

# MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

Second Regular Session  
beginning January 3, 2018

beginning at Page 1451

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

In Senate Chamber  
Wednesday  
May 2, 2018

Senate called to order by President Michael D. Thibodeau of  
Waldo County.

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Prayer by Senator Geoffrey M. Gratwick of Penobscot County.

**SENATOR GRATWICK:** Good morning all. I'd like to read to you part of a prayer from Bishop Digby from a book by Victor Hugo, the French novelist. It's really a reflection on the many names and faces of God. Let us pray.

'Ecclesiastes names thee Almighty, the Maccabees name thee Creator, the Epistle to the Ephesians names thee Liberty, Baruch names thee Immensity, the Psalms name thee Wisdom and Truth, John names thee Light, the Book of Kings names thee Lord, Exodus names thee Providence, Leviticus Sanctity, Esdras Justice, creation names thee God, man names thee Father; but Solomon names thee Compassion, and that is the most beautiful of all thy names, and that is the most beautiful of all thy names.'

Thank you.

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Pledge of Allegiance led by Senator Michael E. Carpenter of  
Aroostook County.

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Reading of the Journal of Wednesday, April 18, 2018.

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Doctor of the day, Amy Madden, M.D. of Rome.

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**Off Record Remarks**

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

Senator **CYRWAY:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. I rise to express my sincere sympathy and sadness over the loss of one of our brave law enforcement officers today, Corporal Eugene Cole of Norridgewock and of the Somerset County Sheriff's Office. Corporal Cole was a loving and devoted father, husband, son, brother, and grandfather. His family has said that he was always ready to help those he loved. He was a mentor to the young officers who followed him into serving and protecting their community. Corporal Cole was a hard worker who loved his town

and country. He made sacrifices of his daily life for the people of Somerset County and then made the ultimate sacrifice while protecting and serving. All of law enforcement has lost a brother. This is why I'm so passionate on the fight against illegal drugs. Corporal Cole was a dedicated officer to the last and his memory will continue to inspire generations of young men and women who take up the badge. I offer sympathy to his wife, mother, children, grandchildren, family, and all those who knew and cared of him. May he rest in peace, knowing that his sacrifice is not forgotten. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from  
Androscoggin, Senator Libby.

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise to speak to the matter. My friend from Kennebec, Senator Cyrway, spoke that Eugene Cole tragically passed away last week and a lot of us really questioned why that had to happen. Like many of us in this Chamber, I grew up in a place that is different from the district that I represent. I grew up in Somerset County, in the Town of Norridgewock on Waterville Hill Road, which is the same street that Eugene called home for over 30 years. He was a friend to my family and was a person that all of the folks in our neighborhood could go to when they had a public safety concern because, of course, Norridgewock is a very small town with no police department. The Sheriff is our law enforcement and Eugene Cole was always around and present and ready to help. He was a terrific father and husband and grandfather and colleague to his fellow Sheriff's Deputies. Last week was really tough for my hometown. My parents still live on Waterville Hill Road and the manhunt was more or less happening in their backyard. It was a very scary time for my family and friends and neighbors in that neighborhood. I think we were all elated and relieved on Saturday when the alleged shooter was found. I hope it brings some peace to Corporal Cole's family. My heart hurts for his family and his friends and his colleagues who are struggling with his loss today. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from  
Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. Mr. President, I, too, rise to give my thoughts on Corporal Cole. I did not know him. I did work for the Somerset Sheriff's Department for nearly four years, but it was prior to the time that Corporal Cole came to work there. But I do know the Department. I know a lot of people there and I know what a tragedy this has been for that small agency, to say nothing about the tragedy for his family and everyone that even knew him or was associated with him. I also feel that I probably speak for everyone within the sound of my voice when I say that we all offer our deepest condolences and sympathies to those that are attached to him. I also just want to say, Mr. President, that I got to tell you that I had a great deal of pride in the way the entire thing was handled. I thought the agencies came together very well, and it was well coordinated, and the arrest was made with great professionalism, and I intend to make sure that each commanding officer, whoever was in charge, the head of these agencies, each and every one of them hears from myself, and I know there's others in the Body that feel that way as well. So, Mr. President, with that I thank you very much for the

time and offer Godspeed to everyone who wears a uniform.  
Thank you very much.

**THE PRESIDENT:** The Chair would request that the Senate rise in a moment of silence, remembrance, and prayer for Corporal Cole and his entire family.

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The Senate observed a moment of silence, remembrance, and prayer for Corporal Eugene Cole and his entire family.

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Off Record Remarks

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Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

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**COMMUNICATIONS**

The Following Communication: S.C. 1032

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE**

May 1, 2018

The 128<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME 04333

Dear Senate and House Members of the 128<sup>th</sup> Legislature:

Pursuant to SP 747, the Legislature will reconvene on May 2, 2018 at 10:00 in the morning for the purpose of considering objections of the Governor, in accordance with 3 MRSA, Section 2.

Following action by both Chambers on the Governor's objections, the Legislature may, by a vote of 2/3 of the members of each House present and voting, extend the date for adjournment for the Second Regular Session.

During the 108th Legislature the Attorney General's Office issued an opinion dated July 15, 1977 stating that the Legislature may vote to extend a session by a 2/3 vote pursuant to 3 MRSA Section 2 even after the statutory day of adjournment. This includes passing an extension order on the same day the Legislature is in to consider objections of the Governor.

Should the 128th Legislature vote to extend the Second Regular Session, additional business including unfinished bills in the Chambers may be taken up. If an extension order does not garner 2/3 support, we anticipate that the Second Regular Session will adjourn sine die.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 1024

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

25 April 2018

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

Dear Honorable Members of the 128<sup>th</sup> 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 1771, "An Act to Stabilize Vulnerable Families."

While the intentions of this bill are good, I cannot in good conscience let this bill become law. I have two primary objections. First, this bill is yet another example of the Legislature stepping in to require things of the Executive Branch that it can already do. This bill requires DHHS to seek proposals and implement a program to provide integrated substance abuse treatment and recovery for families, which can be done within the administrative authority that exists today. There is no need for a bill.

Second, I believe we sometimes race too quickly to reunify a child with his or her family when that may not be what is best for the child, and I am concerned this bill perpetuates that trend. The best place for children is in a safe, loving home with their parents; that said, child welfare programs in our State and nation have over-emphasized reunification, sometimes to the detriment of our youth. Children should be reunified with their parents only when that reunification is in the best interest of the child. We have dealt with several significant child welfare cases in the past few months, and I believe that some tragedy may have been avoided if we had first focused on the welfare of the child and only considered reunification if it was truly the best and safest option for the child.

I am concerned the program imagined by this bill will serve once again to inappropriately prioritize reunification over the welfare of the child. For these reasons, I return LD 1771 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Stabilize Vulnerable Families

S.P. 658 L.D. 1771

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The Chair noted the absence of the Senator from Androscoggin, Senator **BRAKEY**, and further excused the same Senator from today's Roll Call votes.

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The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#658)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 1025

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

23 April 2018

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

Dear Honorable Members of the 128<sup>th</sup> 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 166, "An Act To Increase Reimbursement for Child Care Services."

In 2016, the Department provided subsidies for over 9,000 children from over 5,600 families through the Child Care Subsidy program and the Temporary Assistance for Needy Families program. Maine has the flexibility to determine the appropriate percentile for reimbursement. Currently, Maine is among the top 10 states for reimbursement of child care providers based on the actual dollar amount of monthly reimbursement paid to families, and only South Dakota and West Virginia reimburse child care providers at the 75<sup>th</sup> percentile of current market rates as proposed by this bill. Passage of this bill will serve to push up market rates for child care for everyone.

In addition, Maine is already one of the five most generous states when it comes to eligibility limits for the subsidy – a family can earn more than 250% of the Federal Poverty Level and still qualify for a subsidy. The Department estimates that this increase would cost nearly \$10 million dollars. Maine already has a generous child care subsidy and we do not need a new law to increase it even further.

For these reasons, I return LD 166 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise very briefly to offer a couple of clarifying comments on the Chief Executive's veto letter. The Chief Executive states that only South Dakota and West Virginia reimburses childcare providers at the 75<sup>th</sup> percentile. That's only partially true because last year the Chief Executive, through a financial order and Executive action, raised reimbursement rates to the 75<sup>th</sup> percentile for family-based childcare. A lot of us looked at that and said, 'Well, what about the center-based childcare facilities? They are struggling with 50% reimbursement as well. They should get a boost.' This bill is well-timed because the feds are sending us Child Development Block Grant funds, double the amount that they used to as part of the budget

agreement that was passed in Congress earlier in the year. So the money is coming to us. This bill says that money shall go out to help the center-based childcare facilities stay in business. Thank you, Mr. President.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#659)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HILL, JACKSON, KATZ, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: HAMPER, KEIM, MASON

EXCUSED: Senator: BRAKEY

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, and 31 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 1026

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

23 April 2018

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 1740, "An Act Regarding Criminal Forced Labor, Aggravated Criminal Forced Labor, Sex Trafficking and Human Trafficking."

LD 1740 seeks to create a new violation of "criminal forced labor" by attaching substantial criminal liability to a wide variety of conduct undertaken to compel a person to provide services or labor. The bill further provides a civil cause of action for victims of this behavior and initiates a public awareness campaign around the issue of human trafficking.

I support efforts to combat forced labor and human trafficking. These are reprehensible acts. However, there are numerous problems with LD 1740. First, some of the acts criminalized by this bill should not be crimes at all. I find it hypocritical and disingenuous the Legislature's action on this bill, while also failing to act to criminalize the mutilation of Maine's young girls. Second, many acts falling within LD 1740 are already prohibited by Maine statutes. Third, LD 1740 provides for heightened liability for minors, but once again sets a non-uniform age of majority. Fourth, this bill imposes yet another mandate on governmental agencies and businesses without providing funding. Finally, this bill imposes civil monetary liability on certain Maine businesses without adequately identifying to which businesses this liability applies.

First, enactment of LD 1740 makes criminal some activities that should not be crimes. Consider the following examples:

- An employer who confiscates alcohol from an alcoholic employee at the beginning of the work day. That employer refuses to return the bottle until the end of the job, demanding a sober day's work in exchange for the day's pay. Under LD 1740, the employer may face Class C liability.
- A cigarette shop owner handed what purports to be a government identification document, but which the shop owner suspects is fake. The uneasy young patron furnishing the ID takes flight and knocks over a display in the store. The shop owner then offers to accept restitution so long as the patron reorganizes the mess in exchange for the return of the ID and not calling the police. Under LD 1740, the shop owner may face substantial criminal liability.

Second, the following statutes already prohibit conduct substantially similar to that described in LD 1740:

1. 17-A M.R.S.A. § 357 provides criminal liability for theft where one deprives a person of payment after using deception, threats, force, or otherwise causing another person to provide labor or services.
2. 17-A M.R.S.A. § 301 provides criminal liability for kidnapping where threats of violence are made to cause a victim to perform labor or services, or where withholding or destroying immigration or identification documents is used as a tool to control a victim.
3. To the extent the labor conduct of the person forced to perform it is criminal, 17-A M.R.S.A. § 57 provides for accomplice liability of the one forcing that person to engage in such acts.

Third, LD 1740 defines the undertaking of the prohibited conduct against a person under the age of 18 as aggravated criminal forced labor. This Legislature recently raised to 21 the age at which individuals can buy cigarettes. If this Legislature believes that anyone under 21 is not adult enough to purchase cigarettes, they should treat people under 21 as children for all other purposes and offer criminal enhancements for actions taken against them.

Fourth, this bill provides an unfunded mandate that the Department of Labor create and provide to the Department of Transportation, the Maine Turnpike Authority and businesses in the state signs to promote public awareness of human trafficking. The bill, again without providing funding, then directs that these signs are to be posted conspicuously at rest areas, highway stops and businesses. The Legislature's repeated attempts to spend money without providing funding is an abdication of their responsibilities.

Finally, businesses failing to post signage in regards to human trafficking are subject to a \$300 fine per violation. In order to assure that these businesses have the opportunity to comply, it is incumbent upon the Legislature to identify with understandable specificity exactly which businesses must post signage. Maine law already mandates employers post nine posters and recommends five more; the federal government requires another six. Too many workplace posters not only makes it harder for workers to find the information they need about employment rights, but also dilutes the messages of all such posters. I also question the efficacy of business signage to address the serious issues this bill seeks to remedy, and that the same sign for a business would carry the appropriate message for rest areas.

For these reasons, I return LD 1740 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding Criminal Forced Labor, Aggravated Criminal Forced Labor, Sex Trafficking and Human Trafficking  
S.P. 639 L.D. 1740

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

# ROLL CALL (#660)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: S.C. 1027

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

20 April 2018

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 1388, "An Act To Prohibit the Falsification of Medical Records."

Healthcare records are relied upon by healthcare professionals to make decisions that can mean the difference between life and death. False entries in a healthcare record can and will alter the decision-making process of doctors with potentially fatal consequences for patients. As a result, the integrity of healthcare records is of the utmost importance.

Extremely sick or injured patients find themselves in an incredibly vulnerable state. They may even be unable to communicate or comprehend what is happening at the moment. They are not in a position to ensure their records are accurate at precisely the time that an inaccuracy could lead to disaster. Instead, patients place their entire trust in the people who care for them during their time of need.

Intentional falsification of records to cover up medical errors or to avoid reporting in the prescription monitoring program is a breach of that trust. This breach would not come to the attention of the patient, or their next of kin, until damage resulting from that breach is already done. This sort of behavior by a healthcare provider must be treated as a serious crime.

A healthcare provider who intentionally falsifies medical records for the purpose of deceiving another person should know that serious injury, or even death, are the reasonably foreseeable consequences of these actions. In other statutes where death or serious bodily injury are reasonably foreseeable consequences of one's actions, penalties are higher. For example, felony murder is a Class A crime. Manslaughter provides for Class A criminal liability where one's reckless activity results in death. Kidnapping provides for Class A criminal liability where one's actions expose another to risk of serious bodily injury. Yet LD 1388 provides only Class C liability for intentional acts that, in fact, result in serious injury.

The penalty for falsification of healthcare records where the result is serious injury, or worse, should be classified as more serious crime than a Class C offense.

For this reason, I return LD 1388 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Prohibit the Falsification of Medical Records  
S.P. 475 L.D. 1388

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#661)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 1029

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

30 April 2018

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

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 1507, "An Act to Establish a Student Loan Bill of Rights To Regulate Student Loan Servicers."

Student loans are issued by educational loan servicers that are authorized to do so by the U.S. Department of Education pursuant to the provisions of the Federal Student Loan Program and other federal laws. States that have attempted to regulate activities of educational loan servicers at the state level are now having to defend themselves against federal preemption charges. I do not intend to sign a bill that will likely be the subject of federal litigation at great expense to the State of Maine.

Not only does LD 1507 invite expensive legal challenges, it fails to address the real issue—the excessively high cost of secondary education. It only adds more bureaucratic regulation in the name of public protection. Maine does not need another licensing requirement that increases paperwork without providing any

tangible benefit. LD 1507 is nothing more than an electioneering bill at a time when our students need a pragmatic approach to student loan debt.

My bill, LD 1834, proposes a 50-million-dollar bond issuance that will provide funds to the Finance Authority of Maine to make zero-percent-interest student loans and allow loan consolidation or refinancing with interest-rate reductions for Maine residents who agree to live and work in Maine for at least five years.

The Legislature would be well advised to support the use of the bond process to generate funds that would help students pay for their college educations by providing low cost, no interest loans.

For these reasons, I return LD 1507 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers

S.P. 532 L.D. 1507

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#662)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER,  
CARSON, CHENETTE, CHIPMAN,  
DESCHAMBAULT, DIAMOND, DILL,  
DION, GRATWICK, HILL, JACKSON,  
KATZ, LIBBY, MILLETT, MIRAMANT,  
VITELLI

NAYS: Senators: COLLINS, CUSHING, CYRWAY, DAVIS,  
DOW, HAMPER, KEIM, LANGLEY,  
MAKER, MASON, ROSEN, SAVIELLO,  
VOLK, WHITTEMORE, WOODSOME,  
PRESIDENT THIBODEAU

EXCUSED: Senator: BRAKEY

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, and 18 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: S.C. 1030

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

30 April 2018

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

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 1743, "An Act To Increase the Number of Agency Liquor Store Licenses in Larger Municipalities."

In my view, the bill is a short-term fix to the statutorily mandated population standards that allocate the number of agency store liquor licenses available in a municipality. The bill, as drafted, would only create an additional agency store liquor license for the City of Portland. The Legislature could have taken a longer-term view and reviewed the current population standards but instead opted for a short-term fix.

In addition, this bill appears to have been brought to the Legislature in an effort to grant a license to a single, Portland-based retailer. I do not believe the Legislature should be playing favorites.

For these reasons, I return LD 1743 unsigned and vetoed. I strongly urge the Legislature to sustain it. I also suggest that the Legislature review the current population standards.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Increase the Number of Agency Liquor Store Licenses in Larger Municipalities

S.P. 642 L.D. 1743

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#663)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, HILL, JACKSON, KATZ, KEIM, LIBBY, MASON, MILLETT, MIRAMANT, SAVIELLO, VITELLI, VOLK, WOODSOME

NAYS: Senators: COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, LANGLEY, MAKER, ROSEN, WHITTEMORE, PRESIDENT THIBODEAU

EXCUSED: Senator: BRAKEY

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, and 23 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 1031

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

30 April 2018

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

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 1745, "An Act To Establish the Wood Energy Program."

This emergency bill creates a non-lapsing fund to establish incentives as well as low-interest and no-interest loans to the State's forest-products sector. The bill further charges Efficiency Maine with running the programs with advice from FAME. To

create the fund, the bill directs the PUC to remand any unused funds remaining from the biomass Cost Recovery Fund to Efficiency Maine. The Cost Recovery fund was created when \$13.4 million was transferred from the unappropriated surplus of the General Fund. The bill's fiscal note estimates a total of \$766,000 over two years will be transferred to Efficiency Maine to run the programs.

Rather than returning funds back to the unappropriated surplus of the General Fund for use across the State, this Act directs funds to subsidize a particular industry. While I am sensitive to the needs of the biomass industry, I do not believe that subsidies through incentives and low- and no-interest loans will drive electricity costs down for all ratepayers. Furthermore, this bill assumes that exactly \$500,000 will be available from the PUC's next review of the Cost Recovery Fund before the review has even happened.

This bill is another example of the Legislature trying to redirect funds to favored industries, create subsidies, and substitute its judgement for that of expert regulatory bodies. For these reasons, I return LD 1745 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Establish the Wood Energy Program (EMERGENCY)  
S.P. 644 L.D. 1745

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#664)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, JACKSON, LANGLEY, LIBBY, MILLETT, MIRAMANT, SAVIELLO, VITELLI, WHITTEMORE, WOODSOME

NAYS: Senators: COLLINS, CUSHING, CYRWAY, HAMPER, HILL, KATZ, KEIM, MAKER, MASON, ROSEN, VOLK, PRESIDENT THIBODEAU

EXCUSED: Senator: BRAKEY

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, and 22 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

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

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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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**RECESSED** until the sound of the bell.

After Recess the Senate was called to order by the President.

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

**COMMUNICATIONS**

The Following Communication: H.C. 520

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

April 20, 2018

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 1848, "An Act To Extend Arrearage Management Programs".

This bill extends programs at CMP and Emera which help low income residential customers clear up amounts they owe to both T&D utilities to September 30, 2021. Despite the bill's good

intentions, the data shows that the program didn't work, and that efforts to fix it will likely add cost and not benefit.

The PUC testimony on the Arrearage Management Program (AMP) states: "The Commission does not believe that the desired outcome of improved payment performance during and after participation in an AMP by customers can be achieved with the current AMP structure and that extending the program another three years will not change this conclusion." Participating customers' bill payment patterns did not improve after their participation in the program, and were not substantively different or better than bill payment patterns of customers that did not participate in the program. While this bill changes the expired program by adding financial and budgetary guidance for participants, adding these changes will likely only increase the administrative costs of the program.

This bill is another example of the legislature trying to insert itself where it does not belong and substitute its judgement for that of expert regulatory bodies. For these reasons, I return LD 1848 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Extend Arrearage Management Programs  
H.P. 1285 L.D. 1848

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#665)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 522

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

April 23, 2018

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 1187, "An Act To Amend the Child Protective Services Statutes."

Nothing in my role as Governor is a higher priority than the safety of our children. While I am sure the authors of this bill share my concern for our children's safety, I believe this bill may have serious unintended consequences. The changes in this bill prioritizes kinship placements in a way that may not necessarily be in the best interest of the child.

The Department of Health and Human Services is currently investigating the horrific death of a child who was in a kinship placement. The Department already places a priority on placement with kin and will continue to do so, as long as the placement is believed to be in the best interest of the child. Maine is currently above the national average for kinship placements.

While well-intentioned, this bill prioritizes the rights of relatives over the best interest of a child, as it makes a predetermined judgment that a relative placement out of state or after a long vetting process better serves the child than expeditious placement of a child in a safe and loving home. The State must retain the flexibility to prioritize kinship placements only when it is truly in the best interest of the child.

For these reasons, I return LD 1187 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Child Protective Services Statutes  
H.P. 824 L.D. 1187

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#666)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 523

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

April 23, 2018

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 1756, "An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities."

In my view, allowing the Maine Educational Center for the Deaf and Hard of Hearing ("MECDHH") to enter into a lease with Disability Rights Maine ("DRM") would violate the spirit of the deed of gift from Governor Percival Baxter. Governor Baxter's gift of property on Mackworth Island outlined that the property be used for educational purposes for children, not to be leased to third parties.

In addition, a lease with DRM would require that the facility comply with all federal and state laws to protect and accommodate persons with disabilities. This will require a significant capital investment to bring the facility into compliance—an investment beyond the limited financial resources of the MECDHH. Without an estimate of the required improvements included in the fiscal note, it is unknown whether the rent would cover the cost of the renovations in addition to the regular facility costs.

For these reasons, I return LD 1756 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities (EMERGENCY)  
H.P. 1209 L.D. 1756

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#667)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HILL, JACKSON, KATZ, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: HAMPER, KEIM

EXCUSED: Senator: BRAKEY

32 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being excused, and 32 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 525

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

April 25, 2018

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 1874, "Resolve, To Ensure the Continued Provision of Services to Maine Children and Families."

This bill sets inappropriate limitations on the ability of the Executive to manage, enter, and exit specific contracts. Without appropriate flexibility, the team at DHHS is left with little ability to ensure a contractor meets basic performance expectations.

Regarding the specific contracts in question, the legislature's meddling is completely unnecessary and inappropriate. The Department has already engaged in conversations with the providers to further extend the contracts and to determine what aspects of these services fulfill unmet needs and should continue to be ongoing.

It is the responsibility of the State to provide adequate and appropriate services, but also that the services we pay for are of the highest quality, are not duplicative, and are absolutely necessary for the wellbeing of Mainers. This proposed resolve interferes with the ability to meet those goals.

For these reasons, I return LD 1874 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, To Ensure the Continued Provision of Services to Maine Children and Families (EMERGENCY)  
H.P. 1307 L.D. 1874

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Resolve become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#668)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Resolve become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 526

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

April 25, 2018

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 1892, "An Act to Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists."

LD 1892 is an effort to undermine the Maine Board of Pharmacy's efforts to adopt reasonable rules—grounded in public safety—for when and to whom licensed pharmacists may prescribe and dispense naloxone. The bill effectively negates the need for pharmacy rules on this subject because it would allow pharmacists to prescribe and dispense naloxone without limitation to anyone, anywhere, under any circumstances. This bill makes any reasonable rule unnecessary. Is this sound public policy? The simple answer is no.

No health policy rationale supports the extreme position espoused by the Legislature that every resident of Maine, including children, must have access to naloxone. This bill reflects a lack of understanding about effective ways to reduce deaths resulting from opioid overdose. The Legislature must be under the mistaken impression that deaths from opioid overdose cannot be reduced unless naloxone is provided to anyone and everyone. That will not be the case.

Maine is fortunate, however, to have many licensed pharmacists who will use their experience and professional judgment to determine when and to whom to dispense naloxone. They don't need the Legislature's permission to make professional decisions. Licensed pharmacists will do the right thing under the rules promulgated by their oversight body, the Pharmacy Board.

For these reasons, I return LD 1892 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists (EMERGENCY)  
H.P. 1325 L.D. 1892

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#669)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 528

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

April 27, 2018

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 1719, "An Act To Implement a Regulatory Structure for Adult Use Marijuana."

Under federal law, marijuana is a Schedule 1 controlled substance. As a Schedule 1 drug, the federal government has deemed that marijuana has a high potential for abuse and has no currently accepted medical use in treatment in the United States. In Maine, doctors cannot legally prescribe marijuana to patients; they only "certify" its use. Possession of any amount of marijuana under federal law is a misdemeanor crime. In 2011, I took an oath to support the Constitution of the United States, and I cannot in good conscience support a law that, on its face, violates federal law.

Even if federal law were of no concern, there are other significant issues that must be addressed. This bill does not adequately address the failings of the medical marijuana program. It moved the oversight of the program from DHHS to DAFS, but then fails to truly integrate the two programs. The drafters of this bill chose to largely ignore the significant effects on medical marijuana of a recreational program—a program that still has different levels of regulatory oversight and a different tax structure.

As I have stated previously, a concurrent medical program with weaker regulation and a lower tax rate will undermine the regulations established by this bill. The two programs must be fully integrated. In the run-up to the 2016 referendum, the medical program saw a significant increase in the number of registered caregivers, as well as the exploitation of loopholes in medical marijuana regulations to broaden the sales base for medical marijuana, which has a much lower tax rate.

The need for policymakers to get this issue correct has never been higher. As this administration looked to other states that have legalized adult-use marijuana, we noticed a gruesome similarity. In the few short years since marijuana has been legalized by some states, those same states have seen staggering increases in motor vehicle fatalities resulting from marijuana impairment. After one of the worst years in recent memory for crashes, fatalities, and pedestrian fatalities, we should take every step to ensure safety on Maine roads instead of making them more hazardous. No branch of government has a monopoly on good ideas; if Maine is going to legalize and regulate marijuana, it will require our joint efforts to get this important issue right.

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Implement a Regulatory Structure for Adult Use Marijuana (EMERGENCY)

H.P. 1199 L.D. 1719

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I need to take the time for this. Feels very important. I feel that I'm still going to be the voice for our children. We're allowing, by voting for this and allowing any marijuana in the household, that we are just setting our children up to fail. In the tobacco industry, if you look when we have parents that smoke in the household the child has four times greater chance of smoking cigarettes than one that doesn't have smoking in the household. By allowing marijuana into the household we are just saying that it's okay for our children and I don't know about you but I've seen what it's done to children, especially in high school when they go from A and B students in grammar school and middle school and then, all of a sudden, they start getting straight Fs. Our brains are like computers and if you don't believe it you look at - I know when you type on the screen, and you see what you've typed, and if you don't save it it'll be gone when you shut the computer off. Marijuana does the same thing. When they get something told to them, if they choose to save it, or if they can, they will save it. But marijuana stops that from saving that information and that's why they flunk out, because they can't remember it. We're setting our society up to fail. They're not going to be able to have their dreams. This morning I heard Senator Collins on TV this morning and she was in front of some elementary students and she says, 'You can be whatever you want to be.' This morning I cried when I heard that. We're taking that away. Let's sustain this because we've got to show, as a strength, that we are above marijuana. Drugs are bad. Corporal Cole died because of a drug problem. This guy had a drug problem. We're setting ourselves up to have more of these. Where does it stop? We have to stop it. I'm giving my heart and soul into this. It's important. I can't believe we're doing this. I know this control thing, it seems like we take one worse one to make another one a little better, maybe. But the same problem exists. We're putting three plants for every adult person in a household. That could be two, it could be six plants, it could be nine plants, it could be twelve plants. Still one plant is enough for two years supply for one person. What are we doing? Let's sustain this bill and show, as a strength, saying we do not approve any marijuana. None. This is not the way to do it. Maybe there is some good qualities of marijuana, oils or whatever, that do help on medicinal ways, and I can condone that if they called it something else, but we are giving the wrong message to our youths. This is where it's at. Let's draw the line in the sand and say let's do something different. That's all I'm asking. Let's take a strong stance, please. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, we're not making a choice between legalizing or not legalizing marijuana. The Citizens Referendum already spoke to the rules that we would like to put in place. It was passed by the voters and the Committee was formed to look at some of the issues. It did that. I just want to be clear, I will be voting the same way as Senator Cyrway but not for any of the reasons that he just said. What I'm concerned about is that three plants isn't enough for an adult marijuana program. We've

separated out medical and adult use marijuana and we should keep it that way. We should keep them controlled separately. We have good rules in place. We've got a great medical marijuana program that's helping people to get over pain and sleep problems and many things; that instead of hysterical illegal practices we are moving into a system that works, that controls it, that tracks it, that makes sure it's clean. Those are the things that the Citizens Referendum called for and this bill seeks to undo some of the Citizens Referendum. It does nothing about anything that my colleague from Kennebec just talked about. So, I would encourage you to sustain the veto so that we stay with the good rules we have, that we get it out of the hands of kids and into those 21 and older in the best way possible and the ways that the Citizens Referendum was designed to do, and I appreciate the time to speak.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#670)

YEAS: Senators: BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, COLLINS, CUSHING, CYRWAY, DAVIS, MIRAMANT

EXCUSED: Senator: BRAKEY

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, and 28 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 532

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

April 30, 2018

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 1907, "Resolve, To Continue a Review of the State Employee and Teacher Retirement Plan."

This resolve directs the Maine Public Employees Retirement System, the Administration, and other stakeholders to continue working to evaluate and design new retirement plan options for all state employees and teachers.

The working group has completed its mission by drafting a report that assesses possible retirement plan options. Maine does not need yet another task force to study a problem that has already been addressed and certainly does not rise to the level of an emergency measure.

Furthermore, this resolve is yet another unfunded mandate. It not only burdens MPERS and the Administration with continuing an unnecessary study, but also requires both organizations to procure the funding necessary to pay for it.

I agree that state pension reform is needed. I have worked throughout my administration to shore up our state's pension system and more remains to be done. However, it is ultimately the Legislature and the Governor that will decide what shape such reform should take. We do not need another report to address an issue we know all too well.

For these reasons, I am returning LD 1907 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, To Continue a Review of the State Employee and Teacher Retirement Plan (EMERGENCY)  
H.P. 1346 L.D. 1907

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Resolve become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#671)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: BRAKEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Resolve become law notwithstanding the objections of the Governor.

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

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**Off Record Remarks**

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**RECESSED** until the sound of the bell.

After Recess the Senate was called to order by the President.

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

**ORDERS**

On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 29

Ordered, that a message be sent to Governor Paul R. LePage informing him that the Senate has transacted all business before it and is ready to Adjourn Without Day.

**READ and PASSED.**

The Chair appointed the Senator from Androscoggin, Senator **MASON**, and the Senator from Aroostook, Senator **JACKSON**, to deliver the message to the Governor. The Senators were escorted to the Governor's Office.

Subsequently, the Senator from Androscoggin, Senator **MASON**, reported that they had delivered the message with which they were charged.

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Off Record Remarks

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

Senator **BELLOWS**: So one of the things that I've enjoyed most about this, serving in this Chamber, is the congeniality, the fact that we can celebrate anniversaries and birthdays, and that we can work across the aisle to get things done, to do the right thing for the people of Maine. So I want to thank my colleagues for that. Notwithstanding the joy of Senator Dill's birthday, I think today, however, I am deeply troubled, and I think that this is a really disappointing moment, not because of anything that anyone in this Chamber has done, but I just got off the phone with a dear friend of mine, Hannah MacDougall who came to the State House this morning. She represented the United States in the Special Olympics in Austria last year and she attends a day program at Spindlegirls, which many of you are probably familiar with. She had called me last night in tears because folks at Spindlegirls are really struggling to figure out how to meet the bottom line, how to make the budget work, when direct care workers are reimbursed at less than minimum wage and they had cautioned families that their program may close. That's why she was here this morning. So she has been texting me all day and I just got off the phone with her and I was trying to explain exactly what had happened and exactly what we were doing and the fact that we were going home tonight and that I hoped that we would get to come back before July 1<sup>st</sup> to fix this problem for her, and I shared with her that I wanted her not to give up hope. So I just wanted to share Hannah's story because I think it's important and I think I also wanted to thank all of you because I know all of us are here for the right reasons and put aside politics a couple of weeks ago and again today, and I think that means a lot for folks like Hannah and I hope we can continue to do that when we're out of this building and try to reach out to our colleagues and try to move forward. Thank you.

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On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 30

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

On motion by Senator **MASON** of Androscoggin, the Senate Order was **READ**.

**THE PRESIDENT**: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I wanted to get up and speak for just a minute. I definitely appreciate, and I think unbelievably appropriate, thank you for allowing me to go with Majority Leader, Senator Mason, to deliver the message. While I've never seen that before, I really appreciated it and, honestly, think it's very appropriate because, much like the Senator from Kennebec was saying, Senator Bellows, throughout the two year time in this Body we have certainly had disagreements and sometimes arguments, but in the end we always did come back together as friends and colleagues and, today, quite possibly the last thing that this Senate did was the Minority Leader and the Majority Leader having one last show of bi-partisan support. What I'm saying is that I appreciate the Senate working on these issues that are so important to the people of the State of Maine. I heard a comment this afternoon in the other Body that there wasn't really a whole lot of difference between Special Session and extending the day except maybe for the money. I disagree with that and I know that the 35 of us feel like that up here. We have major issues that we do need to deal with. We have issues that are going to be a crisis for people if we don't do them. And so I am very, very disappointed that we can't finish our work, but it's not because of any one of the members that's in this Senate Chamber today. So for that, I'm very proud to be a member of the 128<sup>th</sup> Legislature of the Senate. But I did want to make, on record, how frustrated I am that the 35 of us here can't finish our work because that is a major issue that we should be doing and, hopefully, very shortly we'll be able to do that.

On motion by Senator **MASON** of Androscoggin, the Senate Order was **PASSED**.

The Chair appointed the Senator from Androscoggin, Senator **MASON**, and the Senator from Aroostook, Senator **JACKSON**, to deliver the message to the House of Representatives. The Senators were escorted to the House of Representatives.

Subsequently, the Senator from Androscoggin, Senator **MASON**, reported that they had delivered the message with which they were charged.

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

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Off Record Remarks

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On motion by Senator **GRATWICK** of Penobscot, the Honorable **MICHAEL D. THIBODEAU**, President of the Senate, declared the Second Regular Session of the 128<sup>th</sup> Legislature **ADJOURNED SINE DIE** at 6:40 in the evening in memory of and lasting tribute to Corporal Eugene Cole of Norridgewock.