office of Public Advocate, and the Maine Public Utilities Commission have acknowledged the unfairness of this cost shift. In 2015, the Maine Legislature passed a resolve calling for the development of, "an alternative to net energy billing that fairly and transparently allocates the costs and benefits of distributed generation to all customers." With these concerns in mind, I urge the members of this body to sustain the veto and let the Committee process continue working on a comprehensive solar policy that moves us into the future, without locking us into policy decisions that were made 30 years ago. Thank you.

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

Representative **CHAPMAN**: Thank you, Madam Chair, friends and colleagues of the House. It was many years ago, apparently in the 1990s, that Maine began both the renewable

portfolio standard and the net metering rules that had in place the one percent trip point, which has brought us to the point where we are today. And I was involved with that at the time, and I rise today to express a comment about my experiences with one of the large utility companies in the state, which was named earlier by the testimony that they have given, that opposed giving a net metering contract to what was then the largest wind power installation in the state, which I was working with at that time. And Central Maine Power Company, at that time, refused to provide a net metering contract on the basis that the wire from the top of the tower into the building from the wind turbine constituted a transmission line and that the company that owned it was therefore a transmission and distribution company and refused to give a net metering contract. The issue was resolved by an adjudicatory proceeding before the Public Utilities Commission. I provided expert testimony to point out that the machinery at the top of the tower could not generate any electricity without being connected to the control system that was inside the building, and further, in answer to their question about the wire that connected one side of the building to the other side of the building where the switch gear was, that, in fact, a circuit breaker that showed on the schematic diagram and was part of the system was, in fact, located at the other end of the building in the same switch gear panel. The Public Utilities Commission decided not in CMP's favor, in that case, and ordered them to provide a net metering contract. I'm sorry I don't have a copy of their decision with me today because it was very harshly worded. In other words, we're dealing, from an industry side, with continual disaffection for net metering. Now, on the matter of the cost shifts, it was because of the arguments about the cost shifts that caused us to put in the one percent trip point, more than 15 years ago, and I'm very pleased that that was effective over that period of time. Whatever cost shifts those were, and whatever interpretation could be given to those cost shifts being taxation, of course, have been pertaining for more than 15 years now, so this is not something new. And finally, what we now understand, of course, is that there is a cost shift in the other direction as well, of some magnitude, involving the reduction in capital equipment costs required because of increased distributed generation; and so it's worth noting that this is an evolving situation in which further information will come forward and we will be able to deal with that, or the future Legislatures will be able to deal with that as necessary. But what's critical for us today is to understand what the economic situation is with all of the businesses that are Maine-based businesses that work in this area, and the primary need that they have, and their customers and their clients, is some level of certainty as to what is going to happen. The uncertainty is more costly than a poor decision. So, what we have in front of us is either we continue with the bill that we've already passed which is subject to the vote that we're about to take, or we toss that aside, and then we're in an uncertain condition while some rules that the PUC have developed go into effect, and while the Legislature, next year, grapples with it again, to be enacted in a little over a year from now. That uncertainty is simply not really acceptable, and so it's important for us to take a step now and provide some certainty for our Maine-based industries and move ahead. Thank you, Madam Speaker.

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

Representative **SANBORN**: Thank you, Madam Speaker. I rise today because I want to just be very clear about what LD 1504 does in terms of altering the status quo of net metering

that is in place today. It requires that the PUC conduct a cost-benefit analysis and then apply the results. It actually reduces the net metering benefit that is in place today for net metering customers, by starting to step down the portion of the transmission and distribution portion of their bills, on which they can receive credit, and it eliminates the gross metering rule that has not yet gone into effect. None of those things is a tax, they are all the same things that I spoke about the last time that I spoke about LD 1504, and I urge you to override the veto as a result. Thank you.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Madam Speaker. Madam Speaker, I urge you and my fellow members of this body to focus on the merits of this bill, 1504, and not to be side-tracked by the obfuscating arguments that have been raised that just simply take our eye off the ball. The ruling of the Chair on the objection, the Point of Order raised by Representative Malaby, is dispositive, and I think that ends the question. Nevertheless, I want to make one point. There is no tax in this bill. Even if you assume that it is correct that the rate payers of non-solar users, their resources will be transferred to solar users, which we vehemently deny, that is not a tax. That is the transfer of resources from one private party to another. There simply is no tax. So, with that I would just ask you to return to the subject at hand, not to be confused by bogus arguments that have nothing to do with what your constituents are telling you, what your businesses are telling you, and what your municipalities are telling you. We need this bill. Thank you.

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

Representative **MALABY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to remind you all that we've sworn an oath to the Constitution, and when the Supreme Court decides that the transfer of revenues from an unwilling entity to a willing entity is a tax, as they have done, then we must abide by that. There are numerous Supreme Court decisions that some of us may like and may not like that have become the law. I probably need not remind you of those. This is an important issue. This is a constitutional issue. This is a tax. When Chief Justice Roberts said it's under the taxing authority that is granted to Congress as a legislative body, here we are, as a legislative body, doing the same thing: transferring assets from 800,000 meters to 8,000 meters. Ladies and Gentlemen, that is a tax. It is unconstitutional. This bill is unconstitutional, if only because it originated in the other body, which is against the Maine Constitution; and I thank you.

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

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

#### ROLL CALL NO. 459V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Herrick, Hickman, Higgins, Hogan, Hubbell, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Madigan C,

Madigan J, Marean, Martin J, Martin R, Mastraccio, McCreagh, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Riley, Rykerson, Sanborn, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bradstreet, Campbell, Cebra, Craig, Espling, Farrin, Fredette, Gerrish, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Simmons, Turner, Ward.

Yes, 88; No, 48; Absent, 14; Excused, 1.

88 having voted in the affirmative and 48 voted in the negative, with 14 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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The Following Communication: (S.C. 585)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1044, "An Act to Amend the Laws Governing Eligibility for Disability Retirement Benefits."

This bill creates a problematic precedent that I cannot support. First, it establishes a precedent for providing certain retirement benefits to former employees not otherwise eligible for those benefits. While some in the legislature might be nonchalant about extending the state's obligation to public-sector employees beyond the scope of employment, I make no such mistake.

If this bill is allowed to become law, it will only be a short time before other former employees are back before the legislature with new theories about other benefits they believe they are entitled to. We should not open this door with this new exception.

Further, this bill provides benefits to former employees who have settled claims with the state. Since I have been Governor, it has been my experience that the Office of the Attorney General regularly settles a wide range of claims that they could have prevailed on in court. While litigating can be expensive, the knee-jerk reaction in the Office of the Attorney General has been to settle quickly, even when the State of Maine has the law on our side and we are likely to prevail.

Therefore, I worry this bill creates a new incentive for employees to bring claims, which will likely result in a settlement, opening the aperture to many more former employees eligible for benefits as provided by this bill.

For these reasons, I return LD 1044 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Amend the Laws Governing Eligibility for Disability Retirement Benefits

(S.P. 346) (L.D. 1044)  
(C. "A" S-89)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

28 voted in favor and 6 against, and 28 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 460V**

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Vachon, Wadsworth, Wallace, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward, White.

Yes, 76; No, 58; Absent, 16; Excused, 1.

76 having voted in the affirmative and 58 voted in the negative, with 16 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 586)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1089, "An Act To Prohibit the Use of Handheld Phones and Devices While Driving."

While I believe distracted driving is a serious problem in our society that needs to be addressed, this bill does not propose an adequate solution. In Maine, we already have a prohibition on texting while driving, and this bill simply seeks to expand that prohibition. People who text while driving are those who would do so regardless of the law.

For this reason, I believe we need to advance campaigns that raise public awareness of just how dangerous it is to text and drive. By promoting this public awareness, we can teach people the valid reasons why there is a prohibition on texting. I think this would be a much more effective method of addressing the distracted driving problem than simply fining those who use cell phones while operating motor vehicles.

For this reason, I return LD 1089 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Prohibit the Use of Handheld Phones and Devices While Driving

(S.P. 360) (L.D. 1089)  
(C. "A" S-272)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

24 voted in favor and 10 against, and 24 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **GROHMAN**: Thank you, Madam Speaker. I was talking to a friend who drives over-the-road; a truck driver. He asked me, "Marty, what's the difference between you and me when we are out on the road driving?" He said, "The answer is, I'm working," and that's why I think we should override this veto and enact this legislation; to create a safer environment for all of those hardworking women and men who are out on the road right now, as we speak, working. Create a safer working environment for them out there. Thank you, Madam Speaker.

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

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

**ROLL CALL NO. 461V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Grant, Grohman, Haggan, Handy, Hanington, Herbig, Herrick, Hickman, Higgins,

Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCreia, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, Parker, Parry, Perry, Pickett, Pierce T, Riley, Rykerson, Sanborn, Seavey, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Ginzler, Grignon, Hamann, Hanley, Harlow, Harrington, Hawke, Head, Johansen, Kinney J, Kinney M, Lockman, Luchini, Lyford, Malaby, Mason, McElwee, O'Connor, O'Neil, Ordway, Perkins, Picchiotti, Pouliot, Prescott, Reed, Sampson, Sanderson, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tipping, Tuell, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 81; No, 54; Absent, 15; Excused, 1.

81 having voted in the affirmative and 54 voted in the negative, with 15 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 587)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1108, "An Act To Restore Public Health Nursing Services."

This bill is unnecessary and attempts to micromanage basic human resource functions at the Department of Health and Human Services. It is grounded in an artificial crisis meant to engender fear by insinuating that the entirety of the public's health and well-being rests on the shoulders of a very small fraction of a state agency workforce. It simply isn't true, and it isn't how public health operates or succeeds. Rather than arbitrarily requiring positions to be filled, the Legislature should be more concerned with the quality and productivity of our public health nursing force. There are several reasons why the Public Health Nursing Program is currently undergoing reform.

Deficiencies in the program have made it ineffective and in need of reform—adding more nurses won't address those deficiencies. Nurses should be working within the scope of their license and to their highest expertise, rather than responding to calls and doing work that should be handled by a community care worker or a social worker. Additionally, Maine's public health nursing program has historically not achieved the national standard of five visits per day, per nurse. Efforts to increase productivity have been making slow progress, but the program still only achieves an average of two visits per week, per nurse. Arbitrarily increasing the number of nurses does not acknowledge this underperformance and does nothing to ensure the added staff capacity is truly benefitting the public health of Maine people.

Inadvertently, the state has been competing with community services provided by the private sector for the same clients;

this situation can be rectified through the use of integrated professionals and by working effectively with public-private partnerships. Refocusing the Public Health Nursing Program's efforts to ensure state nurses are doing only what state-employed nurses can do will increase the state's capacity to effectively impact some of the toughest public health challenges, like substance-addicted or -affected newborns. Again, adding more nurses to the program will only exacerbate this challenge.

Currently, the CDC is implementing reforms including:

1. Focusing the work of nurses on populations that truly need our help; substance-affected infants and mothers, medically fragile individuals with special needs, and those affected by infectious disease.
2. Building strong program leadership and encouraging champions of change within our workforce.
3. Putting nurses back in district offices instead of dispatching them from home.
4. Implementing an electronic health record system that links to the Health Information Exchange and other Maine CDC data systems that streamline documentation.
5. Using the new EHR to generate management reports on productivity, caseloads and response times.
6. Leveraging technology for direct observation of latent tuberculosis clients through remote medication adherence monitoring.
7. Training and exercising the PHN Emergency Preparedness Team.
8. Creating the Maternal and Child Health Network to include state and community health nurses, community health workers, social workers, home visitors, dieticians and other community-based providers.

The proponents of this bill provided anecdotes about the importance of public health nursing, but they provided no data to back up the need for additional staff. Arbitrarily adding staff to a program does nothing to directly improve quality or increase effectiveness of the work.

For these reasons, I return LD 1108 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Restore Public Health Nursing Services

(S.P. 362) (L.D. 1108)  
(S. "A" S-329 to C. "A" S-155)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

29 voted in favor and 5 against, and 29 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **MALABY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have been somewhat troubled by this bill. I co-sponsored it, I voted against it. I'm thinking about being back for it. I am challenged in many

ways. I'm not sure that more state workers will resolve the problems that we have with our public health nurses, and we certainly, within the private market, we have a shortage of nurses that we all acknowledge. You know, we have not, within the budget, eliminated these positions; indeed we have continued to fund these positions. I recognize, too, that the CDC has new management. They've enacted some performance metrics. They've adopted a new model. They've increased productivity and collaboration and I support that. At the same time, I do not like the idea of micromanaging the Department. I should note that the private PHNs, these nurses, existed for long before we had some 151 sites for our FQHCs. I also have trouble with the specificity within the bill of the number of positions that are to be created. I'm not sure, given productivity enhancement, that those numbers are correct. But at the same time, I, having served on the board of a hospital, have spoken with numerous doctors, and they all endorse the need for an increased presence of these nurses. I've also spoken with representatives of hospitals, one of which delivers over one-quarter of our drug-affected children, and they point to a very severe need. As I look at the totality of this bill and the mission that we've given our public health nurses, it is a large mission. You know, they deal with drug-affected babies, public health emergencies, identifying children at risk with the potential for ACES or adverse childhood experiences. They deal with chronic disease management; folks who are at risk for domestic violence; indeed our public health infrastructure. You know, they support prenatal parents and children. They deliver all these services for the CDC; immunization as necessary. They deal with our refugees and our immigrant population. I personally would have felt much better if the scope and training of these public health nurses would include addressing some of the needs of the mentally ill and the substance abuse people in our jails. So, I am somewhat troubled by the bill. I find it difficult. I have been on both sides and I'm not sure where I stand now. I fully appreciate the perspective of the Chief Executive, who chooses not to be micromanaged, but at the same time I can see that the need is real.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. Our public health nursing program is important, and, yes, it should continue to be a vital part of Maine's health management and response teams, but the Executive's veto message is spot on. There have been several deficiencies in the program over the past and the CDC is reforming and restructuring it at this time. Records previously showed an efficiency rating from public health nurses have only the equivalent of 15 FTEs per week. In fact, prior to the restructuring, it is my understanding that some PHNs left the Department because it was so poorly run, and according to Dr. Pezzullo, some of these nurses have actually returned and they are happy to see the changes that are occurring within the public health nurse program. As for being the front line in an infectious disease breakout, yes, public health nurses play an important role. However, what we have now, what we didn't have prior to, was we have a whole network of community-based services and providers across this state. We have 151 FQHCs, the Federally Qualified Health Centers, and you don't necessarily need more bodies in the public health nurse program to make sure that there's a coordination, if in the event of a pandemic hitting our state, to handle it. What we need is to make sure that they're coordinating and organizing with these entities that we have in

our communities to do so. Now, right now the Department is actively trying to hire and fill some positions within the public health nurse program. We also, in the budget, funded more positions. Once the Department restructures, and finishes restructuring, and finds the right number that puts our public health nurses in the right bracket, in the right number, in order to be able to be partners in the health and welfare and the medical team and coordination across our state, then at that point if they find that they need more nurses within the program, then they can certainly hire them. But, just compelling the Department, via a bill, to hire nurses when you don't know the exact level of which you need, and our needs are changing every day, as you heard the good Representative from Hancock say. We have some folks where they are not quite enough yet but we have other places where they are enough, in my opinion, and the coordination of care is just vital to make sure that we're being efficient. Efficiency in our healthcare system is key. I would ask you to sustain this veto. In the veto message that the Executive gave us, he's spot on. He gave a lot of items that the CDC is implementing for reforms, and these are all wonderful things that they hadn't been doing previously that can make that department much more efficient, much more responsive, and much more reactive if we need them to be reactive. Again, I urge you to please sustain this veto and allow the Department to finish its restructuring of the public health nurse program, so we do have one that we can be proud of that really serves the people of this state in the best way possible. Thank you.

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

Representative **SIROCKI**: Thank you, Madam Speaker. I rise to urge support to sustain the veto. I think that the good Representative from Hancock outlined many of the concerns, and the good Representative from Chelsea mentioned that additional funding and additional positions were enacted in the biennial budget that was passed just one month ago. It really hasn't had time to bear fruit yet, and I find it troublesome as a member of the Legislature to be dictating to the Executive Branch, and I'll read just one sentence from the summary of this bill. "This amendment requires the Department of Health and Human Services to promptly fill all public health nurse positions within the Public Health Nursing Program for which funding is provided." And at the same time, I have spoken to people involved with the nursing field that tell me that today in the State of Maine we could hire 300 nurses today, if they only existed; and that, with our aging nurse population, we're going to quickly ramp up to having a shortage of 3,000 nurses. I think we would be better off focusing on trying to promote the field of nursing so that we have a larger supply than we are to micromanaging the Department in this way. Thank you.

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

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

#### ROLL CALL NO. 462V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Ginzler, Grant, Grohman, Hamann, Handy, Hanington, Harlow, Harrington, Head, Herbig, Herrick,

Hickman, Higgins, Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Perkins, Perry, Picchiotti, Pickett, Pierce T, Pouliot, Riley, Rykerson, Sanborn, Sheats, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Warren, White, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Grignon, Haggan, Hanley, Hawke, Johansen, Kinney J, Kinney M, Lockman, Lyford, Mason, O'Connor, Parry, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Skolfield, Stetkis, Sutton, Theriault, Timberlake, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 101; No, 34; Absent, 15; Excused, 1.

101 having voted in the affirmative and 34 voted in the negative, with 15 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

The Following Communication: (S.C. 588)

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

August 1, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1170, "An Act To Reduce Youth Access to Tobacco Products."

This bill would change the legal age for purchase of tobacco products from 18- to 21-years-old. However, to avoid the true fiscal impact of the bill, it was amended to grandfather all who reach the age of 18 by July 1, 2018. This kind of legislative chicanery is not only irresponsible, but it will also contribute to a significant deficit in the next biennial budget.

The fiscally irresponsible aspect of the bill is reason enough to deserve my veto. But I am equally concerned about this attempt at "social engineering" by those who do not respect the rights and responsibilities our society vests in our citizens when they become 18. After World War II, President Eisenhower used his 1954 State of the Union Address to call for 18-year-olds to have the right to vote. Having commanded the troops in the war, he understood how unfair it was to those who had served our country and defended our liberties while being denied this fundamental right. In 1971, the 26th Amendment to the United States Constitution granted the full rights of citizenship to 18-year-olds.

In addition to the right to vote and serve in the military, our laws provide 18-year-olds the right to marry and divorce and make decisions about medical treatment. The responsibilities to pay taxes and be tried as adults if accused of a crime also come with turning 18. I cannot support legislation that denies

the right to purchase a legal product to those who are otherwise treated as adults.

Those who advocate that this legislation would protect those under 18 from tobacco use ignore the U.S. Centers for Disease Control's surveys from 2011-2014, which provide evidence that four times as many high school students drink alcohol than smoke cigarettes. The fact that the legal age to purchase and consume alcohol is 21 everywhere in the country while the legal age to purchase tobacco is 18 in most of the country demonstrates this legislation will not achieve its stated purpose.

LD 1170 will simply increase the black market for tobacco products and push our Maine citizens between the ages of 18 to 20 into acquiring tobacco products through alternative sources.

Finally, this bill will hurt our Maine convenience and grocery stores, which will lose sales of tobacco and other products to neighboring New Hampshire. Our Maine retailers had a compliance rate of 95.52% for sales of tobacco products—the second best compliance rate in the nation, according to the FDA's inspections involving sales to minors. Clearly, our retailers are doing an outstanding job enforcing the current law. I cannot support legislation that creates a competitive disadvantage for our small business owners, particularly those near the New Hampshire border. Therefore, I return LD 1170 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Reduce Youth Access to Tobacco Products

(S.P. 391) (L.D. 1170)

(S. "B" S-306 to C. "A" S-146; S. "A" S-325)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

29 voted in favor and 5 against, and 29 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative McLean.

Representative **McLEAN**: Thank you, Madam Speaker. I rise this afternoon in support of overriding the Chief Executive's veto of this bill which would raise the legal age to purchase tobacco to 21 years of age. Experts tell us that 95 percent of smokers begin the habit before the age of 21. We also know that smoking is one of the leading causes of cancer and ill health. We know that no policy is going to completely solve every problem, but experts, doctors, nurses, scientists, and researchers tell us one way to reduce the number of those becoming addicted to nicotine is to raise the age at which it is legal to purchase tobacco. Reducing the number of young people addicted to nicotine will save many, if not most, people, from a lifetime of detrimental health effects, and, for some, an early death. For me the most compelling argument for this bill is its ability to reduce the incidence of cancer. My mom never

smoked, but in the fall of 2014, she was diagnosed with stage 4 colorectal cancer; one of the many cancers that can be caused by smoking. We've all been impacted by cancer in some way, some more than others. No one in this chamber would wish this disease on our worst enemy. It can be debilitating, all-consuming, life ending, expensive and sad beyond measure. My mom has gone through four surgeries, endless rounds of chemotherapy, weeks of radiation, has taken countless medications to counteract the effects of chemo and radiation, and dozens of other small but significant procedures through the nearly three years since her diagnosis. Her medical bills have soared past \$1.1 million, and my mom's story, however, is not unique. If there is public policy that research tells us will reduce the chance that thousands will become addicted to nicotine, and in turn reduce the chance one will contract cancer, and does no harm to anyone, why wouldn't we do this? Smoking is one of the leading causes of cancer and the costs are enormous. With the aid of good health insurance, world-class doctors, and innovative research in Boston, my mom is still here; but so many have needlessly succumbed to this preventable disease, a disease that formed because of an insatiable addiction developed at a young age because cigarettes were available for them to purchase. This isn't about social engineering, it's not about taking away any right, it's only about developing good sound public policy that will result in more birthdays for more people, better health for many more. This afternoon, I appeal to your common sense. I appeal to the desire of each and every one of you to eradicate this awful disease. I appeal to your desire to ensure that our young people get off on a strong healthy foot on their journey to adulthood, and I ask that you join me in overriding this veto. Thank you.

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

Representative **VACHON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In the midst of the Maine opioid crisis, I rise to ask this body to override, and to comprehensively connect the dots. We have a public health crisis. People are addicted to deadly substances and they are dying. We need to pull out all the stops, embrace new medical discoveries, apply the learning, and adopt policy to reflect changing times. Nicotine is a highly addictive drug. The younger the nicotine user, the greater the susceptibility to addiction and risk for developing more enhanced illicit drug-seeking behaviors. It is worth noting that most heroin and cocaine users are also cigarette smokers. In most adolescent cases, the younger you are exposed to nicotine, the greater your risk to impaired attention and memory, learning problems, loss of self-control, anxiety. Nicotine is a gateway to illegal drug use. We've come a long way from, "We've come a long way, baby." Back in the day, smoking was glamorous. Today, it is not. Tobacco has proven that what we don't know did hurt. It is why we have a huge tobacco settlement. In debating this bill, I've heard the argument: if an 18-year-old can go to war they should be allowed to smoke. Consider this: they cannot legally drink until age 21, for good and tested reasons. There is a correlation. Back in the 1970s, nearly every state lowered the legal drinking age to 18. By the mid-70s, 60 percent of all traffic fatalities were alcohol-related. Per the National Institute of Health, two-thirds of the auto accidents involved people age 16 to 20. This was deemed a public health crisis. When the law was changed back to 21, drunk driving accidents dropped by 50 percent. This shows that policy matters. Policy is a response to a public health crisis. The best policy utilizes new information and medical advances. We cannot sit idle when

new information has come to bear. There has been groundbreaking, advanced information on adolescent neurodevelopment, revealing a better understanding of adolescent health and intervention response. This new information refutes the argument that 18-year-olds should not smoke. We should pay attention to what has become known. Adolescents are particularly vulnerable to addictive effects of nicotine because their brains are still developing until age 25. During adolescence, young adulthood, nicotine negatively affects critical brain development in the following areas, responsible decision-making, impulse control, sensation seeking, susceptibility to peer pressure, impaired attention and memory, problems with learning, self-control, and anxiety. Nicotine exposure during adolescence can cause long-term structural changes that not only disrupt the formation of brain circuits, but impact attention and learning that lead to increased susceptibility to addiction. Per the U.S. Surgeon General, nicotine and e-cigarettes, and other tobacco products, affect the development of the brain's reward system, priming the adolescent brain for addiction to other drugs, such as cocaine and methamphetamine. A 2010 study which examined the effects of smoking and depression on pain severity and opioid use found that smoking was independently associated with greater opioid use. Smoking during adolescence increases the risk of developing psychiatric disorders and cognitive impairment later in life. I have no doubt that our 18-year-olds who commit to serve our country have the best physical stamina and energy to serve our country well. We need to honor and protect their brain development. We learned this in the mid-70s when we raised the legal drinking age from 18 back to 21. We now know that nicotine is an addictive gateway to illicit drug use. We are amid a health crisis with our opioid epidemic. It would be a terrible shame to fail to advance policy that takes proactive preventative steps to improve the health and well-being of our adolescent youth. What we now know about the adolescent brain suggests that access to tobacco should be aligned with alcohol. It's time to raise the age to 21, and I hope you will follow my light to override the veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Madam Speaker. I will once again remind this House that we trust the wisdom of 18-year-olds to vote for us. Why would we not trust that they make this decision not to smoke?

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have a 19-year-old son, and he doesn't smoke, and I'm glad he doesn't smoke, but that's his choice. What I believe in is liberty in this country. We fight for liberty, so that people can make choices, free choices amongst themselves, how they live and what they do; and we recognize there are limitations on that in society. And so, I certainly am not here to advocate that anyone under the age of 21 should be smoking, or someone who is 50 should be smoking. My father smoked two and a half packs a day until he was 50 years old and then quit, and is now 78 years old and has not smoked since. But that was his choice. That was his decision. What troubles me today is, is that we are now picking an arbitrary number, 21. Well, why not 25? Why not 45? Why not 70, or why not simply outlaw tobacco? If we all know it's bad then it's bad for everybody. What troubles me is that, as an attorney, I recognize that in the law, 18 is a very important critical age, because when you turn 18 years of age,



for example, in the State of Maine, you can be charged as an adult with a crime. Prior to that, you are charged, most likely, as a juvenile. Also recognize that when you turn 18 years old, you can choose to get married; pretty big life decision. You can also join the military, be sent to foreign lands. Maybe you get sent to Afghanistan or Iraq and while you're over there, you can have a smoke, but you're 19 years old and you come back home to Maine, you can't walk in and buy a pack of cigarettes. Then there's the reality that Maine now has become a state where smoking marijuana is going to be okay. So, I can now take my kids on a camping trip to East Grand Lake in Danforth. Bring the kids along three, five and seven, we're all going to go to the campground, and I'm going to sit at the campground with my young'uns, and I'm going to have ten tents around me, all smoking pot. But that's okay. So, do I think that it's good policy for us to advocate for people to smoke cigarettes? Absolutely not. We should be discouraging people to the extent that we can with information and advertisements and what not, and warnings. They should be able to have that information and make that choice. But until we start really recognizing that, you know, we pick these arbitrary numbers, someone can be 21 but you can't be 18 to do this and do that, I just don't think we're sending very good clear message from this body. And so I will be voting to sustain the Chief Executive's veto, but I will be doing it based on the policy that I believe in, which is liberty for individuals to make their own choice when they get to turn 18 years of age. Thank you, Madam Speaker.

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

Representative **TUELL**: Thank you, Madam Speaker. I hadn't planned to speak originally, but I will be voting to override the Chief Executive's veto. And we have a lot of talk about things that are illegal at 18 and things that are illegal at 21, and ironically enough, earlier this session we codified into law the fact it's illegal to have marijuana, to buy marijuana until you're 21, and I think we did that for a very good reason. If we fail to pass this bill today, the drum beat of those who are obsessed with marijuana in this state will be ever-increasing to lower that age to 18. It may not come next year, it may not come two years from now, but it's coming and we want to be ready for it, and we're giving them the argument, queued up right on a tee, right in front of us here today. So, thank you, Madam Speaker.

The SPEAKER: There are four people in the queue. The Chair recognizes the Representative from Portland, Representative Sanborn.

Representative **SANBORN**: Thank you, Madam Speaker. I had not planned to speak today either, but as the owner of a company that makes and sells alcohol, I thought it was really critical that that not go unstated, that the drinking age in the State of Maine is 21. The marijuana age in the State of the Maine is 21; and cigarettes are a lot more like alcohol and marijuana than they are like voting, or enlisting, or marrying, and so, I am going to vote to override and I urge you to consider that argument. Thank you.

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

Representative **HARLOW**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I will be voting to override this veto, because based on my experience of sitting in a chemo chair as a non-smoker and hearing people in that room cough, and asking my chemo nurse was that person sick, am I going to get that flu because my immune system was down, and she said no, what you're hearing now is lung cancer.

That's a cough from lung cancer. So, while this may be an arbitrary number, I feel like if we can save one person from going through the experience of sitting in a chemo chair because of smoking, then I will be voting for this. Thank you.

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

Representative **SIROCKI**: Thank you, Madam Speaker. I think the good Representative from Newport expressed it well, the confusion that seems to be a message that's part of this bill. It's my understanding that in the State of Maine it is not only illegal to purchase alcohol until you're 21, but also to drink it. I believe that is the same with marijuana, but my understanding of this bill is that it simply prohibits the purchase of tobacco products but not the smoking; and I'd like to know if that is true, if I may pose that question through the Chair. Does this bill prohibit the actual smoking of the product or just the purchase of it? Thank you.

The SPEAKER: The Representative from Scarborough, Representative Sirocki, has posed a question through the Chair to anyone who might answer. The Chair recognizes the Representative from Presque Isle, Representative Stewart.

Representative **STEWART**: Thank you, Madam Chair, Ladies and Gentlemen of the House. I'm not rising to answer the question. I'm rising because I voted in favor of this bill the first go around, and I'm wondering if perhaps that was because I have an undeveloped brain. In all reality though, I think it's fair to say that, if we're going to be going down this path about having a discussion of whether or not your brain is fully developed means that you can be making decisions or not, if that's the case, then why not raise the voting age to 25? Why not raise the drinking age to 25? Why not raise the age that you can run for public office to 25? We don't do those things. We don't think that's a reasonable standard, so why would we think that this would be a reasonable standard either? I have read the bill. I don't see it written anywhere in there that you can't consume any tobacco products at 18, so I'm concerned that at that point all that we would actually be doing is creating a black market whereby the price of this product would go up unreasonably and people would not necessarily be any better off for it. So, with that, I hope my colleagues will follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Madam Speaker. My father, at the age of 18, joined the Marines, where he first started smoking a pack a day, Camels, no filter. At 70, he developed colorectal cancer. Needless to say, he is no longer with us after a five-year battle. If our decision today to make the age of obtaining tobacco the same as the drinking age, I will think we have done our very best job to our ability. Please override the Chief Executive's veto. Thank you.

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

Representative **SKOLFIELD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The answer to Representative Sirocki's question, I believe, is it's the purchase of the product, not the use of the product, so folks who are between the ages of 18 and 21 would not be able to purchase the product. Some 50 some-odd years ago, 52 I think, I started smoking on a regular basis. I was snitching cigarettes from my dad's drawer at probably 14, but at 16 I started smoking pretty openly. And I did that for about 10 years, until my second son was born, and I decided that that was not a good environment to bring children up in, smoking cigarettes. My wife at the time had asthma. And so for 10 years of my life

I smoked, and the fascination for cigarettes left me when I started seeing friends and fellow co-workers and people in my life becoming very sick, and very intolerant, and cancer, and all these things happening; and when I look back on it, the people of my generation smoked and we smoked a lot. The Marlboro Man made you want to smoke. There have been other references to commercials of that time, and young people in this state... I was probably pretty brain-dead until I was 26 years old, so talking about raising the age to that may have some merit. But also, if we're talking about the military, if you're good enough to carry a gun you can smoke a cigarette. I suppose that's true. I suspect we'd be better served if we raised the age to entering the military to about 45 or 50, and then people would have a lot of life experiences and maybe we'd be better served with having an older military than we do now. But I am going to vote to override this measure. Thank you.

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

Representative **LONGSTAFF**: Thank you, Madam Speaker. I'm not convinced very much by some of the arguments I've heard. I joined the Maine National Guard when I was still in high school. I was sworn in for active duty in the U.S. Marine Corps when I was 17 years old and we were still actively engaged in war in Korea. I suggest to you that the decision to enter the armed forces is not the same thing as deciding whether or not you're going to smoke tobacco. Most of the young men and women that I know join the military because they want to serve their country, and because they want to make better lives for themselves. That's not the same thing as choosing whether or not to smoke. Furthermore, I spent three years of my Marine Corps service as the U.S. Marine Corps Training Station at Paris Island. I know, and many of you know, what that training involves. The decisions that these young men and women make when they are prepared to go into combat are not the same decisions they make with their friends when they're deciding whether or not to buy a pack of cigarettes. The decisions that they make, after very strict and rigorous training, they are decisions that they make when they are under a command structure that enables them to function as part of a team, not as an individual. And so, I think, no, I don't want to make the comparison between choosing to smoke with the decisions that our young men and women make when they choose to serve their country. It's not the same thing. I don't want to suggest that what they do when they are prepared to go off to war is the same thing as decisions that they make when they are hanging around after school and not in a command structure. I think that moving this up, as this bill proposes, is the right thing to do for our young men, our young women, and I am going to vote to override this veto. Thank you.

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

Representative **HICKMAN**: Thank you, Madam Speaker. May I pose a question through the Chair for anyone to answer?

The SPEAKER: The Representative may proceed.

Representative **HICKMAN**: Thank you. Right now, in Maine, is there any civil or criminal penalty for a person under the age of 21 who gets caught drinking alcohol?

The SPEAKER: The Representative from Winthrop, Representative Hickman has posed a question through the Chair, if there is anyone who wishes to answer.

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

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

#### ROLL CALL NO. 463V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Ginzler, Grant, Grohman, Haggan, Hamann, Handy, Harlow, Herbig, Herrick, Hickman, Hogan, Hubbell, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Rykerson, Sanborn, Seavey, Sheats, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wallace, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Campbell, Casas, Cebra, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Grignon, Hanington, Hanley, Harrington, Hawke, Head, Johansen, Kinney J, Kinney M, Lockman, Malaby, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Prescott, Reed, Riley, Sampson, Sanderson, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Wadsworth, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Higgins, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 90; No, 44; Absent, 16; Excused, 1.

90 having voted in the affirmative and 44 voted in the negative, with 16 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 589)

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1260, "Resolve, To Establish the Commission to Create a Plan to Enhance the Efficiency and Effectiveness of the Probate Court System."

This bill establishes a commission to overhaul our probate court system, which was repealed by the people of Maine in 1967, and create a more efficient and effective court system. The commission is directed to focus on meaningful access to justice, promote judicial responsibility, adherence to the code of judicial responsibility and provide for qualified judges and professional staff. All of these conditions are currently being met by each and every probate court in the State of Maine. The probate judges and staff have continued to deliver exceptional service to the people of Maine.

Counties provide the funding for salaries of probate judges and staff, office space, court space, equipment and office supplies. The commission is comprised of 13 members. Only two members of the commission will represent the "interest of the

counties." Counties that shoulder a heavy burden in our probate court system are simply not adequately represented on this commission.

Finally, the Legislature failed to fund the commission. The commission may seek private or public funding contributions. If the commission cannot obtain private or public funding contributions, "no meetings are authorized." If the Legislature was serious about creating a more efficient and effective probate court system, they should have funded the commission.

For these reasons, I return LD 1260 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item Resolve, To Establish the Commission To Create a Plan To Enhance the Efficiency and Effectiveness of the Probate Court System

(S.P. 423) (L.D. 1260)

(S. "A" S-287 to C. "A" S-231)

In Senate, August 2, 2017, this Resolve, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Resolve become a law notwithstanding the objections of the Governor?'

31 voted in favor and 3 against, and 31 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Resolve become law and the veto was overridden.

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

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

#### ROLL CALL NO. 464V

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

NAY - Austin S, Black, Campbell, Cebra, Corey, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pickett, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Higgins, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 77; No, 57; Absent, 16; Excused, 1.

77 having voted in the affirmative and 57 voted in the negative, with 16 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 590)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1263, "Resolve, To Increase Affordability of Safe Drinking Water for Maine Families."

This bill requires the state to bear the entire cost with no matching funds from local communities. This bill grows dependence on state government, and by only providing one year of funding, the bill establishes an expectation that this will be an ongoing expense for the state.

Further, the legislature has funded this bill by raiding the "Medical Use of Marijuana Fund," proving once again the legislature charges fees it knows it does not need in order to create slush funds for pet projects.

This is a dishonest bill that uses financial gimmicks to grow government dependence. For these reasons, I return LD 1263 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families

(S.P. 426) (L.D. 1263)

(S. "A" S-327 to C. "A" S-109)

In Senate, August 2, 2017, this Resolve, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Resolve become a law notwithstanding the objections of the Governor?'

27 voted in favor and 7 against, and 27 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Resolve become law and the veto was overridden.

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

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

#### ROLL CALL NO. 465V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Ginzler, Grant, Grohman, Hamann,

Handy, Hanington, Harlow, Herbig, Herrick, Hickman, Hogan, Hubbell, Kinney J, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Parry, Perry, Picchiotti, Pickett, Pierce T, Pouliot, Riley, Rykerson, Sampson, Sanborn, Seavey, Sheats, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Campbell, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Grignon, Haggan, Hanley, Harrington, Hawke, Head, Johansen, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Perkins, Prescott, Reed, Sanderson, Sirocki, Stetkis, Strom, Sutton, Timberlake, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Chace, Golden, Guerin, Harvell, Higgins, Hilliard, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 100; No, 34; Absent, 16; Excused, 1.

100 having voted in the affirmative and 34 voted in the negative, with 16 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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The Following Communication: (S.C. 591)

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

August 1, 2017

The 128th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1485, "An Act Regarding MaineCare Coverage for Telehealth Services."

Medicaid already reimburses for telehealth services and has a robust policy in place that is helping to ensure access to necessary health services. Telehealth services have seen recent growth, and providers and patients alike are benefiting from access to these services. This bill adds unnecessary clarifications and puts additional responsibilities on the administration with no additional funding.

Requiring the Department of Health and Human Services to conduct educational outreach to providers and MaineCare members on telehealth; allowing the Department to solicit and receive grants to establish broader telehealth infrastructure; requiring an annual report by the Department on the effect of telehealth on health care costs, quality and access; and establishing a 10-member advisory council that is required to regularly meet—these requirements are all unnecessary and burdensome. Not only is this bill an additional mandate on the state, it is also an overreach that does not acknowledge three separate branches of government.

For these reasons, I return LD 1485 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act Regarding MaineCare Coverage for Telehealth Services

(S.P. 515) (L.D. 1485)

(S. "A" S-328 to C. "A" S-205)

In Senate, August 2, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

25 voted in favor and 9 against, and 25 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 466V**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Hawke, Herbig, Herrick, Hickman, Hubbell, Kinney J, Kornfield, Kumiega, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perry, Pickett, Pierce T, Pouliot, Prescott, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Sheats, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Bickford, Black, Campbell, Craig, Dillingham, Hanley, Head, Johansen, Kinney M, Lockman, Lyford, Mason, Perkins, Picchiotti, Seavey, Sirocki, Strom, Theriault, Timberlake, Winsor.

ABSENT - Cebra, Chace, Golden, Guerin, Harvell, Higgins, Hilliard, Hogan, Hymanson, Jorgensen, Lawrence, Pierce J, Reckitt, Schneck, Sherman, Simmons, Turner, Ward.

Yes, 112; No, 20; Absent, 18; Excused, 1.

112 having voted in the affirmative and 20 voted in the negative, with 18 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

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**SENATE PAPERS**

The following Joint Order: (S.P. 601)

**ORDERED**, the House concurring, that the following specified matters be held over on the Special Appropriations Table to the next special or regular session of the 128th Legislature:

H.P. 9, L.D. 8- An Act To Protect Maine's Forest Rangers

H.P. 21, L.D. 20 - An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services  
H.P. 28, L.D. 27 - An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax  
H.P. 35, L.D. 49 - An Act To Improve Science and Engineering Education for Maine's Students  
H.P. 46, L.D. 59 - An Act To Provide Funding for a Therapeutic Adult Day Service Center  
S.P. 28, L.D. 79 - An Act To Provide a Sales Tax Exemption for Career and Technical Student Organizations  
S.P. 34, L.D. 85 - An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor  
H.P. 74, L.D. 106 - An Act To Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autistic Disorder  
H.P. 79, L.D. 111 - An Act To Establish a Veterans Treatment Court in Androscoggin County  
H.P. 126, L.D. 170 - An Act To Allow and Recognize a Legal Name Change upon Marriage  
H.P. 129, L.D. 173 - An Act To Reduce Food Insecurity  
H.P. 130, L.D. 174 - An Act To Limit the Use of Pesticides on School Grounds  
H.P. 148, L.D. 192 - An Act To Require Insurance Coverage for Hearing Aids  
H.P. 153, L.D. 197 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Protect against Sex Discrimination  
S.P. 76, L.D. 230 - An Act To Increase Access to Head Start  
H.P. 200, L.D. 267 - Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program  
H.P. 218, L.D. 285 - An Act To Provide Funding for the Maine Coworking Development Fund  
H.P. 221, L.D. 288 - An Act To Prohibit Any Questions Regarding Criminal History on State Employment Applications  
H.P. 222, L.D. 289 - An Act To Extend the Veteran Property Tax Exemption to Veterans Who Have Served on Active Duty  
S.P. 94, L.D. 320 - An Act To Provide MaineCare Coverage for Chiropractic Treatment  
H.P. 237, L.D. 323 - An Act To Fully Fund the Waiting List for the Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder Waiver  
H.P. 242, L.D. 328 - An Act To Provide Funds To Encourage Regional Planning and Reorganization  
H.P. 273, L.D. 367 - An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State  
S.P. 118, L.D. 377 - An Act To Create a County Jail Drug Rehabilitation and Treatment Grant Program  
H.P. 292, L.D. 401 - An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities  
H.P. 303, L.D. 423 - An Act To Extend Internet Availability in Rural Maine  
S.P. 151, L.D. 449 - An Act Regarding Imposition of an Automatic Life Sentence in the Case of Domestic Abuse Resulting in Murder  
S.P. 164, L.D. 503 - An Act To Continue the Doctors for Maine's Future Scholarship Program  
S.P. 174, L.D. 513 - An Act To Eliminate the State Income Tax for Maine Public Employees Retirement System Pensions  
H.P. 368, L.D. 524 - An Act To Amend the Laws on Domestic Violence

H.P. 369, L.D. 525 - An Act To Enhance Maine's Response to Domestic Violence  
H.P. 370, L.D. 526 - An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers  
H.P. 457, L.D. 643 - Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services  
S.P. 218, L.D. 656 - An Act To Improve the Ability of Maine Companies To Manufacture and Market Bioplastics  
H.P. 472, L.D. 681 - An Act Regarding Sexual Activity and Sexual Assault at Secondary and Postsecondary Educational Institutions  
H.P. 478, L.D. 687 - An Act Regarding Reimbursement for Speech and Language Pathology Services  
S.P. 237, L.D. 720 - An Act To Provide Lung Cancer Screening for MaineCare Recipients  
H.P. 561, L.D. 781 - An Act To Support the Trades through a Tax Credit for Apprenticeship Programs  
H.P. 572, L.D. 792 - An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families  
S.P. 261, L.D. 816 - An Act To Promote Academic Achievement through Hunger Relief for Maine Children  
H.P. 592, L.D. 843 - An Act To Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges  
H.P. 680, L.D. 967 - An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism  
S.P. 329, L.D. 990 - An Act To Protect Law Enforcement Officers by Creating the Crime of Aggravated Assault on an Officer  
H.P. 699, L.D. 998 - An Act To Adequately Pay for Emergency Medical Services  
H.P. 701, L.D. 1000 - Resolve, To Increase Access to Brain Injury Waiver Services  
H.P. 707, L.D. 1006 - An Act Regarding Housing Insecurity of Older Citizens  
H.P. 765, L.D. 1091 - An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes  
H.P. 790, L.D. 1127 - An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks  
H.P. 793, L.D. 1130 - An Act To Provide Traffic Safety Education in Schools  
H.P. 825, L.D. 1188 - An Act To Facilitate MaineCare-Funded Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes  
H.P. 827, L.D. 1190 - An Act Regarding Driver's License Suspensions for Nondriving-related Violations  
H.P. 833, L.D. 1196 - An Act To Assist Seniors and Certain Persons with Disabilities in Paying Property Taxes  
H.P. 840, L.D. 1204 - An Act Regarding Absentee Voting by Residents of Nursing Homes and Other Residential Care Facilities  
S.P. 406, L.D. 1212 - An Act To Amend the Definition of "Eligible Business Equipment" for the Purposes of the Business Equipment Tax Exemption Program  
H.P. 871, L.D. 1248 - An Act To Improve Public Transportation in Maine  
S.P. 432, L.D. 1280 - An Act Regarding Generic Drug Pricing  
S.P. 438, L.D. 1286 - An Act To Require Background Checks for All School Employees  
S.P. 439, L.D. 1287 - An Act To Strengthen Efforts To Recruit and Retain Primary Care Professionals and Dentists in Rural and Underserved Areas of the State

H.P. 898, L.D. 1301 - An Act To Improve Access to Preventive, Cost-saving Dental Services  
H.P. 905, L.D. 1308 - An Act To Create a Bridge to Self-sufficiency for Vulnerable Segments of the Population by Providing Incentives to Employers  
H.P. 911, L.D. 1314 - Resolve, To Improve Access to Neurobehavioral Services  
H.P. 914, L.D. 1317 - An Act To Encourage Family-friendly Businesses through a Tax Credit for Child Care  
S.P. 450, L.D. 1321 - An Act To Promote Social and Emotional Learning and Development in Early Childhood  
H.P. 916, L.D. 1322 - An Act Regarding Mental Health First Aid Training for Corrections Personnel  
S.P. 457, L.D. 1343 - An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program  
S.P. 475, L.D. 1388 - An Act To Prohibit the Falsification of Medical Records  
H.P. 965, L.D. 1391 - An Act To Ensure the Continuation of the Landowner Relations Program  
S.P. 477, L.D. 1399 - An Act To Encourage Broadband Coverage in Rural Maine  
S.P. 485, L.D. 1407 - An Act Regarding Prescription Drug Step Therapy  
H.P. 983, L.D. 1429 - An Act Regarding the Epidemic of Opiate Abuse  
H.P. 988, L.D. 1433 - An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools  
S.P. 512, L.D. 1466 - An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues  
S.P. 519, L.D. 1490 - An Act Regarding Community Corrections Funds  
H.P. 1041, L.D. 1517 - An Act To Ensure Access to Behavioral Health Services  
H.P. 1070, L.D. 1554 - Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator  
S.P. 561, L.D. 1597 - An Act To Exempt from Sales Tax the Fee Associated with the Paint Stewardship Program  
Came from the Senate, **READ** and **PASSED**.  
**READ** and **PASSED** in concurrence.

The following Joint Order: (S.P. 602)

ORDERED, the House concurring, that the following specified matter be held over on the Special Study Table to the next special or regular session of the 128th Legislature:  
H.P. 723, L.D. 1021 - Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County  
Came from the Senate, **READ** and **PASSED**.  
**READ** and **PASSED** in concurrence.

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

## SENATE PAPERS Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
(H.P. 32) (L.D. 31)  
(C. "A" H-503)

House **INSISTED** on its former action whereby the RESOLUTION was **FINALLY PASSED** in the House on June 16, 2017.

Came from the Senate **COMMITTED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in **NON-CONCURRENCE**.

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

## ORDERS

On motion of Representative HERBIG of Belfast, the following Joint Order: (H.P. 1138)

ORDERED, the Senate concurring, that the following specified matters be held over to any special or regular session, or both, of the 128th Legislature.

Agriculture, Conservation and Forestry

H.P. 465, L.D. 637 - An Act To Protect Maine's Lands  
H.P. 522, L.D. 742 - An Act To Allow Hemp Growers To Grow Hemp from Clones and To Grow Hemp Indoors  
H.P. 607, L.D. 858 - An Act To Strengthen the Law Regarding Dangerous Dogs  
H.P. 667, L.D. 939 - An Act To Protect Maine's Agriculture  
S.P. 552, L.D. 1574 - Resolve, To Require Greater Clearing of Vegetation along Portions of Route 161 in the Town of Allagash  
S.P. 557, L.D. 1584 - An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement  
S.P. 567, L.D. 1611 - An Act To Protect Persons Who Cultivate, Process, Buy and Sell Hemp

Appropriations and Financial Affairs

H.P. 33, L.D. 47 - An Act To Authorize a General Fund Bond Issue To Fund Equipment for Career and Technical Education Centers  
H.P. 97, L.D. 139 - An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges  
H.P. 101, L.D. 143 - An Act To Provide Funding for Upgrades of Learning Spaces and Other Projects Funded by the School Revolving Renovation Fund  
H.P. 132, L.D. 176 - An Act To Amend the Laws Pertaining to Disability Retirement Benefits Administered by the Maine Public Employees Retirement System  
H.P. 133, L.D. 177 - An Act To Remove the Age Penalty for State Retirees Working at State Correctional Institutions That Are Closing  
H.P. 134, L.D. 178 - An Act To Authorize a General Fund Bond Issue To Provide Jobs, Improve Road Infrastructure and Protect Water Resources  
H.P. 180, L.D. 247 - An Act To Amend the Retirement Laws Pertaining to Participating Local Districts  
H.P. 225, L.D. 292 - An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service  
S.P. 104, L.D. 316 - An Act To Authorize a General Fund Bond Issue for Railways  
S.P. 105, L.D. 317 - An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities

S.P. 106, L.D. 318 - An Act To Authorize a General Fund Bond Issue to Support Economic Development with High-Resolution Geospatial Data  
 S.P. 107, L.D. 319 - An Act To Authorize a General Fund Bond Issue for Riverfront Community Development  
 S.P. 111, L.D. 345 - An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation  
 S.P. 117, L.D. 376 - An Act To Authorize a General Fund Bond Issue for a New Engineering Design and Education Center at the University of Maine  
 H.P. 296, L.D. 416 - An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Groundfish Permit Bank  
 H.P. 330, L.D. 467 - An Act To Authorize a General Fund Bond Issue To Address Changes in Sea Level  
 H.P. 364, L.D. 520 - An Act To Authorize a General Fund Bond Issue To Increase Rural Maine's Access to Broadband Internet Service  
 H.P. 365, L.D. 521 - An Act To Align the Criteria Used by the Maine Public Employees Retirement System in Determining Veterans' Disability Claims with the Criteria Used by the United States Department of Veterans Affairs  
 S.P. 181, L.D. 546 - An Act To Authorize a General Fund Bond Issue To Support Biological Research in Maine  
 S.P. 205, L.D. 590 - An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure  
 H.P. 452, L.D. 638 - An Act To Authorize a General Fund Bond Issue for Transportation Projects  
 S.P. 212, L.D. 650 - An Act To Clarify and Protect Certain Public Service Retirement Benefits  
 H.P. 466, L.D. 675 - An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Targeted Areas of the State  
 S.P. 245, L.D. 735 - An Act To Authorize a General Fund Bond Issue To Support the Independence of Maine's Seniors  
 H.P. 523, L.D. 743 - An Act To Authorize a General Fund Bond Issue To Promote and Improve the Intermodal Transportation System in Maine  
 H.P. 585, L.D. 836 - An Act To Authorize a General Fund Bond Issue To Build Maine's Workforce Development Capacity by Modernizing and Improving the Facilities and Infrastructure of Maine's Public Universities  
 H.P. 586, L.D. 837 - An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government  
 S.P. 299, L.D. 897 - An Act To Authorize a General Fund Bond Issue To Encourage Efficient Biomass Thermal and Power Projects in Maine  
 H.P. 652, L.D. 924 - An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government  
 H.P. 653, L.D. 925 - An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government  
 S.P. 308, L.D. 953 - An Act To Authorize a General Fund Bond Issue To Support the Biomass Industry  
 S.P. 310, L.D. 955 - An Act To Authorize a General Fund Bond Issue To Recapitalize the Municipal Investment Trust Fund

H.P. 677, L.D. 964 - An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings  
 H.P. 782, L.D. 1118 - An Act To Authorize a General Fund Bond Issue To Support Local Infrastructure  
 H.P. 924, L.D. 1330 - An Act To Authorize a General Fund Bond Issue To Facilitate Innovative Approaches to Regional School Facilities and To Establish the Maine Innovative Regional School Facilities Finance Program  
 H.P. 925, L.D. 1331 - An Act To Authorize a General Fund Bond Issue To Recapitalize the School Revolving Renovation Fund  
 H.P. 1033, L.D. 1509 - An Act To Prohibit Retired State Employees and Teachers from Returning to Work While Collecting Retirement Benefits  
 H.P. 1034, L.D. 1510 - An Act To Authorize a General Fund Bond Issue To Fund Wastewater Infrastructure Projects for Ratification by Voters in the June 2017 Election  
 H.P. 1035, L.D. 1511 - An Act To Authorize a General Fund Bond Issue for the Protection of Public Health and Marine Resources and To Achieve Cost Savings in State Facilities Owned by the Department of Marine Resources  
 S.P. 546, L.D. 1562 - An Act To Authorize a General Fund Bond Issue To Capitalize a Career and Technical Revolving Equipment and Renovation Fund  
 H.P. 1090, L.D. 1586 - An Act To Appropriate Funds To Provide Sea Protection and Public Access to the Historic Whaleback Lighthouse in Kittery  
 H.P. 1105, L.D. 1602 - An Act To Authorize a General Fund Bond Issue for Agricultural Water Resource Development and Marketing  
 S.P. 570, L.D. 1614 - An Act To Authorize a General Fund Bond Issue To Fund the Maine Science, Technology, Engineering and Mathematics Loan Program  
**Criminal Justice and Public Safety**  
 H.P. 183, L.D. 250 - An Act To Increase the Penalty for Aggravated Sex Trafficking  
 H.P. 610, L.D. 861 - An Act To Provide Wage Parity for Certain State Law Enforcement Personnel  
 S.P. 306, L.D. 951 - An Act To Adopt the Uniform Act on Prevention of and Remedies for Human Trafficking  
 S.P. 351, L.D. 1048 - An Act To Reclassify Certain Offenses and Increase the Efficiency of the Criminal Justice System  
 H.P. 809, L.D. 1146 - Resolve, To Provide Wage Parity for Law Enforcement Officers in the Department of Corrections with Other Law Enforcement Officers  
 S.P. 389, L.D. 1168 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Victims' Bill of Rights  
 H.P. 820, L.D. 1183 - An Act To Expand Use of Electronic Monitoring in Domestic Violence, Sexual Assault and Stalking Cases  
 S.P. 403, L.D. 1202 - An Act To Clear a Path to Employment  
 H.P. 880, L.D. 1268 - An Act To Enhance Pretrial Justice through Risk-based Decision Making with Enhanced Diversion, Release and Treatment Options for Eligible Defendants  
 H.P. 963, L.D. 1389 - An Act To Disburse Funds to the Maine Fire Protection Services Commission  
 H.P. 972, L.D. 1414 - An Act To Ensure the Availability of In-person Visitation in County Jails

H.P. 973, L.D. 1415 - An Act To Provide Additional Deductions from a Sentence of Imprisonment for Completion of Education, Mental Health Treatment and Substance Abuse Treatment Programs

Education and Cultural Affairs

H.P. 37, L.D. 51 - An Act Regarding the Withdrawal of a Single Municipality from a Regional School Unit

S.P. 74, L.D. 228 - An Act To Amend the Mathematics Requirements for High School Graduation

H.P. 248, L.D. 334 - An Act To Clarify the Uses of the Fund To Advance Public Kindergarten to Grade 12 Education

H.P. 718, L.D. 1016 - An Act To Provide Funding for Career and Technical Education Based on Projected Enrollment

H.P. 930, L.D. 1336 - An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit

S.P. 521, L.D. 1492 - An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce

Energy, Utilities and Technology

S.P. 50, L.D. 131 - An Act To Protect the Biomass Industry

H.P. 98, L.D. 140 - An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund

H.P. 190, L.D. 257 - An Act To Enable Municipalities Working with Utilities To Establish Microgrids

H.P. 193, L.D. 260 - An Act To Create the Maine Energy Office

H.P. 376, L.D. 532 - An Act To Remove the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws

S.P. 267, L.D. 822 - An Act To Ensure Fairness among Large Consumers of Natural Gas

S.P. 397, L.D. 1176 - An Act To Ensure the Safety of Low-income Persons Who Are Deaf and Who Use Video and Captioned Phones by Providing Equitable Access to the Internet

S.P. 415, L.D. 1224 - An Act To Allow for Greater Energy Competition in Maine by Amending the Law Governing Electric Generation or Generation-related Assets by Affiliates

H.P. 951, L.D. 1372 - An Act To Increase Broadband Access for Rural Communities

H.P. 952 - L.D. 1373 - An Act To Protect and Expand Access to Solar Power in Maine

S.P. 499, L.D. 1444 - An Act Regarding Large-scale Community Solar Procurement

H.P. 1011, L.D. 1472 - An Act To Lower the Costs of Broadband Service by Coordinating the Installation of Broadband Infrastructure

S.P. 516, L.D. 1487 - An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives

H.P. 1039, L.D. 1515 - An Act To Reduce Electric Rates for Maine Businesses by Amending the Laws Governing Spending from the Regional Greenhouse Gas Initiative Trust Fund

S.P. 566, L.D. 1610 - An Act To Protect Privacy of Online Customer Personal Information

S.P. 586, L.D. 1632 - An Act To Establish the Manufacturing Jobs Energy Program

Environment and Natural Resources

H.P. 290, L.D. 399 - An Act To Revise Maine's Environmental Laws

H.P. 769, L.D. 1095 - An Act To Establish the Maine Coastal Risks and Hazards Commission

H.P. 895, L.D. 1298 - An Act To Update Maine's Water Quality Standards

H.P. 1054, L.D. 1534 - An Act To Address Hunger, Support Maine Farms and Reduce Waste

Health and Human Services

S.P. 20, L.D. 40 - An Act To Strengthen Requirements for Water Testing for Schools

S.P. 58, L.D. 166 - An Act To Increase Reimbursement for Child Care Services

H.P. 142, L.D. 186 - An Act To Improve Peer Support Services

S.P. 84, L.D. 238 - An Act To Amend the Maine Medical Use of Marijuana Act

H.P. 203, L.D. 270 - An Act To Consolidate Administration of Kinship Care and Relative Placement Issues within the Department of Health and Human Services

H.P. 205, L.D. 272 - An Act Requiring Meningococcal Meningitis Vaccinations for Teenagers

H.P. 207, L.D. 274 - An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers

S.P. 124, L.D. 383 - An Act To Increase Access to Child Care

S.P. 125, L.D. 384 - An Act To Strengthen Maine Children's Mental Health

S.P. 127, L.D. 386 - An Act To Establish Universal Health Care for Maine

S.P. 138, L.D. 411 - An Act To Add Addiction to or Dependency on Opiates or Prescription Drugs to the List of Qualifying Conditions for Medical Marijuana

H.P. 333, L.D. 470 - An Act To Strengthen Maine's Hospitals and Increase Access to Health Care

H.P. 403, L.D. 561 - An Act To Remove the Requirement That Child Care Facility Workers and Family Child Care Providers Submit to Criminal Background Checks

H.P. 404, L.D. 562 - An Act Concerning the Department of Health and Human Services

S.P. 183, L.D. 565 - An Act To Address Maine's Opiate Addiction Crisis

S.P. 184, L.D. 566 - An Act To Improve Access to High-quality Child Care by Increasing Child Care Rates

H.P. 421, L.D. 605 - An Act To Support Evidence-based Treatment for Opioid Use Disorder

H.P. 482, L.D. 691 - An Act To Prevent Lead Poisoning in Children

H.P. 483, L.D. 692 - Resolve, To Provide Meals to Homebound Individuals

H.P. 542, L.D. 762 - An Act To Allow a Percentage of Funds from the Medical Use of Marijuana Fund To Fund Health Care Research

H.P. 543, L.D. 763 - An Act To Support Individuals with Disabilities by Exempting Certain Wages from Consideration for MaineCare

H.P. 545, L.D. 765 - An Act To Allow In-home Child Care Providers To Care for up to 5 Children without State Certification

S.P. 257, L.D. 812 - Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County



H.P. 591, L.D. 842 - Resolve, To Support Home Health Services  
 S.P. 300, L.D. 898 - An Act To Address Mandatory Overtime for Hospital Professionals  
 H.P. 630, L.D. 902 - Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program  
 H.P. 679, L.D. 966 - An Act To Create Mental Health Liaison Positions in Each County Jail  
 S.P. 700, L.D. 999 - An Act To Provide a Healthy Learning Environment in Early Care Settings by Requiring Rules Concerning Nutrition and Physical Activity  
 H.P. 746, L.D. 1063 - An Act To Protect Substance-exposed Infants  
 H.P. 771, L.D. 1097 - An Act To Develop and Distribute Work Training Pamphlets To Educate State Agencies, Private Businesses and Other Organizations about Dementia  
 H.P. 772, L.D. 1098 - An Act To Ensure Reasonable Accommodations for Children for Whom Medical Marijuana Has Been Recommended  
 S.P. 363, L.D. 1109 - An Act To Improve General Assistance Reimbursements  
 H.P. 796, L.D. 1133 - An Act Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization  
 H.P. 798, L.D. 1135 - An Act To Strengthen the Efficacy of the Medical Marijuana Laws  
 H.P. 811, L.D. 1148 - An Act To Safeguard the Rights of Private Child Care Businesses  
 S.P. 383, L.D. 1162 - An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine  
 S.P. 398, L.D. 1177 - An Act To Create an Appeals Process for Child Care Providers  
 H.P. 826, L.D. 1189 - An Act To Define the Age of Consent for Alcohol or Drug Treatment and Mental Health Services  
 S.P. 408, L.D. 1214 - An Act To Create Fairness in Home-based Care Fees for Service  
 H.P. 886, L.D. 1273 - Resolve, To Redispense Donated Prescription Drugs  
 H.P. 923, L.D. 1329 - An Act To Allow Tobacco Retail Establishments To Serve Alcohol  
 H.P. 953, L.D. 1374 - Resolve, Directing the Department of Health and Human Services To Assess and Improve the Availability of Child Care Services  
 S.P. 493, L.D. 1423 - An Act To Amend Certain Laws Governing Child Care Providers  
 H.P. 984, L.D. 1430 - An Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder  
 H.P. 990, L.D. 1435 - An Act To Ensure Transparency in the Distribution of Federal Block Grant Funds  
 H.P. 1013, L.D. 1474 - An Act To Reduce the Regulation of Child Care Facilities  
 H.P. 1020, L.D. 1481 - Resolve, To Establish a Pilot Project To Provide Travel Vouchers to Persons with Disabilities in Rural Communities  
 H.P. 1028, L.D. 1495 - An Act To Break the Generational Cycle of Domestic Violence  
 H.P. 1051, L.D. 1527 - An Act To Ensure Safety, Quality and Transparency in the Medical Marijuana Market and To Ensure Sufficient Funding for Regulation and Enforcement with Respect to the Retail Marijuana Industry

H.P. 1060, L.D. 1539 - An Act To Amend Maine's Medical Marijuana Law  
 H.P. 1110, L.D. 1612 - An Act To Support Maine Families through Universal Family Care  
 Inland Fisheries and Wildlife  
 H.P. 12, L.D. 11 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish  
 H.P. 446, L.D. 630 - An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits  
 H.P. 548, L.D. 768 - An Act To Establish 2 Comprehensive Licenses for Hunting and for Hunting and Fishing  
 H.P. 859, L.D. 1236 - An Act To Improve Maine's Heritage Fish List  
 S.P. 502, L.D. 1451 - An Act To Promote Biosecurity and Better Regulate the Importation, Possession and Use of Aquatic Species  
 Insurance and Financial Services  
 S.P. 130, L.D. 389 - An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law  
 S.P. 155, L.D. 453 - Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery  
 S.P. 222, L.D. 660 - An Act To Allow Credit and Debit Card Surcharges  
 H.P. 487, L.D. 696 - An Act Regarding Insurance and Financial Services  
 H.P. 681, L.D. 968 - An Act To Help Prevent Financial Elder Abuse  
 S.P. 337, L.D. 1030 - An Act To Require Nondiscrimination Policies in Providing Health Care Services  
 S.P. 339, L.D. 1032 - An Act To Ensure Protection and Health Insurance of Patients  
 S.P. 431, L.D. 1279 - An Act To Ensure Patient Protections in the Health Insurance Laws  
 H.P. 975, L.D. 1417 - An Act To Require Insurance Coverage for the Diagnosis and Treatment of Lyme Disease  
 H.P. 1015, L.D. 1476 - An Act To Ensure Continued Coverage for Essential Health Care  
 S.P. 532, L.D. 1507 - An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers  
 Joint Select Committee on Marijuana Legalization Implementation  
 H.P. 122, L.D. 164 - An Act To Require Tamper-evident Packaging for Recreational Marijuana Products  
 H.P. 171, L.D. 215 - An Act To Require a License for the Possession, Sale, Cultivation or Transportation of Marijuana for Recreational Use  
 S.P. 77, L.D. 231 - An Act To Allow Municipalities To Regulate the Growing of Marijuana  
 H.P. 234, L.D. 301 - An Act To Protect Children from Marijuana Sales by Prohibiting Retail Marijuana Establishments and Social Clubs near Schools  
 S.P. 98, L.D. 310 - An Act To Responsibly Implement an Adult Use Cannabis Program  
 S.P. 128, L.D. 387 - An Act To Provide for Oversight of Maine's Recreational Marijuana Laws  
 H.P. 313, L.D. 433 - An Act To Allow Municipalities To Apply a Local Option Sales Tax to the Sale of Marijuana  
 H.P. 361, L.D. 498 - An Act Regarding Marijuana Licensing  
 H.P. 362, L.D. 499 - An Act To Allow Municipalities To Prohibit Retail Marijuana Facilities in Safe Zones

H.P. 389, L.D. 545 - An Act To Ensure Maine's Unorganized Townships and Plantations Maintain Local Control under Laws Legalizing Marijuana  
H.P. 412, L.D. 596 - An Act To Promote Highway Safety by Restricting the Use of Marijuana and Possession of an Open Marijuana Container in a Motor Vehicle  
H.P. 441, L.D. 625 - An Act To Prohibit the Location of a Marijuana Facility within 2,000 Feet of a House of Public Worship or Property Associated with a House of Public Worship  
H.P. 442, L.D. 626 - An Act To Provide Funding for County Jails from Sales Tax Collected on Retail Sales of Marijuana and Marijuana Products  
H.P. 443, L.D. 627 - An Act To Establish a Data Collection Program To Monitor Effects of Marijuana Regulation  
S.P. 229, L.D. 667 - An Act To Repeal the Legalization of Recreational Marijuana  
S.P. 234, L.D. 672 - An Act To Clarify a Municipality's Authority To Adopt and Enforce Land Use Regulations for Marijuana Facilities  
H.P. 516, L.D. 734 - An Act Extending the Time Period for Municipalities To Approve Marijuana Businesses  
H.P. 577, L.D. 797 - An Act To Fund Railroad Infrastructure and Operations  
H.P. 578, L.D. 798 - An Act To Clarify the Intent of the Licensing Provisions in the Marijuana Legalization Act  
H.P. 579, L.D. 799 - An Act To Protect Landlords and Tenants from the Deleterious Effects of Marijuana Use  
S.P. 251, L.D. 806 - An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act  
H.P. 603, L.D. 854 - An Act To Correct Errors and Inconsistencies in the Marijuana Legalization Act as Approved by the Voters  
H.P. 604, L.D. 855 - An Act To Protect Children from Edible Cannabis Products  
H.P. 666, L.D. 938 - An Act To Harmonize Provisions of "An Act To Legalize Marijuana" with Related Provisions of the Maine Medical Use of Marijuana Act  
H.P. 834, L.D. 1197 - An Act to Support Substance Use Disorder Prevention, Treatment and Recovery  
H.P. 845, L.D. 1209 - An Act To Reserve for County Government One Percent of the Excise Tax Revenue from the Sale of Retail Marijuana  
H.P. 985, L.D. 1431 - An Act To Dedicate a Portion of the Tax on the Sale of Marijuana to Substance Abuse Prevention and Treatment, Law Enforcement Costs and Regulatory Oversight  
H.P. 1000, L.D. 1448 - An Act To Clarify Certain Provisions of the Marijuana Legalization Act and To Deter the Use of Marijuana by Minors  
S.P. 520, L.D. 1491 - An Act To Provide for Safety, Quality and Transparency in the Retail Marijuana Industry  
S.P. 524, L.D. 1499 - An Act To Better Regulate Marijuana  
H.P. 1100, L.D. 1596 - An Act To Establish the Cannabis Advisory Commission

#### Judiciary

H.P. 91, L.D. 123 - An Act To Recodify and Revise the Maine Probate Code  
H.P. 216, L.D. 283 - An Act To Increase the Jurisdictional Limits for Small Claims  
S.P. 266, L.D. 821 - An Act To Enact the Revised Uniform Unclaimed Property Act  
H.P. 595, L.D. 846 - An Act To Enact the Revised Uniform Fiduciary Access to Digital Assets Act

H.P. 609, L.D. 860 - An Act To Establish a Statewide Electronic Warrant System  
H.P. 662, L.D. 934 - An Act To Establish an Expedited Temporary Guardianship Process  
H.P. 682, L.D. 969 - An Act Regarding Nonprobate Transfers on Death  
H.P. 824, L.D. 1187 - An Act To Amend the Child Protective Services Statutes  
S.P. 430, L.D. 1267 - An Act To Protect Licensing Information of Medical Professionals  
S.P. 463, L.D. 1355 - An Act To Ensure the Timely and Proper Completion of Residential Foreclosures  
S.P. 484, L.D. 1406 - An Act To Promote Prescription Drug Price Transparency  
H.P. 1062, L.D. 1541 - An Act To Protect Certain Administrative Licensing Files  
Labor, Commerce, Research and Economic Development  
S.P. 231, L.D. 669 - An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers  
H.P. 491, L.D. 700 - An Act To Give Flexibility to Employees and Employers for Temporary Layoffs  
H.P. 640, L.D. 912 - An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy  
S.P. 314, L.D. 958 - An Act To Enact the Uniform Emergency Volunteer Health Practitioners Act  
H.P. 867, L.D. 1244 - An Act To Support Small Manufacturers in the State  
H.P. 921, L.D. 1327 - An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services  
H.P. 1063, L.D. 1542 - An Act To Support Lead Abatement in Older Residential Properties  
H.P. 1079, L.D. 1566 - An Act To Enact the Maine Fair Chance Employment Act  
H.P. 1091, L.D. 1587 - An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System  
Marine Resources  
H.P. 494, L.D. 703 - An Act To Address Marine Debris Resulting from Commercial Activities  
H.P. 650, L.D. 922 - An Act Directing the Commissioner of Marine Resources To Investigate the Conditions of Sheepscot Pond Related to a Management Plan for Anadromous Fish Species  
H.P. 1043, L.D. 1519 - An Act To Define the Intertidal Zone for the Management and Enforcement of Shellfish Conservation Ordinances  
State and Local Government  
H.P. 73, L.D. 105 - An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine  
H.P. 336, L.D. 473 - An Act To Quantitatively Evaluate State Contracts  
H.P. 560, L.D. 780 - An Act Authorizing the Deorganization of Cary Plantation  
S.P. 268, L.D. 823 - An Act To Promote Transparency with Respect to Surveillance Technology  
S.P. 290, L.D. 890 - An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives  
H.P. 751, L.D. 1068 - An Act To Require That State-funded Buildings Be Constructed with Wood Products  
H.P. 935, L.D. 1345 - An Act To Provide Alternative Repayment Methods to Employees Overcompensated through an Employer Error

H.P. 1023, L.D. 1484 - An Act Authorizing the Deorganization of the Town of Atkinson  
H.P. 1092, L.D. 1588 - An Act To Maintain Mail Routes and Access to Residential Structures  
H.P. 1107, L.D. 1604 - Resolve, To Amend Authorization To Sell Certain Property in Augusta

**Taxation**

S.P. 144, L.D. 442 - An Act To Create a Family Caregiver Income Tax Credit  
S.P. 435, L.D. 1283 - An Act To Modernize the Mining Excise Tax  
H.P. 932, L.D. 1338 - An Act To Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses  
S.P. 507, L.D. 1461 - An Act To Encourage the Construction of Affordable Housing  
H.P. 1018, L.D. 1479 - An Act To Modernize and Improve Maine's Property Tax System  
H.P. 1057, L.D. 1537 - An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents  
H.P. 1078, L.D. 1565 - An Act To Ensure the Effectiveness of Tax Increment Financing  
H.P. 1102, L.D. 1599 - An Act To Improve the Maine Tree Growth Tax Law  
H.P. 1124, L.D. 1629 - An Act To Protect the Elderly from Tax Lien Foreclosures

**Transportation**

H.P. 165, L.D. 209 - An Act To Amend the Laws Governing Temporary Sign Usage  
S.P. 199, L.D. 584 - An Act To Create the Fund for Municipalities To Improve Pedestrian Safety  
H.P. 812, L.D. 1149 - An Act To Provide Revenue To Fix and Rebuild Maine's Infrastructure  
S.P. 478, L.D. 1400 - An Act To Create the Bar Harbor Port Authority  
H.P. 1099, L.D. 1595 - An Act Regarding Inspection Requirements for Public Safety and Municipal Vehicles Owned by Island Communities

**Veterans and Legal Affairs**

H.P. 32, L.D. 31 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
H.P. 838, L.D. 1201 - An Act To Authorize Tribal Gaming  
S.P. 550, L.D. 1568 - An Act To Require That Principals of Corporations Remain the Same for a Specified Number of Years for the Corporation To Be Eligible for a Casino License  
S.P. 560, L.D. 1590 - An Act Authorizing the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians To Benefit from the Operation of an Existing Casino  
H.P. 1137, L.D. 1646 - An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance; and be it further

ORDERED, that the following specified matters, which are tabled in the House of Representatives, be held over to any special or regular session, or both, of the 128th Legislature:

S.P. 384, L.D. 1163 - An Act To Authorize a General Fund Bond Issue To Provide Funding for a Program of Student Debt Cancellation and Refinancing  
S.P. 568, L.D. 1613 - An Act To Authorize a General Fund Bond Issue To Assist in the Commercialization of Maine Products and Services; and be it further

ORDERED, that the following specified matter be held over on the Special Appropriations Table to any special or regular session, or both, of the 128th Legislature:

H.P. 1027, L.D. 1494 - An Act To Increase the Availability of Foster Homes

**READ and PASSED.**

Sent for concurrence.

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

**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 44)

ORDERED, that Representative Kent Ackley of Monmouth be excused June 14 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Robert W. Alley, Sr. of Beals be excused June 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kevin J. Battle of South Portland be excused June 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Henry John Bear of the Houlton Band of Maliseet Indians be excused June 30; and July 1 and 3 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Pinny Beebe-Center of Rockland be excused July 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Richard M. Cebra of Naples be excused July 1 and 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Matthew Dana II of the Passamaquoddy Tribe be excused May 30 and 31; June 1, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27, 28, 29 and 30; and July 1 and 3 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Wayne Grignon of Athens be excused March 30; and June 5, 7, 9, 12 and 28 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Martin J. Grohman of Biddeford be excused June 20 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Nathan J. Wadsworth of Hiram be excused July 1 for personal reasons.

**READ and PASSED.**

On motion of Representative LOCKMAN of Amherst, the following House Order: (H.O. 43)

WHEREAS, on July 11, 2017, Representative Scott Hamann published a statement on social media in which he threatened to commit a violent act against the President of the United States; and

WHEREAS, the Speaker of the House of Representatives has condemned Representative Hamann's statement as "inexcusable"; and

WHEREAS, Representative Hamann's incitement to violence against the nation's chief executive gives aid and comfort to individuals who are committed to the violent overthrow of the Federal Government; and

WHEREAS, Representative Hamann's incitement to violence against the President of the United States lends moral

support to individuals such as the gunman in Virginia who recently shot and severely wounded several members of Congress; and

WHEREAS, Representative Hamann's incitement to violence against the President of the United States disgraces and dishonors the Maine House of Representatives and each of its members, past and present; and

WHEREAS, no apology from Representative Hamann, even a sincere apology, can undo the damage done by his incitement to violence against the President of the United States; and

WHEREAS, the Constitution of Maine, Article IV, Part Third, Section 4 empowers the House of Representatives to expel a member for misconduct; now, therefore, be it

ORDERED, that Representative Scott Hamann is hereby expelled from office and that a vacancy exists in House District 32.

# **READ.**

The SPEAKER: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, we don't need public hearings, or a lengthy investigation, or protracted debate in this chamber on the proposed House Order before us. All the information we need to cast an informed vote has been in the public domain for nearly three weeks. But, just to refresh everyone's memory; on July 11<sup>th</sup>, 2017, Representative Scott Hamann published a statement on social media in which he threatened to commit a violent act against the President of the United States. The Speaker of the House of Representatives has condemned Representative Hamann's statement as "inexcusable." Representative Hamann's incitement to violence against the nation's Chief Executive gives aid and comfort to individuals who are committed to the violent overthrow of the federal government. Representative Hamann's incitement to violence against the President of the United States lends moral support to individuals such as the gunman in Virginia who recently shot and severely wounded several members of Congress. Representative Hamann's incitement to violence against the President of the United States disgraces and dishonors the Maine House of Representatives and each of its members, past and present. No apology from Representative Hamann, even a sincere apology, can undo the damage done by his incitement to violence against the President of the United States. The Constitution of Maine, Article IV, Part III, Section 4, empowers the House of Representatives to expel a member for misconduct. Madam Speaker, if I were to read aloud in this chamber on microphone Representative Hamann's angry, homicidal rant against the President of the United States, and the people who voted for him, I would be gavelled down and ruled out of order. And if I persisted in reading Representative Hamann's comments, I would be forcibly removed from this chamber by the Sergeant-at-Arms. Madam Speaker, the so-called punishment you imposed is no punishment at all. In fact, it relieves Representative Hamann of about 80% of his legislative duties, effectively giving him a pay raise. He will get the same pay and benefits for much less work. Madam Speaker, I agree with the Representative from Biddeford, Representative Grohman, that we as legislators must be held to a higher standard. Accordingly, I urge Passage of the pending House Order and I request a roll call.

The same Representative **REQUESTED** a roll call on **PASSAGE**.

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

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Women and Men of the House. It saddens me to stand on this particular issue. As has been mentioned, by both sides of the aisle, we are held to a high standard, and when the standards get so low that the public begins to react and ask what are you going to do about it? You know, what is to be done about it is to be done by the member, not by the body, not by the opposing party. What is to be done about it should come from the member. It's now time to do the next right thing. There is a black mark on all of us, each and every one of us, because we all should be at a very high standard. It's not up to this side of the aisle on a matter for another side of the aisle. If it's not going to be solved by the member, it should be solved by the member's party. And if it's not solved by the member's party, then it needs to be solved by the presiding officer. This is something that we all are forced to live with. When one of the members trash talks and threatens like has occurred, we can't just overlook it. We, as a body, can't overlook it. I maintain that it's not up to us on this side of the aisle, but it is up to one of the previous parties I just mentioned. I will not be voting for this, but I certainly sincerely hope something is done to raise the level of discourse in this body that the State of Maine can be proud of.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also rise to speak to this Passage motion and it is with regret I even stand to talk at all, but I come in here on the 20<sup>th</sup> and as we all heard, we heard Representative Hamann give a reasoning behind why the rant that he had took place. And, I can only speak for myself, I don't ask anybody else to feel the same way I do: but in my heart of hearts I was looking and I was trying to determine whether he was sincerely apologizing to us, and to everyone, for what he had did, as a mistake that he had made, and what I found was a blame shift. A blame shift on the person that he was speaking with, all the blame was cast upon them, as far as I am concerned in that, and I saw absolutely no remorse myself. I in no way thought he was being apologetic at all. That's my own personal opinion. Having been in law enforcement for 40 years, anytime anybody throughout the United States of America did something to bring disgrace to the badge, it brought disgrace to every officer, every officer including myself. In my opinion, I believe that what happened does the same thing for here for all us colleagues here in the House, including Representative Hamann. And because of that, I, to this moment, don't know exactly how I'm going vote on this motion that's before us. But, I would ask the Representative to really consider to do the right thing, and that is, I believe, to voluntarily step down himself because of the act that was committed. Thank you very much.

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

Pursuant to Article IV, Part Third, Section 4 of the Constitution of Maine, this House Order required the affirmative vote of two-thirds of those present for **PASSAGE**.

**ROLL CALL NO. 467**

YEA - Craig, Ginzler, Haggan, Hanington, Hanley, Hawke, Head, Johansen, Lockman, Malaby, O'Connor, Ordway, Perkins, Pickett, Pouliot, Sampson, Sanderson, Sirocki, Skolfield, Stetkis, Sutton, Tuell, Wallace, White.

NAY - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Grant, Grignon, Grohman, Handy, Harlow, Harrington, Herbig, Herrick, Hickman, Hogan, Hubbell, Kinney J, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Prescott, Reed, Riley, Rykerson, Sanborn, Seavey, Sheats, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Vachon, Wadsworth, Warren, Winsor, Wood, Zeigler, Madam Speaker.

ABSENT - Cebra, Chace, Golden, Guerin, Hamann, Harvell, Higgins, Hilliard, Hymanson, Jorgensen, Lawrence, Parry, Pierce J, Reckitt, Schneck, Sherman, Simmons, Theriault, Turner, Ward.

Yes, 24; No, 106; Absent, 20; Excused, 1.

24 having voted in the affirmative and 106 voted in the negative, with 20 being absent and 1 excused, and accordingly the House Order **FAILED PASSAGE**.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 348)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Agriculture, Conservation and Forestry during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

70 Total Number of Bills and Papers

40 Unanimous Reports

22 Ought Not To Pass

3 Ought To Pass

15 Ought To Pass As Amended

13 Divided Reports

2 Leave to Withdraw

7 Carryovers

8 Gubernatorial Nominations

Respectfully Submitted,

S/Paul T. Davis

Senate Chair

S/Michelle Ann Dunphy

House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE**.

The Following Communication: (H.C. 349)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL  
AFFAIRS**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Appropriations and Financial Affairs during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

70 Total Number of Bills and Papers

7 Unanimous Reports

1 Ought Not To Pass

5 Ought To Pass As Amended

1 Referred To Another Committee

15 Divided Reports

3 Leave to Withdraw

43 Carryovers

2 Gubernatorial Nominations

Respectfully Submitted,

S/James M. Hamper

Senate Chair

S/Drew M. Gattine

House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE**.

The Following Communication: (H.C. 350)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC  
SAFETY**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Criminal Justice and Public Safety during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

- 129 Total Number of Bills and Papers  
70 Unanimous Reports  
40 Ought Not To Pass  
6 Ought To Pass  
24 Ought To Pass As Amended  
47 Divided Reports  
12 Carryovers

Respectfully Submitted,  
S/Kimberley C. Rosen  
Senate Chair  
S/Charlotte Warren  
House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE.**

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The Following Communication: (H.C. 351)

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

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Education and Cultural Affairs during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

- 161 Total Number of Bills and Papers  
74 Unanimous Reports  
54 Ought Not To Pass  
2 Ought To Pass  
12 Ought To Pass As Amended  
6 Referred to Another Committee  
56 Divided Reports  
3 Leave to Withdraw  
6 Carryovers  
21 Gubernatorial Nominations

Respectfully Submitted,  
S/Brian D. Langlely  
Senate Chair  
S/Victoria P. Kornfield  
House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE.**

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The Following Communication: (H.C. 352)

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

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Energy, Utilities and Technology during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

- 65 Total Number of Bills and Papers  
35 Unanimous Reports  
18 Ought Not To Pass  
3 Ought To Pass  
14 Ought To Pass As Amended  
10 Divided Reports  
1 Leave to Withdraw  
16 Carryovers  
3 Gubernatorial Nominations  
1 Taken Pursuant to Joint Rule 309

Respectfully Submitted,  
S/David Woodsome  
Senate Chair  
S/Seth A. Berry  
House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE.**

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The Following Communication: (H.C. 353)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL  
RESOURCES**

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

- 55 Total Number of Bills and Papers  
33 Unanimous Reports  
27 Ought Not To Pass  
1 Ought To Pass  
5 Ought To Pass As Amended  
15 Divided Reports  
4 Carryovers  
3 Gubernatorial Nominations

Respectfully Submitted,  
S/Thomas B. Saviello  
Senate Chair  
S/Ralph L. Tucker  
House Chair

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The Following Communication: (H.C. 354)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON HEALTH AND HUMAN SERVICES**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Health and Human Services during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

210 Total Number of Bills and Papers

96 Unanimous Reports

57 Ought Not To Pass

7 Ought To Pass

27 Ought To Pass As Amended

5 Referred to Another Committee

60 Divided Reports

3 Leave to Withdraw

51 Carryovers

Respectfully Submitted,

S/Eric L. Brakey

Senate Chair

S/Patricia Hymanson

House Chair

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The Following Communication: (H.C. 355)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Inland Fisheries and Wildlife during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

80 Total Number of Bills and Papers

45 Unanimous Reports

29 Ought Not To Pass

1 Ought To Pass

15 Ought To Pass As Amended

29 Divided Reports

1 Leave to Withdraw

5 Carryovers

Respectfully Submitted,

S/Scott W. Cyrway

Senate Chair

S/Robert S. Duchesne

House Chair

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The Following Communication: (H.C. 356)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Insurance and Financial Services during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

62 Total Number of Bills and Papers

35 Unanimous Reports

12 Ought Not To Pass

6 Ought To Pass

17 Ought To Pass As Amended

14 Divided Reports

1 Leave to Withdraw

11 Carryovers

1 Gubernatorial Nomination

Respectfully Submitted,

S/Rodney L. Whittemore

Senate Chair

S/Mark W. Lawrence

House Chair

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The Following Communication: (H.C. 357)

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

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Judiciary during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

129 Total Number of Bills and Papers

67 Unanimous Reports

37 Ought Not To Pass

7 Ought To Pass

20 Ought To Pass As Amended

3 Referred To Another Committee

36 Divided Reports

2 Leave to Withdraw

12 Carryovers

12 Gubernatorial Nominations

Respectfully Submitted,  
S/Lisa Keim  
Senate Chair  
S/Matthew W. Moonen  
House Chair

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The Following Communication: (H.C. 358)

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

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Labor, Commerce, Research and Economic Development during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

163 Total Number of Bills and Papers  
83 Unanimous Reports  
39 Ought Not To Pass  
7 Ought To Pass  
34 Ought To Pass As Amended  
3 Referred To Another Committee  
49 Divided Reports  
2 Leave to Withdraw  
9 Carryovers  
18 Gubernatorial Nominations

Respectfully Submitted,  
S/Amy F. Volk  
Senate Chair  
S/Ryan M. Fecteau  
House Chair

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The Following Communication: (H.C. 359)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON MARINE RESOURCES**

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Marine Resources during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

43 Total Number of Bills and Papers  
28 Unanimous Reports

19 Ought Not To Pass  
9 Ought To Pass As Amended  
9 Divided Reports  
1 Leave to Withdraw  
3 Carryovers  
2 Gubernatorial Nominations

Respectfully Submitted,  
S/Joyce A. Maker  
Senate Chair  
S/Walter A. Kumiega III  
House Chair

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The Following Communication: (H.C. 360)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON STATE AND LOCAL GOVERNMENT**

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on State and Local Government during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

91 Total Number of Bills and Papers  
39 Unanimous Reports  
13 Ought Not To Pass  
9 Ought To Pass  
16 Ought To Pass As Amended  
1 Referred to Another Committee  
37 Divided Reports  
1 Leave to Withdraw  
10 Carryovers  
4 Gubernatorial Nominations

Respectfully Submitted,  
S/Paul T. Davis  
Senate Chair  
S/Roland Danny Martin  
House Chair

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The Following Communication: (H.C. 361)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**COMMITTEE ON TAXATION**

August 2, 2017

Honorable Michael D. Thibodeau  
President of the Senate  
Honorable Sara Gideon  
Speaker of the House  
128th Maine Legislature  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Taxation during the



First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

115 Total Number of Bills and Papers  
65 Unanimous Reports  
42 Ought Not To Pass  
6 Ought To Pass  
17 Ought To Pass As Amended  
38 Divided Reports  
2 Leave to Withdraw  
9 Carryovers  
1 Taken Pursuant to Joint Rule 309

Respectfully Submitted,

S/Dana L. Dow

Senate Chair

S/Ryan D. Tipping

House Chair

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The Following Communication: (H.C. 362)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON TRANSPORTATION**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Transportation during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

116 Total Number of Bills and Papers  
79 Unanimous Reports  
56 Ought Not To Pass  
8 Ought To Pass  
15 Ought To Pass As Amended  
26 Divided Reports  
5 Carryovers  
6 Gubernatorial Nominations

Respectfully Submitted,

S/Ronald F. Collins

Senate Chair

S/Andrew J. McLean

House Chair

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The Following Communication: (H.C. 363)

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

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Standing Committee on Veterans and Legal Affairs during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

139 Total Number of Bills and Papers  
81 Unanimous Reports  
54 Ought Not To Pass  
1 Ought To Pass  
26 Ought To Pass As Amended  
45 Divided Reports  
2 Leave to Withdraw  
5 Carryovers  
5 Gubernatorial Nominations  
1 Taken Pursuant to Joint Rule 309

Respectfully Submitted,

S/Garrett P. Mason

Senate Chair

S/Louis J. Luchini

House Chair

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The Following Communication: (H.C. 364)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
JOINT SELECT COMMITTEE ON MARIJUANA  
LEGALIZATION IMPLEMENTATION**

August 2, 2017

Honorable Michael D. Thibodeau

President of the Senate

Honorable Sara Gideon

Speaker of the House

128th Maine Legislature

Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

We are pleased to report that all business which was placed before the Joint Select Committee on Marijuana Legalization Implementation during the First Regular Session of the 128th Legislature has been completed. The breakdown of bills and papers before our committee follows:

33 Total Number of Bills and Papers  
0 Unanimous Reports  
0 Ought Not To Pass  
0 Ought To Pass  
0 Ought To Pass As Amended  
1 Divided Reports  
1 Leave to Withdraw  
31 Carryovers

Respectfully Submitted,

S/Roger J. Katz

Senate Chair

S/Teresa S. Pierce

House Chair

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The Following Communication: (H.C. 365)

**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**  
**HOUSE COMMITTEE ON HOUSE RULES**

August 2, 2017

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

I am pleased to report the breakdown of bills and papers that were before the House Committee on House Rules during the First Regular Session of the 128th Legislature.

- 6 Total Number of Bills and Papers
  - 1 Ought Not To Pass
  - 1 Ought To Pass As Amended
  - 1 Indefinitely Postponed
  - 1 Divided Report
  - 2 Died in Committee on Adjournment

Respectfully Submitted,

S/Representative Jared F. Golden

House Chair

**RECEIVED** by the Clerk of the House and **PLACED ON FILE.**

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At this point, a message came from the Senate borne by Senator CUSHING of Penobscot, of that Body, informing the House that the Senate was ready to adjourn without day.

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The Speaker appointed Representative HERBIG of Belfast on the part of the House to inform the Senate that the House was ready to adjourn without day.

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The Speaker appointed the following members on the part of the House to wait upon his Excellency, Governor PAUL R. LEPAGE, and inform him that the House was ready to adjourn without day:

Representative DUNPHY of Old Town  
Representative ACKLEY of Monmouth  
Representative BLACK of Wilton  
Representative CHAPMAN of Brooksville  
Representative HIGGINS of Dover-Foxcroft  
Representative KINNEY of Knox  
Representative MARTIN of Sinclair  
Representative McELWEE of Caribou  
Representative O'NEIL of Saco  
Representative SKOLFIELD of Weld

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Subsequently, Representative HERBIG reported that she had delivered the message with which she was charged.

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Subsequently, the Committee reported that they had delivered the message with which they were charged.

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At this point, pursuant to her authority under House Rule 201, the Chair addressed the House.

Speaker **GIDEON**: Before we finally adjourn here, momentarily, I just want to take a moment to thank all of you in this chamber for the very hard work that you have done, as evidenced by the fact that we are here on August 2<sup>nd</sup>. It has been a challenging session in many ways. We have made it through, and I am confident that we will return back together, when we next convene in this chamber, ready to do the good work for the people of Maine; and in the meantime, I hope all of you have a wonderful, restful remainder of your summer, time with your friends, family, loved ones, and the constituents who elected you here.

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On motion of Representative LONGSTAFF of Waterville, the House adjourned without day at 7:09 p.m., Wednesday, August 2, 2017.