

# MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

Second Special Session  
beginning June 19, 2018

beginning at Page 2046

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

In Senate Chamber  
Monday  
July 9, 2018

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

Prayer by Senator Paul T. Davis, Sr. of Piscataquis County.

**SENATOR DAVIS:** Good morning. Let us go to prayer. Father, we come before You today as Your children with thanksgiving for the nation we are blessed to live in, a nation where we can gather freely, without fear of retribution from our own government; where men and women are free to pursue their lives, only limited by the gifts You have given them. We do, however, need to remember that those who get to do the governing do so only with the permission of the governed. As we go into our session today, Lord, I pray that the decisions that we make are made to benefit all of Maine's people and be what You would have us to do. I also pray this morning, Father, for the boys trapped in the cave in Thailand. Please, Lord, bring them to safety. Finally, Lord, I pray that You will be my support and it be in Your will that You will allow us to finish our work today and finally end this session. In Your name. Amen.

Pledge of Allegiance led by Senator Dawn Hill of York County.

Reading of the Journal of Tuesday, June 26, 2018.

Off Record Remarks

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.

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Repeal the Legalization of Recreational Marijuana"  
S.P. 229 L.D. 667

In Senate, June 26, 2018, on motion by Senator Katz of  
Kennebec, **OUGHT NOT TO PASS** Accepted.

Comes from the House, Bill and accompanying papers  
**INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion by Senator **KATZ** of Kennebec, the Senate **RECEDED**  
and **CONCURRED**.

Senate at Ease.

The Senate was called to order by the President.

**House Paper**

Bill "An Act To Prohibit Campaign Fund-raising at the Voting  
Place"

H.P. 1354 L.D. 1912

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

Comes from the House, under suspension of the Rules, **READ  
TWICE** and **PASSED TO BE ENGROSSED AS AMENDED BY  
HOUSE AMENDMENT "A" (H-804)** without reference to a  
Committee.

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

Sent down for concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 1061

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
PRESIDENT OF THE SENATE  
AND SPEAKER OF THE HOUSE**

July 5, 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 the Joint Order (S.P. 751) passed on June 26, 2018,  
the Senate and House of Representatives will convene on  
Monday, July 9, 2018, at 10:00 a.m.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 1060

**MAINE STATE LEGISLATURE  
OFFICE OF PROGRAM EVALUATION AND  
GOVERNMENT ACCOUNTABILITY**

TO: Senator Michael D. Thibodeau, President of the Senate  
Representative Sara Gideon, Speaker of the House  
And Democratic and Republican Leaders

FROM: S/Beth L. Ashcroft, Director

DATE: June 28, 2018

RE: Temporary Assistance for Needy Families Program

Enclosed please find the final report from the Office of Program Evaluation and Government Accountability on Temporary Assistance for Needy Families Program. The report is also available on our website at <http://legislature.maine.gov/opega/opega-reports/9149>. As noted in my memo dated June 18th the public comment period on this Report has been scheduled for Thursday, July 26, 2018 at 9:00 a.m. in Room 220 Cross Building.

If you have questions, please do not hesitate to give me a call.

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

The Following Communication: S.C. 1051

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

2 July 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 40, "An Act To Strengthen Requirements for Water Testing for Schools."

Limiting exposure to lead is important to public health, and while the aim of the legislation was to ensure that students are not exposed to lead in drinking water in the schools, the final product does not give clear direction on the initiative. This bill seeks to tie a public health-related issue properly overseen by DHHS with financial funding overseen by the Department of Education.

Schools on private wells are currently tested for lead. Schools that feed off a public water system are not. DHHS's responsibility is only to the public system and not the fixtures inside buildings that feed off that system.

The testing of schools on these public water systems is the responsibility of local school districts. DHHS currently offers testing for free to schools that find themselves in this position, and it is up to the school districts to ensure this testing is done.

If testing reveals there is a lead issue, DOE has a revolving renovation fund to provide loans to school districts to remediate the problem.

LD 40 is unnecessary and makes complicated what is a straightforward method already in place for addressing this issue. If schools are unwilling to take advantage of free testing and the remediation funding now available to ensure proper public health, another statute is not going to make them do it.

For these reasons, I return LD 40 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 Strengthen Requirements for Water Testing for Schools

S.P. 20 L.D. 40

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I just briefly rise to urge everyone to support the Override. We had a very strong support for this in prior votes and I hope you will stick with that. I would just like to say that during the two years of work to craft this bill with all major stakeholders, including the Health and Human Services, one of the things that we learned was that the voluntary testing program through the Department was ceasing and was no longer available. 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 Chair noted the absence of the Senator from Kennebec, Senator **CYRWAY**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#707)**

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

NAYS: Senators: COLLINS, CUSHING, HAMPER

EXCUSED: Senator: CYRWAY

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.

The Following Communication: S.C. 1052

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

2 July 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 1109, "An Act To Establish Homelessness as an Emergency in the General Assistance Laws."

The current definition of "emergency," as it pertains to General Assistance, is:

"Any life-threatening situation or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person; or at the municipality's option, a situation which is

imminent and which may result in undue hardship or unnecessary cost to the municipality if not resolved immediately."

By automatically including broadly defined homelessness as an emergency, this legislation removes municipal discretion in determining an emergency on a case-by-case basis. It would instead require municipalities to provide benefits exceeding maximum allotments for an indefinite period of time. Significantly expanding the scope of what constitutes an "emergency" to include any time a person is living in a temporary housing situation is contrary to common sense and represents a significant shift in General Assistance policy.

Furthermore, as the current definition stands, a municipality has flexibility to deem individual instances of homelessness as emergencies on a case-by-case basis where the circumstances threaten life, health, or safety. There is no need for a statutory change.

For this reason, I return LD 1109 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 Homelessness as an Emergency in the General Assistance Laws

S.P. 363 L.D. 1109

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, just to remind members what this bill does. This bill is the result of a lot of work that was done by myself and welfare directors around the state, general assistance administrators from a variety of cities and towns around the state, to simply define homelessness in our General Assistance guidelines, which is currently not the case, and to clarify, because there is some uncertainty among GA administrators of whether homelessness counts as an emergency condition under General Assistance. Some cities and towns count it as an emergency, some don't. There was consensus among the stakeholders that convened at these meetings that we held that it should be clarified and the definition of homelessness was agreed to by some very conservative welfare directors and some on the other end of the spectrum. The definition was agreed to and the need to clarify that it counts as an emergency was also agreed to. I believe the vote was 22-9 last time, so I hope those who voted for it last time will continue to support the bill and join me in voting to Override the veto. Thank you.

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

Senator **BRAKEY**: Thank you, Mr. President. I'll keep my remarks brief. You know, this bill had a very long, long process through the Health and Human Services Committee, going through many different iterations. I think there was an underlying understanding that we shared a recognition of the problem, though maybe we didn't perhaps agree on the best ways to solve that problem. But the problem, as I understand it, the initial impetus for this bill was to try to establish a way when folks who qualify for General Assistance are from one community and they end up in another community that's perhaps a service center community, which community should be responsible for the municipal side of the taxpayer bill that is funding these General Assistance benefits. I don't know that this bill fixes that problem as it currently is. There were some attempts to try to have some kind of bi-partisan compromise with a few different - some other reforms to the program, which I think would have helped address that problem. But ultimately those compromise proposals were rejected. I don't think that this bill solves the problem that this bill sought - you know, was set out to try to solve. I'm going to be voting against the bill, to Sustain the veto. I would encourage my colleagues to do so as well. There's a very real problem here. We have to address it. We should be working to fix it. I don't know that this bill does that. Thank you very much.

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 (#708)**

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

NAYS: Senators: BRAKEY, COLLINS, CUSHING, DAVIS, DOW, HAMPER, KEIM, MAKER, MASON, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: CYRWAY

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, and 21 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: S.C. 1053

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

2 July 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 1744, "An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States."

LD 1744 would establish a new, 100-percent credit against the commercial forestry excise tax (CFET) for landowners who hire harvesting businesses based in the United States. Although I share the goals of this bill, it is flawed in operation.

The CFET exists to partially offset the costs of forest-fire protection incurred by the Department of Agriculture, Conservation and Forestry. Currently, Maine Revenue Services collects more than \$2 million a year from this tax. With approximately 750 taxpayers and 9 million acres of taxable forest land subject to the CFET, I remain concerned that LD 1744 would needlessly endanger the ability of the Maine Forest Service to combat wildfires in our state.

If the drought that plagued Maine for much of last summer is any indication, now is not the time to diminish such a critical funding source.

In addition to these more pressing concerns, our state's tax administrators report that this bill would be nearly impossible to implement. For example, LD 1744 requires that all hired harvesters be current on state and local taxes. Such a provision is difficult, if not impossible, for landowners to prove, especially since most tax information is confidential and a contractor or other business is not legally obligated to provide this information to a third party. Further, the bill does not specify the timing and duration of the proposed credit or adequately identify the requirements necessary to be fulfilled in order for a landowner to qualify.

Finally, LD 1744 may jeopardize the legality of the independent contractor relationship between commercial forest landowners and the businesses they use for harvesting and transport. This would lead to numerous issues, including increased costs, for the parties involved and negate any potential benefit of this bill.

For these reasons, I return LD 1744 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Create a Credit under the Commercial Forestry Excise  
Tax for Landowners Using Businesses Based in the United States  
S.P. 643 L.D. 1744

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 (#709)**

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

NAYS: Senators: CUSHING, HAMPER, HILL, KATZ, KEIM,  
MASON, VOLK, PRESIDENT  
THIBODEAU

EXCUSED: Senator: CYRWAY

26 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 1 Senator being excused, and 26 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. 1054

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

2 July 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 1884, "An Act To Specify the Procedures Regarding the Court-ordered Surrender of Dangerous Weapons."

This bill provides that a person's firearms possession rights may be stripped when a court has ordered that person to take part in a mental-health progressive treatment program. Although this bill provides a procedure that affords the person some due process protections, ultimately the patient could be denied their firearm possession rights for up to two years based on minimal evidence.

Unlike the statute for involuntary commitment, which requires evidence of the person's mental illness and dangerousness to be proved by clear and convincing evidence, this statute does not specify the same high evidentiary standard. Once made, these factual determinations are not reviewable on appeal. Ultimately, the statement of a single doctor that the person is probably mentally ill and dangerous is all that is needed to deprive the individual of a constitutionally protected right.

The protections this bill affords the individual are simply insufficient. The evidentiary burden is low, there is no opportunity for a second opinion, and the duration of the order is long.

For these reasons, I return LD 1884 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 Specify the Procedures Regarding the Court-ordered  
Surrender of Dangerous Weapons  
S.P. 719 L.D. 1884

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 (#710)**

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

NAYS: Senators: BRAKEY, CUSHING, HAMPER

EXCUSED: Senator: CYRWAY

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. 1055

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

29 June 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 812, "Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County."

The Department of Health and Human Services spent significant time working with community health care providers in Washington County between the first and second regular sessions of the 128<sup>th</sup> Legislature. They provided technical assistance and expert guidance on how to connect local health care providers and coordinate with both local and statewide resources to fight the opioid epidemic.

The department remains both willing and able to continue serving as a resource for Downeast Maine, but passing a law to require them to develop and implement a pilot project replaces the role of the community with the state government. And in my experience, more government does not necessarily equal better results. The

tasks outlined in the bill can and should be undertaken by members of the Washington/Hancock community, and they should not be a mandate on state government.

For this reason, I return LD 812 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County (EMERGENCY)

S.P. 257 L.D. 812

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 (#711)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, 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: CYRWAY

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

The Following Communication: S.C. 1056

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

3 July 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 1407, "An Act Regarding Prescription Drug Step Therapy."

Prescription drug step therapy is the practice of beginning drug therapy for a medical condition with the most cost-effective and efficacious drug and progressing to other more costly or risky drug therapies, only if necessary, with the goal of controlling costs and minimizing risks.

This bill outlines a purportedly new mechanism by which patients and their physicians may challenge a health insurance carrier's determination to use a cost-effective medication as a first step in addressing a patient's medical condition.

Drug step therapy is not new. Several years ago, the Legislature amended the Maine Insurance Code Bureau of Insurance to allow health insurers to engage in drug step therapy. At the same time, the Legislature included a requirement that carriers comply with a straightforward statutory exception process that allows patients and their physicians to challenge a carrier's determination to start treatment with a cost-effective medication.

The process outlined in LD 1407 is unnecessarily complicated and is simply not necessary given existing Insurance Code provisions.

For these reasons, I return LD 1407 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 Prescription Drug Step Therapy  
S.P. 485 L.D. 1407

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 (#712)**

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

NAYS: Senators: BRAKEY, COLLINS, CUSHING, DAVIS,  
DOW, HAMPER, KATZ, KEIM, LANGLEY,  
MASON, VOLK, WHITEMORE,  
WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: CYRWAY

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, and 20 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

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The Following Communication: S.C. 1057

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

3 July 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 1729, "An Act To Restore Confidence in Utility Billing Systems."

This bill was created after many members of the public and media questioned Central Maine Power's new billing system. The bill requires the PUC to apportion of the cost of CMP's management audit to ratepayers and to shareholders in the event of a finding of imprudence. Prior to this bill's introduction, the cost of the management audit was paid for by ratepayers.

While the language of the bill does not specifically single out CMP, the intent to single out CMP is clear, and was clear during committee hearings. I find a law that intends to single out a specific company unfair and unconstitutional. Introducing a bill to

create a fine for an action after the fact, *ex post facto*, is unfair as well.

This bill also directs the PUC to take actions that are largely already in process. In that respect the bill is unnecessary, and the actions contemplated in the bill can already be achieved through the PUC, the Public Advocate's Office, and the Governor's Energy Office.

This bill is an example of the Legislature unfairly and callously appropriating a process they know is underway in the misguided attempt to look good in an election year. For these reasons, I return LD 1729 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Restore Confidence in Utility Billing Systems  
(EMERGENCY)

S.P. 628 L.D. 1729

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 (#713)**

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

NAYS: Senators: BRAKEY, CUSHING, KATZ, KEIM,  
LANGLEY, MASON, VOLK, PRESIDENT  
THIBODEAU

EXCUSED: Senator: CYRWAY

26 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 1 Senator being excused, and 26 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. 1058

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

3 July 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 1770, "An Act To Revise Laws Regarding Unemployment That Were Amended or Affected by Recently Enacted Legislation."

This bill originally sought to correct language errors in the biennial budget that affected employer chargeability and brought the Department into compliance with federal unemployment requirements by providing that initial tax appeals are handled by the Department of Labor's Division of Administrative Hearings, rather than by the Maine Unemployment Insurance Commission.

Instead of moving this maintenance bill forward, the committee held it hostage, adding language that did not pertain to employer chargeability without seeking the advice of or consulting with any subject matter expert from the Bureau of Unemployment Compensation. Instead, they adopted language drafted by first- and second-term legislators who believe, erroneously, that employees pay into the unemployment system.

The Maine Department of Labor is responsible for the financial administration of the Unemployment Insurance Program under a state-federal partnership. The federal government's fiscal model determines the funding each state receives to support all administrative and staffing costs of the Unemployment Insurance Program, with efficiency being a critical factor.

The Legislature's politically motivated, ignorant intervention on this bill will result in reduced funding to the unemployment system. The bill amendment mandates that certain positions be filled without regard to claims volume. If the Bureau's number of employees does not correlate to workload, the federal fiscal model's efficiency measures will penalize the state for having too high a cost per claim. This will actually decrease funding.

For these reasons, I return LD 1770 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 Revise Laws Regarding Unemployment That Were Amended or Affected by Recently Enacted Legislation (EMERGENCY)

S.P. 657 L.D. 1770

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 (#714)**

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

NAYS: Senators: BRAKEY, KEIM

EXCUSED: Senator: CYRWAY

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

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The Following Communication: S.C. 1059

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

3 July 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 1809, "An Act to Amend the Laws Governing the Issuance of Burn Permits."

LD 1809 deals with outdoor burning permits, which are a wildfire prevention tool that protect homes, property, public safety and the forest economy. Title 12, Chapter 807 authorizes the Director of the Maine Forest Service to issue outdoor burning permits statewide. The original bill was opposed by the Department of Agriculture, Conservation, and Forestry (DACF) and Maine Forest Service (MFS) because the department believes, as do I, that the best way to control fires is to have a single, statewide system for burn permit issuance under the management or oversight of the MFS Forest Rangers. The MFS also opposed LD 1809 because the original bill did not provide the same benefit of free permits to citizens and business in all areas of the state.

During the legislative process, an agreement was made for the committee to amend LD 1809 to address concerns raised by the department. The fee for the state's online permit system was dropped, making permits available to everyone without charge. In addition, the amendment allowed the Director of the Forest Service to approve up to two private systems for statewide use, with an appeal process given to the courts in the event of a denial by the Director.

However, since being voted out of committee, a final-hour amendment inexplicably reinstated the \$7 fee for the state system while preserving the free, third-party permitting system for up to two providers. This creates a dual-tiered system where people and businesses in only a few towns, mostly in southern Maine, will have online access to free permits. This change negatively discriminates against residents and businesses operating in Maine's unorganized territories and rural towns, which lack the capacity or resources to contract with an online service.

This last-minute amendment, which appears to be either for the benefit of the outside permit-service providers or to avoid a fiscal note, received little or no scrutiny by either of the legislative bodies. This is exactly the type of backroom wrangling that citizens have come to loathe about the legislative process. I am particularly concerned that the Legislature is willing to pass a measure that puts citizens and businesses in Maine on an unequal footing simply because of where they are located.

For these reasons, I return LD 1809 unsigned and vetoed. I strongly urge the Legislature to sustain this veto.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Laws Governing the Issuance of Burn Permits (EMERGENCY)

S.P. 678 L.D. 1809

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 (#715)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, 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: CYRWAY

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

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

**COMMUNICATIONS**

The Following Communication: S.C. 1062

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

6 July 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 238, "An Act to Amend the Maine Medical Marijuana Act."

LD 238 is the type of unfortunate legislation that places the interests of a small, vocal minority before that of everyday Mainers. Put plainly, this bill needlessly jeopardizes public health and safety under the guise of benefiting patients of Maine's medical marijuana program.

LD 238 allows these types of businesses to operate in the absence of department rule or certification, posing a significant risk to the public since the legislation allows inherently hazardous materials to be used during extraction. Lawmakers need only look at the recent incidents in Ellsworth and Biddeford for an example of just how dangerous it can be to extract marijuana concentrates with these materials. Passing legislation that would permit newly established manufacturing facilities to conduct this same work in the absence of rule or certification is irresponsible, at best.

As if this were not offensive enough, LD 238 includes an immunity provision that shields these new extraction facilities and their owners, officers, and employees from "arrest, prosecution, search, seizure or penalty in any manner" related to their work. Civil penalties and disciplinary action by licensing boards is also prohibited.

For these reasons, I return LD 238 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 Maine Medical Use of Marijuana Act  
(EMERGENCY)

S.P. 84 L.D. 238

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 (#716)**

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

NAYS: Senators: CUSHING, WHITTEMORE, PRESIDENT THIBODEAU

EXCUSED: Senator: CYRWAY

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. 1063

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

6 July 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 1321, "An Act To Promote Social and Emotional Learning and Development in Early Childhood."

The Maine Department of Education understands its mission and should be allowed to do its job. This bill represents yet another voluntary pilot program that will require staff to take time away from their work to study an issue the Department has already identified as needing their attention. It is poor public policy to make the Department conduct yet another study and issue yet another report to gather dust on the Education Committee's bookshelf when they understand there is a need here and are working to fill the gap.

For this reason, I return LD 1321 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 Promote Social and Emotional Learning and Development in Early Childhood

S.P. 450 L.D. 1321

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 (#717)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, 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: BRAKEY, CUSHING, HAMPER, KEIM

EXCUSED: Senator: CYRWAY

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 1064

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

6 July 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 1490, "An Act To Stabilize Funding for the County Jails."

This bill aims to provide additional state general funds to the local county jails in FY19. This proposed funding would be above and beyond the \$12.2 million in state general funds already appropriated for funding the jails. If LD 1490 becomes law, the county jails of Maine would receive more than \$18 million in state funding in FY19. Over the last four years, the inmate population in the county jails has declined, leaving hundreds of beds vacant, yet the request for State funds has continued to increase.

The county jails continue to lack financial oversight, allowing for runaway budgets and unaccounted-for expenses year after year. They assume the State will bail them out by providing additional state funding to fix a county problem. To make matters worse, the state funding comes without any State oversight or control. The people of Maine hear threats about the "drastic measures" the jails will have to employ if they don't get the additional funding from the State; however, if we continue to give additional funding to the jails without requiring accountability and real reform, we will continue to enable their on-going fiscal irresponsibility.

During this legislative session, the Department of Corrections submitted a proposal to restructure the county jails, regionalizing operations, and implementing proper financial oversight, including a plan to save nearly \$10 million. Despite the necessity of solving this problem, the Legislature failed to act on this proposal and failed to produce a workable alternative.

This bill also diverts \$3 million in dedicated revenue from the Department of Professional and Financial Regulation to pay for the cost overruns of the county jails. Cost overruns at county jails are clearly not the responsibility of this department. Furthermore, DPFR's only source of revenue is the money collected for licensing fees from individuals and businesses regulated by DPFR agencies. For the Legislature to take operating funds from a dedicated revenue department to pay for a totally unrelated purpose—jail expense overruns—is inappropriate. PFR is not the Legislature's personal rainy day fund to use whenever and however it wishes. Licensees have a right to expect that funds paid to agencies within DPFR will be used to further the missions of those agencies including regulatory, educational, and enforcement efforts intended to ensure the public's confidence in the industries and professions being regulated.

Maine's jails have been financially mismanaged for years, yet they continue to receive bailouts from the state to address their budget gaps. Any funding provided by the State to the local county jails should be accompanied by proper State oversight and authority for the jails. Otherwise, the counties should be responsible for funding their own jails.

For these reasons, I return LD 1490 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 Community Corrections Funds  
S.P. 519 L.D. 1490

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 (#718)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, 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: CYRWAY

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.

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

Off Record Remarks

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

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

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

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

**COMMUNICATIONS**

The Following Communication: H.C. 552

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

July 2, 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 842, "Resolve, To Support Home Health Services."

This bill provides a rate increase specific to just one type of Home Health services—Section 40 in the Maine Care Benefits Manual. Section 40 services are similar to Home Health services available under Section 96 and Section 19, but are intended to be relatively short-term, such as rehabilitation after a hospital stay. Over the past couple of years, DHHS has done significant work related to rates for Home Health services. It is imperative that an agency with a more than \$3.5 billion budget makes rate adjustments in a thoughtful, rational manner. In setting rates, it is vital that proper rates be determined using information from an outside, unbiased expert in actuarial analysis specializing in Medicaid—not anecdotal information heard by legislators.

The rates for Section 40 Home Health services have had a thorough review by such an outside entity over nearly a two-year period. The result of the review conducted was that the rates should receive a reduction, not an increase. While it would have been appropriate, based on the rate study, to propose a decrease to the rates, the department opted to leave the current rates in place. This bill ignores the review of outside experts and the decision of the department to maintain rates in the face of a recommended decrease. Instead, the bill inappropriately provides an increase to providers who should not receive one.

For this reason, I return LD 842 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 Support Home Health Services  
H.P. 591 L.D. 842

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."

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#719)**

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

NAYS: Senators: None

ABSENT: Senator: CUSHING

EXCUSED: Senators: CYRWAY, LANGLEY

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being absent and 2 Senators 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 Resolve become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 553

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

July 2, 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 843, "An Act to Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges."

This bill seeks to change the way in which Moose Permits are distributed so as to issue some permits directly to hunting lodges. The biologists determine the annual number of available moose permits. There are always more applicants for Moose Permits than there are permits available, this is why the Department of Inland Fish and Wildlife runs the annual Moose Permit Lottery.

Although current law does set aside a small percentage of permits for hunting lodges, that set-aside is not triggered until a particular threshold of available permits is met. The hunting-lodge set-aside has never been triggered because the Department's biologists have never authorized that threshold of available permits. These experts strictly regulate the available permits each year based on the conditions of the moose herd. This is as it should be.

LD 843 would decrease the number of moose permits issued to nonresidents from 10 percent of the available moose permits each year to 8 percent and allocate 2 percent to hunting lodges. This bill will reduce the chances for individual hunters to obtain a Moose Permit and allow hunting lodges to profit off a dedicated stream of permits.

Right now, if a hunting lodge wants to market a moose hunt, they encourage moose-permit lottery winners to book the hunt with their lodge. Under LD 843, the lodge would market a package deal tied to the Moose Permit, although the permit still must be purchased from the state. This will be a fundamental shift in the Moose hunt, and put outfitters without Moose Permits at a disadvantage to those with Moose permits.

People who want to hunt Moose enter the lottery. This is a fair and simple process. There is no need to reinvent the wheel.

For this reason, I return LD 843 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 Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges

H.P. 592 L.D. 843

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 (#720)**

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

NAYS: Senators: BRAKEY, MAKER

ABSENT: Senator: CUSHING

EXCUSED: Senators: CYRWAY, LANGLEY

30 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being absent and 2 Senators being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 554

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

July 2, 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 924, "An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government," and LD 925, "An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government."

Both of these bills provide significant funding to help ensure adequate treatment and services for many of Maine's most vulnerable. I have no desire to enter into a debate about the details in either of these bills. Truthfully, I largely agree with the Legislature's assessment that something needs to be done. Our seniors and our people with disabilities need more direct care workers, home health services and nursing facilities. Rate changes are necessary to attract and keep quality workers to provide care. However, although some of the need for higher reimbursement rates is being driven by the tight labor market—especially in Southern Maine, much of the demand is caused by the mandated statewide increase in the minimum wage.

Maine's labor markets should be able to set wages according to local demand for the skills each worker brings to the table, not the government. The inflexible, statewide, one-size-fits all minimum wage law has taken the flexibility out of the market.

To keep up with the increases set in the minimum wage law, the State will need to increase reimbursements to non-profit healthcare agencies to compensate for rising wages. These two bills attempt to do that, but they do not address the root cause of the problem, as I asked the Legislature to do.

Increasing the reimbursement rates effective July 1 is a short-term compromise that fails to resolve the ongoing pressure to raise wages. Year after year, these non-profits will need more money to keep pace with the raises required by statute, a dollar next year and another the year after, with permanent, unpredictable, ongoing increases each year thereafter tied to the Consumer Price Index. The wage for January 1 of each year starting in 2021 will not be known until October, forcing the Legislature to come into session and pass retroactive increases to reimbursement rates.

This is no way to budget. It will continue to place these nonprofit healthcare agencies in economic limbo. It will do the same to our businesses.

Not slowing the rise of the minimum wage is having a detrimental effect on our labor shortage. We don't have enough people. Employers need the flexibility to pay market rates to attract workers to Maine and to rural areas. In some cases, because an employer needs a certain specialized skill, that employer may have to pay above-market rates. Having the government dictate what other workers must be paid lessens that employer's flexibility to pay that higher wage.

When employers are forced to provide mandated increases in the minimum wage, this also removes their flexibility to provide other

benefits and additional types of compensation. Vacation pay, sick pay and benefits such as health or disability insurance and annual or merit bonuses are additional—and valuable—forms of compensation that employers may offer in lieu of higher hourly wages. Employees at all levels lose out on these benefits when government mandates wages for entry-level workers.

We are beginning to see the impact to our economy. Our economy has been largely able to absorb the increases to \$10 until now because of already rising wages due to our improving economy and tight labor market. But our economy is starting to overheat and the increases to \$11 and \$12 push our labor market into new territory. In 2020, when Maine's minimum wage is \$12, only the states of California, New York, Massachusetts and Washington will have a higher minimum wage than ours, and only Oregon, Arizona and Colorado will be at \$12. Our economy and industry sectors are completely different than those of these states. Maine's businesses will be at a competitive disadvantage on the cost of labor alone, never mind the other detrimental effects of this government mandate.

Wage compression caused by the state's minimum wage increases are putting real pressure on businesses. Workers who've been in jobs for a couple years longer than new hires want raises on par with recent increases in the minimum wage. They rightly believe their experience and loyalty should be reflected in their wages. If an employer cannot keep pace, it has a negative impact on the morale of a workforce.

In this tight labor market, wage compression is making it harder for employers to keep workers. When employers cannot match those pay increases, they adjust their operations to decrease labor costs. By shifting responsibilities, an employer with 10 employees may now get by with eight, or the employer may decrease the number of hours the shop is open or may close one day a week. As a result, workers lose jobs, hours and pay.

A study that came out just a year ago looked at the labor market in Seattle and found that workers' paychecks were more than \$100 smaller on average because of lost hours as the minimum wage increased. Maine does not have the economy of Seattle, so expect the effects to be worse, especially in our rural areas.

Maine employers have testified to LCRED that they'll cut hours and raise prices if the minimum wage increases. The Legislature ignores this testimony at the peril of our economy.

Maine's overly complicated labor laws also tie the paychecks of salaried overtime-exempt workers to the minimum wage. As of January 1 of this year, any worker classified as salary exempt must be making at least \$30,000; next January that will climb to \$33,000, and January of 2020 it will climb to \$36,000. This will put further pressure on employers because the federal requirement for a salaried overtime-exempt worker is about \$24,000, as it was in Maine until 2017. Although this likely only affects overtime-exempt workers in the lower salary ranges, this is one more governmental requirement that makes Maine a more difficult place to do business and decreases our competitiveness. This tie to the salary range also affects the health care non-profits these bills are intended to help.

The Speaker is insistent on sending our economy into a recession from the compounding headaches caused by the minimum wage. She is more concerned about votes than protecting the jobs and paychecks of the people of Maine.

For this reason, I return LD 924 and 925 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 Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government (EMERGENCY)

H.P. 652 L.D. 924

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.

The Senator from Cumberland, Senator **DIAMOND**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

#### **ROLL CALL (#721)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, DIAMOND, LANGLEY

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senators 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. 555

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

July 2, 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 924, "An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government," and LD 925, "An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government."

Both of these bills provide significant funding to help ensure adequate treatment and services for many of Maine's most vulnerable. I have no desire to enter into a debate about the details in either of these bills. Truthfully, I largely agree with the Legislature's assessment that something needs to be done. Our seniors and our people with disabilities need more direct care workers, home health services and nursing facilities. Rate changes are necessary to attract and keep quality workers to provide care. However, although some of the need for higher reimbursement rates is being driven by the tight labor market—especially in Southern Maine, much of the demand is caused by the mandated statewide increase in the minimum wage.

Maine's labor markets should be able to set wages according to local demand for the skills each worker brings to the table, not the government. The inflexible, statewide, one-size-fits all minimum wage law has taken the flexibility out of the market.

To keep up with the increases set in the minimum wage law, the State will need to increase reimbursements to non-profit healthcare agencies to compensate for rising wages. These two bills attempt to do that, but they do not address the root cause of the problem, as I asked the Legislature to do.

Increasing the reimbursement rates effective July 1 is a short-term compromise that fails to resolve the ongoing pressure to raise wages. Year after year, these non-profits will need more money to keep pace with the raises required by statute, a dollar next year and another the year after, with permanent,

unpredictable, ongoing increases each year thereafter tied to the Consumer Price Index. The wage for January 1 of each year starting in 2021 will not be known until October, forcing the Legislature to come into session and pass retroactive increases to reimbursement rates.

This is no way to budget. It will continue to place these nonprofit healthcare agencies in economic limbo. It will do the same to our businesses.

Not slowing the rise of the minimum wage is having a detrimental effect on our labor shortage. We don't have enough people. Employers need the flexibility to pay market rates to attract workers to Maine and to rural areas. In some cases, because an employer needs a certain specialized skill, that employer may have to pay above-market rates. Having the government dictate what other workers must be paid lessens that employer's flexibility to pay that higher wage.

When employers are forced to provide mandated increases in the minimum wage, this also removes their flexibility to provide other benefits and additional types of compensation. Vacation pay, sick pay and benefits such as health or disability insurance and annual or merit bonuses are additional—and valuable—forms of compensation that employers may offer in lieu of higher hourly wages. Employees at all levels lose out on these benefits when government mandates wages for entry-level workers.

We are beginning to see the impact to our economy. Our economy has been largely able to absorb the increases to \$10 until now because of already rising wages due to our improving economy and tight labor market. But our economy is starting to overheat and the increases to \$11 and \$12 push our labor market into new territory. In 2020, when Maine's minimum wage is \$12, only the states of California, New York, Massachusetts and Washington will have a higher minimum wage than ours, and only Oregon, Arizona and Colorado will be at \$12. Our economy and industry sectors are completely different than those of these states. Maine's businesses will be at a competitive disadvantage on the cost of labor alone, never mind the other detrimental effects of this government mandate.

Wage compression caused by the state's minimum wage increases are putting real pressure on businesses. Workers who've been in jobs for a couple years longer than new hires want raises on par with recent increases in the minimum wage. They rightly believe their experience and loyalty should be reflected in their wages. If an employer cannot keep pace, it has a negative impact on the morale of a workforce.

In this tight labor market, wage compression is making it harder for employers to keep workers. When employers cannot match those pay increases, they adjust their operations to decrease labor costs. By shifting responsibilities, an employer with 10 employees may now get by with eight, or the employer may decrease the number of hours the shop is open or may close one day a week. As a result, workers lose jobs, hours and pay.

A study that came out just a year ago looked at the labor market in Seattle and found that workers' paychecks were more than \$100 smaller on average because of lost hours as the minimum

wage increased. Maine does not have the economy of Seattle, so expect the effects to be worse, especially in our rural areas.

Maine employers have testified to LCRED that they'll cut hours and raise prices if the minimum wage increases. The Legislature ignores this testimony at the peril of our economy.

Maine's overly complicated labor laws also tie the paychecks of salaried overtime-exempt workers to the minimum wage. As of January 1 of this year, any worker classified as salary exempt must be making at least \$30,000; next January that will climb to \$33,000, and January of 2020 it will climb to \$36,000. This will put further pressure on employers because the federal requirement for a salaried overtime-exempt worker is about \$24,000, as it was in Maine until 2017. Although this likely only affects overtime-exempt workers in the lower salary ranges, this is one more governmental requirement that makes Maine a more difficult place to do business and decreases our competitiveness. This tie to the salary range also affects the health care non-profits these bills are intended to help.

The Speaker is insistent on sending our economy into a recession from the compounding headaches caused by the minimum wage. She is more concerned about votes than protecting the jobs and paychecks of the people of Maine.

For this reason, I return LD 924 and 925 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 Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government (EMERGENCY)  
H.P. 653 L.D. 925

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 (#722)**

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: CYRWAY, LANGLEY

32 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 2 Senators 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.

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The Following Communication: H.C. 557

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

July 2, 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 1133, "An Act Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization."

This bill authorizes a residential service provider to apply to the Department of Health and Human Services for temporary services in order to meet the needs of patients that are ready for discharge from psychiatric hospitalization, but need reasonable accommodations or a higher level of care. The bill also states that if those services are reimbursable by the MaineCare program, the provider must seek MaineCare reimbursement first and directs the Department to provide technical assistance.

This bill is completely unnecessary for three reasons. First, existing MaineCare policy provides for a rate increase for instances in which reasonable accommodation or a higher level of care is necessary. It is unclear whether the intent of the bill is to supplement the existing increase.

Second, it is also existing policy that if a service is eligible for reimbursement under MaineCare, then MaineCare shall be billed instead of paying for that service with General Funds. This already accomplishes the MaineCare reimbursement component of the bill.

Third, the Department already provides technical assistance to providers regarding MaineCare billing and other issues with which the provider may need support.

Another state law simply reiterating current policy and practice is duplicative and superfluous. For these reasons, I return LD 1133 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 Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization  
H.P. 796 L.D. 1133

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 (#723)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 558

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

July 2, 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 1190, "An Act Regarding Driver's License Suspensions for Nondriving-related Violations."

Actions have consequences. Failing to pay a fine for a non-moving violation is just as serious as failing to pay fines for speeding. The suspension of a driver's license is a long-standing and well-known consequence for this behavior and serves as a strong motivator to pay fines when they are due. LD 1190 would substantially undercut that motivation, leaving violators with no sense of urgency to pay these fines when due.

For this reason, I return LD 1190 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 Driver's License Suspensions for Nondriving-related Violations

H.P. 827 L.D. 1190

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 (#724)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 562

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

July 2, 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 1696, "An Act to Provide Funding for the Maine Bicentennial Commission."

Maine's bicentennial is an important milestone, and one that should be celebrated. It deserves to be properly funded. Unfortunately, when we do not prioritize—and instead try to please everyone—we are left with bills that are an embarrassment.

The Legislature cannot please everyone. This legislation should have demonstrated a commitment to honoring Maine's 200 years of statehood with a proper investment that serves as a jumping-off point for those seeking to raise private funds in support of this

milestone. Instead, the Legislature's desire to be all things to all people rendered its commitment to this historic moment meaningless.

For this reason, I return LD 1696 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Provide Funding for the Maine Bicentennial  
Commission

H.P. 1176 L.D. 1696

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 (#725)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

**PAPERS FROM THE HOUSE**

**Joint Order**

Expressions of Legislative Sentiment recognizing:

Beth Ashcroft, of Litchfield, who is retiring after many years of service to the Legislature as Director of the Office of Program Evaluation and Government Accountability. The Office of Program Evaluation and Government Accountability became operational in 2005 and is part of a unique organizational arrangement within the Legislature that ensures both independence and accountability, supporting legislative oversight by conducting independent reviews of State Government from an unbiased perspective through performance audits, evaluations and studies. As Director from the office's inception, Ms. Ashcroft has overseen projects analyzing numerous aspects of State Government, including public utilities, child care licensing and regulation, tax expenditures, passenger rail service and psychiatric services. We recognize Ms. Ashcroft's dedication to making the Office of Program Evaluation and Government Accountability a credible source of objective information that contributes to good government and benefits Maine's citizens, extend to her our appreciation for her service to the State and offer her our congratulations on her retirement;

HLS 1463

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

The Joint Order was **READ**.

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

Senator **KATZ:** Thank you, Mr. President and men and women of the Senate. I do ask for this brief break in our other festivities to really recognize a tremendous public servant. I think it's fair to say that in the difficult and turbulent years we have all experienced together there's been one constant source of credible information in this building, one agency which, despite which way the political winds were blowing, has always been looked to for a right-down-the-middle, competent, and credible source of evaluation. I wasn't around when the Office of Program Evaluation and Government Accountability came into being. I understand that it was controversial at the time and looking back, and I think all of us would agree now, we can't imagine how that could possibly be. I think the reason is in large part to the incredibly professional staff which we have there, but mainly because of Beth Ashcroft. There's only been one Director of OPEGA since its inception, and that has been Beth and she has set a standard which I think is incredible and which, hopefully, will be maintained for years to come. She has jealously protected the integrity and the reputation of that office and has always insisted that the committee which oversees that organization never forgets the importance of that fact, about the integrity of the office. I'm sure that others will agree with me that when we have come up

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

against a line where she thought that we were beginning to cross that line she's been very clear and very direct with us, to let us know that we were getting there. I have no doubt that OPEGA will continue to flourish. We've got a great new Executive Director in Danielle Fox, who's going to be taking Beth's place, but they are very difficult shoes to fill and, as she begins her new chapter in her life, I thought it would be good if we could take a moment to reflect on her tenure and to thank as fine as a public servant as I have certainly met here in my eight years. Thank you, Mr. President.

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

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in 2002, a short 16 years ago, I joined this Legislature. At that time my good friend, Senator Trahan, was talking about this program called OPEGA and I became very interested in it because it talked about an auditing program that was a super-auditing program that really could get to the bottom of issues. I liked the idea. In fact, I used to walk around, since there was great opposition to OPEGA, with my sports coat on and underneath it was my little button that said I support that bill. It passed, finally. Finally it was funded, after a lot of work on a lot of peoples' part, and there was a lot of concern. But it worked. Why did it work? We needed a Director that was super detail oriented and a leader. We got that in Beth Ashcroft. Yes, all would agree she made it work. In fact, as you know, there isn't often times that I agree with the second floor, but he made it very clear in a hearing in front of our Ag. Committee that they can be trusted, they get to the truth, and that's what they did. So, Beth, thank you for your leadership. Thank you for making things work and thank you for making me very proud of supporting OPEGA in 2002.

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

Senator **DIAMOND:** Thank you, Mr. President and ladies and gentlemen of the Senate. I, too, want to say just a couple of words about Beth. Before we had OPEGA we had the Audit and Program Review Committee, which I was the Senate Chair of. In the Audit and Program Review Committee we could only do three agencies every two years. So if there were any problems anywhere else in State government we just really couldn't get to them. Did a great job with those three every two years. Of course it took us several cycles to make the turn. But along came OPEGA and, because of Beth, it became very successful. We had some very difficult issues. You remember the turnpike issue that really turned the State upside-down. We had other government inefficiencies and now we're working on child protection. We had two little girls that were murdered in the place where they called home and we're trying to figure all that out, and that's very delicate, as the Senator from Kennebec said, Senator Katz. Very delicate on how we deal with all of that, but our guiding source was Beth and we looked at her and she would kind of give us the yes, we can move forward, or no, we can't. It became a committee of high prestige because of all she's done to make it that way. So I just want to say thank you, Mr. President. Thank you to Beth for being there and helping us because had she faltered the whole program would have and, as we know, she

didn't and did an excellent job. So thanks a lot, Beth. We appreciate it.

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

Senator **COLLINS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I was on the very first OPEGA Committee and when Beth Ashcroft was hired she set a very high standard for integrity and managing that special committee. Very professional. Did an excellent job. I can't remember when anybody would ever question her and her investigative abilities and to quote a phrase that was used in an old time TV program, 'Just the facts, ma'am.' She brought forward the facts, but it was up to the OPEGA Committee to make final deliberations and decisions based on the information that she provided through her employees in that department. She set a very high standard right from the get-go and we were all very impressed. I can remember it well when she first came to the Committee and was going to be the Director. She did an excellent job. She'll be missed. But I do know, I worked for two terms now with Danielle Fox. Those of us in this Chamber who have worked with Danielle, she also is very competent and I'm sure that she will add her personality to the OPEGA Committee. But, here again, I want to congratulate Beth Ashcroft and her abilities and congratulations on her retirement. Thank you.

The Joint Order was **PASSED**, in concurrence.

**THE PRESIDENT:** The Chair is extremely pleased to recognize in the rear of the Chamber Maine's Director of Office of Program Evaluation and Government Accountability Beth Ashcroft. Would she please rise and accept the greetings of the Senate.

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

## COMMUNICATIONS

The Following Communication: H.C. 564

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

July 2, 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 1707, "An Act To Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases."

I do not believe it is the government's responsibility to ensure that we provide the safest possible path for a person to participate in dangerous, destructive, and deadly behavior. It is not appropriate for us to force every Maine taxpayer to participate in the purchase of clean needles for people suffering from an addiction, and I am frustrated at the mixed message this bill sends to our children. Are we really willing to tell our kids that they should not do drugs, but if they do, the State will help make sure there is a safe delivery system for the deadly drug? Maine kids need to understand that there is no "safe drug use" anywhere, anytime. They need to understand that drug addiction destroys lives.

We, as the State's leaders and policy makers, cannot send a message of passive consent for these dangerous and destructive activities.

I understand the desire to help people get into treatment. That desire could have been supported if the Legislature had the will to implement a responsible funding mechanism for Medicaid expansion. Addiction is one of the greatest destructive forces facing our families today. Maine's families are Maine's future – they need to succeed and they need to prosper. That is why I have been working with the Department of Health and Human Services to make it a priority to invest in evidence-based treatment options that will produce the best outcomes for individuals dealing with addiction.

Let us continue to engage our families and communities and prioritize quality treatment rather than participating in the purchase of drug paraphernalia and sending the wrong message to our kids.

For this reason, I return LD 1707 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases (EMERGENCY)

H.P. 1187 L.D. 1707

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 (#726)**

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

NAYS: Senators: BRAKEY, COLLINS, CUSHING, DAVIS, HAMPER, KEIM, WHITTEMORE, PRESIDENT THIBODEAU

EXCUSED: Senators: CYRWAY, LANGLEY

25 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 2 Senators being excused, and 25 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 568

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

July 3, 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 8, "An Act To Provide Training for Forest Rangers To Carry Firearms," because it is unnecessary and costly.

The Maine Forest Service has mitigated risks associated with Forest Ranger duties to an acceptable level through extensive training, carefully selecting Ranger candidates and monitoring behaviors. Managing the risks associated with the Rangers' law enforcement activities have been approached in the same way. Rangers are trained and mandated to avoid and defuse obvious conflict situations.

This bill contradicts the Administration's efforts to tone down the law enforcement aspects of the Forest Ranger's duties and focus them on protecting Maine's forests from fire. Forest Ranger incident reports clearly indicate that the Rangers are not routinely in harm's way during the performance of their normal duties. The Maine Forest Service has strengthened its policies to minimize the risk that Rangers will encounter dangerous situations.

LD 8's appropriation grossly understates the costs to the taxpayers of this state. In addition to the costs of training and acquiring firearms, Maine taxpayers will bear the costs of reclassifying Forest Rangers to include their new responsibilities, all to the tune of \$500,000 per year. This will add significantly to the cost of this bill, year after year. The Legislature should be honest and show the full cost of passing this bill to Maine taxpayers.

I would rather focus Forest Service time, energy and resources to ensure they hire and retain individuals who have high aptitude, possess good, sound judgment and decision-making skills, can maintain their composure under stress and treat all people with courtesy and respect.

Make no mistake; this bill is a game changer. It will forever alter the culture in the Maine woods. This bill will increase the risks to our Rangers because force likely will be met with force. Firearms will escalate the tensions between Rangers and individuals they encounter while doing their duty. The cautious use of discussion to resolve an issue will be replaced by the force of a gun or other weapon. I cannot support this.

For these reasons, I return LD 8 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Provide Training for Forest Rangers To Carry Firearms  
H.P. 9 L.D. 8

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 (#727)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER,  
CARSON, CHENETTE, CHIPMAN,  
COLLINS, CUSHING, DAVIS,  
DESCHAMBAULT, DIAMOND, DILL,  
DION, DOW, GRATWICK, HAMPER,  
HILL, JACKSON, KEIM, LIBBY, MAKER,  
MASON, MILLETT, MIRAMANT,

SAVIELLO, VOLK, WHITTEMORE,  
WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BRAKEY, KATZ, ROSEN, VITELLI

EXCUSED: Senators: CYRWAY, LANGLEY

29 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 2 Senators being excused, and 29 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 570

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

July 3, 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 274, "An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers."

The safety of our children is paramount, and licensing for child care facilities is a key component to ensuring that safety. Our licensing regulations now have significant background check expectations. They ensure a high level of accountability and transparency on each and every child care provider in this state—both family child care providers and center-based providers.

Licensing regulations, especially for businesses that care for our most vulnerable populations, can be a difficult balance between safety and over-regulation. The purpose of our regulatory structure is for the safety of the people served, whether kids, elders or adults with disabilities. In fulfilling that purpose, it is easy for government to over-regulate and become an impediment to business. This bill does just that. I believe we have excellent child care providers in Maine; they are safe, accountable, and transparent. Adding a requirement that each and every employee of a child care agency undergo not just a background check, but also the exercise of being fingerprinted, is a bridge too far. We have gone from basic safety precautions to bureaucratic, over-regulation.

"Innocent until proven guilty" has been flipped on its head—under this bill, all child care providers and potential employees of their agencies will be considered guilty until proven innocent. I did not support teachers being fingerprinted, and I do not support further

expansion of fingerprinting in this instance. I cannot support overburdening businesses, and I cannot support invading people's privacy by forcing them to give up biometric identification without cause.

For this reason, I return LD 274 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers

H.P. 207 L.D. 274

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 (#728)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

**COMMUNICATIONS**

The Following Communication: H.C. 571

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

July 3, 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 401, "An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities."

This bill requires the Department of Health and Human Services to reimburse hospitals in a manner that is not consistent with their real-time reimbursement system that exists today. Acute-care hospitals are reimbursed under a Diagnosis Related Group (DRG) methodology, which pays hospitals in real-time for services rendered versus the old methodology of prospective payments and final cost settlements.

Under DRG methodology, days awaiting placement has been accounted for in the calculation of the reimbursement under each service grouping. Additionally, an outlier payment adjustment is made to the rate when an unusually high level of resources has been expended for a case, such as when a member is waiting for placement in a nursing facility for an extended period of time.

The responsibility for appropriate and safe discharge of an individual is the responsibility of the hospital. Discharge planners are required to assess the appropriate level of care required, to actively pursue the establishment of services and to secure appropriate placements.

For this reason, I return LD 401 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Require Reimbursement to Hospitals for Patients  
Awaiting Placement in Nursing Facilities

H.P. 292 L.D. 401

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 (#729)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 572

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

July 3, 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 687, "Resolve, Regarding Reimbursement for Speech and Language Pathology Services."

I am not necessarily opposed to appropriate rate increases for Medicaid providers, but it cannot be in isolation. Our economy is on the brink of a crisis as the minimum wage continues to increase unchecked and Maine businesses experience increasing financial pressure. We cannot continue to spend taxpayer dollars without taking decisive action to slow the rate of increase in the minimum wage and allow our economy the time it needs to adjust to the changing cost of wages. Fix the minimum wage, then we can have a conversation about rate increases to Medicaid providers.

For this reason, I return LD 687 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, Regarding Reimbursement for Speech and Language  
Pathology Services

H.P. 478 L.D. 687

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 (#730)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Resolve become law notwithstanding the objections of the Governor.

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The Following Communication: H.C. 573

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

July 3, 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 700, "An Act to Give Flexibility to Employees and Employers for Temporary Layoffs."

LD 700 creates an exemption from the eligibility requirements for Unemployment Insurance benefits for a period of six weeks. It would exempt a person from the core social contract and federal law underpinning unemployment: that a person collecting benefits actively look for work.

Unemployment Insurance is an insurance program for workers, not an entitlement, with employers paying into the Trust Fund, not employees. The intent of Unemployment Insurance is to protect workers, not employers, yet this bill seeks to protect employers, not workers.

When employees separate from their employment due to no fault of their own, they are eligible to apply for Unemployment Insurance benefits. Unemployment eligibility is complex, but there are three minimum requirements that must be met each week in order to collect unemployment insurance benefits: an individual must be able to work, available for work if a job is offered—including a temporary job, and be actively seeking work.

The goal of unemployment insurance is not simply to provide a temporary wage supplement—its second and equal goal is to keep workers actively connected to the labor market so that they are more easily and quickly re-employed. Therefore, workers under Maine and federal law are required to submit proof that they have actively searched for at least one comparable job per week for each week they apply for unemployment benefits. This is not a burdensome requirement.

Furthermore, these benefits are not a one-to-one wage replacement. Maine statute includes a formula by which benefits

are calculated based upon a percentage of a person's earned wages. The average weekly benefit in May 2018 was \$331 per week. This is a wage supplement.

To encourage workers collecting unemployment to take temporary, part-time jobs in our tight labor market, last year my administration increased the amount of benefits workers can retain on top of what they have earned from the part-time job from \$25 to \$100 per week. This now allows a worker to bring home more money per week than either a part-time job or unemployment benefits alone. This is the type of policy the Legislature should be proposing, one that benefits both the worker and the employer.

Workers who look for work and take temporary bridge jobs while collecting unemployment are better off financially and provide tremendous help to our employers in this era of record-low unemployment. Waiving the work-search requirement does not further either of these positive outcomes.

Some employers have complained to the Legislature that they are "losing" workers when their business must temporarily lay off workers. These employers see the exemption from work search as a way to protect their workforce. This is not helpful to workers for two major reasons.

First, there is no guarantee that the "temporary" layoff will not turn permanent. Employers frequently lay off workers while the business waits for a new contract. If the contract fails to come through, those workers are permanently let go or let go for a longer period. It is a disservice to allow workers to collect benefits for several weeks and not be looking for work and then suddenly tell them that they have been permanently laid off. Those workers could already have a new job or at least be supplementing their unemployment with a temporary or part-time job to keep their household on more stable financial footing.

Furthermore, the search for work is actually a net benefit to employees. When employers have to compete to retain and attract workers, wages rise and workers have more choices for better benefits, better hours, better commutes and better work-home balance. When individuals look for work while collecting unemployment, they are exposed to new opportunities that will benefit their career and their family's finances and quality of life.

Shielding workers from the work search obligation is akin to allowing wage collusion among employers to keep wages low. I am not in favor of government-mandated wage increases in Maine's current minimum wage statute, but I am all-in for Mainers earning higher wages and better benefits by finding a new job or getting a raise from their current employer because of open and fair competition.

By passing LD 700, the Legislature is telling Mainers to settle for what they have now instead of doing one work search a week for a job—one that could change their entire future—in exchange for unemployment insurance benefits. No Mainer should be satisfied with settling, and government should not discourage them from seeking greater prosperity.

For these reasons, I return LD 700 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 Give Flexibility to Employees and Employers for  
Temporary Layoffs (EMERGENCY)

H.P. 491 L.D. 700

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 (#731)**

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: CYRWAY, LANGLEY

32 Senators having voted in the affirmative and 1 Senator having  
voted in the negative, with 2 Senators 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.

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The Following Communication: H.C. 576

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

July 3, 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 1762, "An Act To Ensure Sustainable Health Care Access in  
the Jackman Region."

I appreciate the challenge of maintaining health care resources in  
rural communities in Maine. When Maine General closed the  
nursing facility and ceased their ambulance services to Jackman,  
the community came together and developed solutions to ensure  
adequate access to emergency health care for their residents.  
They did an exemplary job solving their own problems and initially  
doing so without government intervention.

Unfortunately, government intervention ultimately has become the  
path the community believes is the best way forward. I disagree.  
This bill sets a terrible precedent by providing one-time resources  
to solve the challenges of a community. The private sector is  
better equipped and more appropriate to address this need. Once  
again, more government is not the answer.

For this reason, I return LD 1762 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 Ensure Sustainable Health Care Access in the  
Jackman Region (EMERGENCY)

H.P. 1216 L.D. 1762

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 (#732)**

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: CYRWAY, LANGLEY

32 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 2 Senators 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.

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The Following Communication: H.C. 580

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

July 6, 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 1539, "An Act To Amend Maine's Medical Marijuana Law."

LD 1539 makes drastic changes to Maine's Medical Use of Marijuana Program that remove the premise of medical use from the existing program. To simplify this letter, I will enumerate the major deficiencies of the bill that prevent me from permitting LD 1539 to go into law.

1. LD 1539 eliminates all qualifying medical conditions from the Maine Medical Use of Marijuana Program, allowing access, for any reason, at the suggestion of a medical provider.
2. The bill maintains drug convictions as the only felony that disqualifies an individual from registering as a caregiver, leaving patients vulnerable and the program open to potentially dangerous and violent criminals.
3. This legislation allows for the use of marijuana in any form, a potentially hazardous permission as products such as eye drops, injectables, and tasteless powders are emerging in other states.

4. The bill allows dispensaries, which are currently operating as nonprofits, to convert their status to for-profit, fundamentally altering the nature of their mission and relationship with patients by prioritizing profit over care.
5. LD 1539 requires the Department of Administrative and Financial Services to pay the physician consultation fee for verification of a minor qualifying patient with the medical marijuana fund.
6. LD 1539 makes tax changes that permit dispensaries and caregivers to expense their equipment costs, a costly deviation from current tax law that places Maine in conflict with the federal Internal Revenue Code.
7. The bill removes the employment restrictions on caregivers, allowing for an unlimited number of assistants and prohibiting the State of Maine from drug testing those new assistants as a part of the registry process.
8. This legislation does not require caregivers to provide proof of their sales tax registration with Maine Revenue Services when applying for the registry.
9. This legislation establishes extraction facilities, through the same legislative language I vetoed in LD 238, which would allow these types of businesses to operate in the absence of department rule or certification, posing a significant risk to the public since the legislation allows inherently hazardous materials to be used during extraction.
10. LD 1539 creates a significant new administrative burden on the medical program and provides what could only be described as—in the most generous terms—a modest increase in human resource capacity to meet future program needs.
11. Finally, the bill, nonsensically, requires the development and administration of a medical marijuana research fund but only after having removed all debilitating medical conditions from the program that one may have wished to study.

This is not an exhaustive list of concerns and deficiencies.

Furthermore, this bill disregards the work of your colleagues on the Joint Select Committee on Marijuana Legalization Implementation by using LD 1539 to establish caregivers in a retail marketplace, before it has been launched, with no other qualifications than establishing Maine residency. Given these circumstances, this legislation makes imprudent changes to Maine law. Legislation such as LD 1539 would be more appropriate during the Second Regular Session of the 129th Legislature, once an adult-use recreational program has been established by the Department of Administrative and Financial Services (DAFS) and policymakers have the benefit of input relative to that experience.

Alternatively, I would support standalone legislation that immediately brings more oversight to the medical program, its caregiver participants, and provides the framework necessary for a medical program and recreational program to coexist rather than cannibalize each other.

For these reasons, I return LD 1539 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 Maine's Medical Marijuana Law  
H.P. 1060 L.D. 1539

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 (#733)**

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

NAYS: Senators: BELLOWS, COLLINS, DAVIS, HAMPER,  
MAKER, ROSEN, WHITEMORE,  
PRESIDENT THIBODEAU

EXCUSED: Senators: CYRWAY, LANGLEY

25 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 2 Senators being excused, and 25 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

**COMMUNICATIONS**

The Following Communication: H.C. 566

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

July 2, 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 1788, "An Act To Enhance Safety for Victims of Sexual Assault and Stalking and To Amend the Laws Governing Harassment and Protection from Abuse."

This bill purports to enhance safety by expanding the conduct allowing issuance of a protection from abuse order (a "PFA"). Unfortunately, history shows that PFAs do not protect people from abuse. Forty years ago, Maine was one of the first states to enact a protection from abuse law. Today, Maine's rate of domestic violence homicide remains high and violations of PFAs are rampant.

The following are just a few of the worst examples from the past few years. In 2017, a man was stabbed to death in front of his children, aged 7 and 11. The woman charged with his murder, his ex-wife, was subject to a PFA. In 2016, a man who was subject to a PFA went to his ex-partner's home with a gun. Not finding his target home, he shot two others before being shot and killed by police. In 2013, a woman and her infant child were kidnapped, shot multiple times and nearly died. The perpetrator was subject to a PFA. In 2011, a woman and her two children, aged 13 and 12, were shot to death. The murderer was subject to a PFA.

PFAs only deter people with some modicum of rationality. They fail to protect against, and in some cases may provoke, precisely those emotionally unstable people who are prone to violence. Rather than providing a false sense of security with a piece of paper, harassment and abuse should be criminally prosecuted to the fullest extent of the law. If a perpetrator is truly dangerous, pre-trial detention offers more security to a victim than does a protection order.

Additionally, the imposition of a PFA may have severe ramifications for the person subject to the order, including potential job loss and curtailment of other rights. The Criminal Law Advisory Committee warned in its testimony about the bill's potential to result in the imposition of unwarranted orders. This consideration should be weighed when expanding the conduct giving rise to a PFA.

For these reasons, I return LD 1788 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 Enhance Safety for Victims of Sexual Assault and Stalking and To Amend the Laws Governing Harassment and Protection from Abuse

H.P. 1235 L.D. 1788

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 (#734)**

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

NAYS: Senators: None

EXCUSED: Senators: CYRWAY, LANGLEY

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

**COMMUNICATIONS**

The Following Communication: H.C. 581

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

July 9, 2018

The Honorable Heather J.R. Priest  
Secretary of the Senate  
128th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Priest:

House Paper 73, Legislative Document 105, "An Act To Create the Substance Use Disorders Cabinet," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

87 voted in favor and 56 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 126, Legislative Document 170, "An Act To Allow and Recognize a Legal Name Change upon Marriage," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

83 voted in favor and 60 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 586, Legislative Document 837, "An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 769, Legislative Document 1095, "An Act To Establish the Maine Coastal Risks and Hazards Commission," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 935, Legislative Document 1345, "An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

75 voted in favor and 68 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1079, Legislative Document 1566, "An Act To Enact the Maine Fair Chance Employment Act," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

84 voted in favor and 60 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1164, Legislative Document 1676, "An Act Expanding the Authority of the Maine Elder Death Analysis Review Team To Investigate Deaths and Serious Injuries of Persons with Intellectual Disabilities or Autism," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 1184, Legislative Document 1704, "An Act To Fund the Downeast Correctional Facility," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 1189, Legislative Document 1709, "An Act To Allow the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section

2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

82 voted in favor and 61 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1294, Legislative Document 1857, "An Act To Address Maine's Nursing Shortage by Creating an Apprenticeship Pathway for Licensure of Health Care-trained Veterans and Expanding Access to Nursing Education," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 148, Legislative Document 192, "An Act To Require Insurance Coverage for Hearing Aids," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 1070, Legislative Document 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," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 1191, Legislative Document 1711, "Resolve, To Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

87 voted in favor and 56 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

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

House Paper 640, Legislative Document 912, "An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

79 voted in favor and 61 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 1357, Legislative Document 1915, "An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

86 voted in favor and 56 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

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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:

**COMMUNICATIONS**

The Following Communication:      H.C. 582

July 9, 2018

The Honorable Heather J.R. Priest  
Secretary of the Senate  
128th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Priest:

Senate Paper 20, Legislative Document 40, "An Act To Strengthen Requirements for Water Testing for Schools," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

Senate Paper 643, Legislative Document 1744, "An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

77 voted in favor and 65 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 719, Legislative Document 1884, "An Act To Specify the Procedures Regarding the Court-ordered Surrender of Dangerous Weapons," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

76 voted in favor and 67 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 257, Legislative Document 812, "Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

Senate Paper 657, Legislative Document 1770, "An Act To Revise Laws Regarding Unemployment That Were Amended or Affected by Recently Enacted Legislation," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

Senate Paper 450, Legislative Document 1321, "An Act To Promote Social and Emotional Learning and Development in Early Childhood," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

83 voted in favor and 60 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

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

#### **ENACTORS**

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

#### **Bond Issue**

An Act To Authorize a General Fund Bond Issue To Improve Multimodal Facilities, Highways and Bridges and Municipal Culverts

S.P. 682 L.D. 1815  
(C "A" S-531)

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

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This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Employ Veterans in Health Care To Meet Workforce Needs"

H.P. 1362 L.D. 1917

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

Under suspension of the Rules, Bill **READ TWICE** without reference to a Committee.

On motion by Senator **VOLK** of Cumberland, Senate Amendment "A" (S-544) **READ** and **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-544)**, without reference to a Committee, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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Bill "An Act To Authorize the Installation of a Gold Star Family Memorial in Capitol Park"

H.P. 1363 L.D. 1918

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

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

Ordered sent forthwith to the Engrossing Division.

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

**ORDERS**

**Joint Order**

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

S.P. 753

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so today, July 9, 2018, until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business or consider objections of the Governor.

**READ** and **PASSED**.

Sent down for concurrence.

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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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**ADJOURNED**, pursuant to the Joint Order, until the Call of the President of the Senate.