

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

In Senate Chamber  
Wednesday  
August 2, 2017

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

Prayer by Senator Paul T. Davis of Piscataquis County.

**SENATOR DAVIS:** Good morning, everybody. I want to just tell you that today's a very special day for me. Forty-eight years ago at 6 p.m. today my wife agreed to be my mate for our lives and I can only - I won't go into the detail, but I can only tell you that I had to do a lot to get out of the dog house to be here today. The one thing I did have to promise her, Mr. President, was that we would go sine die before she and I got to our 50<sup>th</sup>.

In the book of Micah, Chapter 6 Verse 8, He is showing you the way, O mortal, what is good, and what does the Lord require? He requires to act justly and to love mercy and walk humbly with your God. Let's go to prayer. Dear Father, we come to You and we praise You and give the glory and the praise and the honor for all that is good, for all that is good comes from You. And we thank You for our country, where we can meet without the fear of reparation; men and women together to discuss the issues. And we need to remember, Lord, that what will be remembered in years to come will be the treatment of each other, not the issues at hand. I thank You, Father, again for this opportunity and, Lord, I would ask for divine intervention to end this session. In Jesus' name. Amen.

Pledge of Allegiance led by Senator Kimberley C. Rosen of  
Hancock County.

Reading of the Journal of Thursday, July 20, 2017.

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**

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

In Senate, July 20, 2017, **FAILED FINAL PASSAGE** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Resolution was **FINALLY PASSED**.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

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

**ORDERS**

**Joint Orders**

On motion by Senator **HAMPER** of Oxford, under unanimous consent, on behalf of Senator **MASON** of Androscoggin, , the following Joint Order:

S.P. 601

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

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

H.P. 9, L.D. 8 - An Act To Protect Maine's Forest Rangers  
H.P. 21, L.D. 20 - An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services

H.P. 28, L.D. 27 - An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax

H.P. 35, L.D. 49 - An Act To Improve Science and Engineering Education for Maine's Students

H.P. 46, L.D. 59 - An Act To Provide Funding for a Therapeutic Adult Day Service Center

S.P. 28, L.D. 79 - An Act To Provide a Sales Tax Exemption for Career and Technical Student Organizations

S.P. 34, L.D. 85 - An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor

H.P. 74, L.D. 106 - An Act To Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autistic Disorder

H.P. 79, L.D. 111 - An Act To Establish a Veterans Treatment Court in Androscoggin County

H.P. 126, L.D. 170 - An Act To Allow and Recognize a Legal Name Change upon Marriage

H.P. 129, L.D. 173 - An Act To Reduce Food Insecurity

H.P. 130, L.D. 174 - An Act To Limit the Use of Pesticides on School Grounds

- H.P. 148, L.D. 192 - An Act To Require Insurance Coverage for Hearing Aids  
H.P. 153, L.D. 197 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Protect against Sex Discrimination  
S.P. 76, L.D. 230 - An Act To Increase Access to Head Start  
H.P. 200, L.D. 267 - Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program  
H.P. 218, L.D. 285 - An Act To Provide Funding for the Maine Coworking Development Fund  
H.P. 221, L.D. 288 - An Act To Prohibit Any Questions Regarding Criminal History on State Employment Applications  
H.P. 222, L.D. 289 - An Act To Extend the Veteran Property Tax Exemption to Veterans Who Have Served on Active Duty  
S.P. 94, L.D. 320 - An Act To Provide MaineCare Coverage for Chiropractic Treatment  
H.P. 237, L.D. 323 - An Act To Fully Fund the Waiting List for the Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder Waiver  
H.P. 242, L.D. 328 - An Act To Provide Funds To Encourage Regional Planning and Reorganization  
H.P. 273, L.D. 367 - An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State  
S.P. 118, L.D. 377 - An Act To Create a County Jail Drug Rehabilitation and Treatment Grant Program  
H.P. 292, L.D. 401 - An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities  
H.P. 303, L.D. 423 - An Act To Extend Internet Availability in Rural Maine  
S.P. 151, L.D. 449 - An Act Regarding Imposition of an Automatic Life Sentence in the Case of Domestic Abuse Resulting in Murder  
S.P. 164, L.D. 503 - An Act To Continue the Doctors for Maine's Future Scholarship Program  
S.P. 174, L.D. 513 - An Act To Eliminate the State Income Tax for Maine Public Employees Retirement System Pensions  
H.P. 368, L.D. 524 - An Act To Amend the Laws on Domestic Violence  
H.P. 369, L.D. 525 - An Act To Enhance Maine's Response to Domestic Violence  
H.P. 370, L.D. 526 - An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers  
H.P. 457, L.D. 643 - Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services  
S.P. 218, L.D. 656 - An Act To Improve the Ability of Maine Companies To Manufacture and Market Bioplastics  
H.P. 472, L.D. 681 - An Act Regarding Sexual Activity and Sexual Assault at Secondary and Postsecondary Educational Institutions  
H.P. 478, L.D. 687 - An Act Regarding Reimbursement for Speech and Language Pathology Services  
S.P. 237, L.D. 720 - An Act To Provide Lung Cancer Screening for MaineCare Recipients  
H.P. 561, L.D. 781 - An Act To Support the Trades through a Tax Credit for Apprenticeship Programs  
H.P. 572, L.D. 792 - An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families  
S.P. 261, L.D. 816 - An Act To Promote Academic Achievement through Hunger Relief for Maine Children  
H.P. 592, L.D. 843 - An Act To Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges  
H.P. 680, L.D. 967 - An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism  
S.P. 329, L.D. 990 - An Act To Protect Law Enforcement Officers by Creating the Crime of Aggravated Assault on an Officer  
H.P. 699, L.D. 998 - An Act To Adequately Pay for Emergency Medical Services  
H.P. 701, L.D. 1000 - Resolve, To Increase Access to Brain Injury Waiver Services  
H.P. 707, L.D. 1006 - An Act Regarding Housing Insecurity of Older Citizens  
H.P. 765, L.D. 1091 - An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes  
H.P. 790, L.D. 1127 - An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks  
H.P. 793, L.D. 1130 - An Act To Provide Traffic Safety Education in Schools  
H.P. 825, L.D. 1188 - An Act To Facilitate MaineCare-Funded Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes  
H.P. 827, L.D. 1190 - An Act Regarding Driver's License Suspensions for Nondriving-related Violations  
H.P. 833, L.D. 1196 - An Act To Assist Seniors and Certain Persons with Disabilities in Paying Property Taxes  
H.P. 840, L.D. 1204 - An Act Regarding Absentee Voting by Residents of Nursing Homes and Other Residential Care Facilities  
S.P. 406, L.D. 1212 - An Act To Amend the Definition of "Eligible Business Equipment" for the Purposes of the Business Equipment Tax Exemption Program  
H.P. 871, L.D. 1248 - An Act To Improve Public Transportation in Maine  
S.P. 432, L.D. 1280 - An Act Regarding Generic Drug Pricing  
S.P. 438, L.D. 1286 - An Act To Require Background Checks for All School Employees  
S.P. 439, L.D. 1287 - An Act To Strengthen Efforts To Recruit and Retain Primary Care Professionals and Dentists in Rural and Underserved Areas of the State  
H.P. 898, L.D. 1301 - An Act To Improve Access to Preventive, Cost-saving Dental Services  
H.P. 905, L.D. 1308 - An Act To Create a Bridge to Self-sufficiency for Vulnerable Segments of the Population by Providing Incentives to Employers  
H.P. 911, L.D. 1314 - Resolve, To Improve Access to Neurobehavioral Services  
H.P. 914, L.D. 1317 - An Act To Encourage Family-friendly Businesses through a Tax Credit for Child Care  
S.P. 450, L.D. 1321 - An Act To Promote Social and Emotional Learning and Development in Early Childhood  
H.P. 916, L.D. 1322 - An Act Regarding Mental Health First Aid Training for Corrections Personnel  
S.P. 457, L.D. 1343 - An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program  
S.P. 475, L.D. 1388 - An Act To Prohibit the Falsification of Medical Records  
H.P. 965, L.D. 1391 - An Act To Ensure the Continuation of the Landowner Relations Program  
S.P. 477, L.D. 1399 - An Act To Encourage Broadband Coverage in Rural Maine

S.P. 485, L.D. 1407 - An Act Regarding Prescription Drug Step Therapy  
 H.P. 983, L.D. 1429 - An Act Regarding the Epidemic of Opiate Abuse  
 H.P. 988, L.D. 1433 - An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools  
 S.P. 512, L.D. 1466 - An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues  
 S.P. 519, L.D. 1490 - An Act Regarding Community Corrections Funds  
 H.P. 1041, L.D. 1517 - An Act To Ensure Access to Behavioral Health Services  
 H.P. 1070, L.D. 1554 - Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator  
 S.P. 561, L.D. 1597 - An Act To Exempt from Sales Tax the Fee Associated with the Paint Stewardship Program

**READ and PASSED.**

Sent down for concurrence.

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

S.P. 602

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

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

H.P. 723, L.D. 1021 - Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County

**READ and PASSED.**

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

Expressions of Legislative Sentiment recognizing:

Haley's Metal, a fifth-generation metal shop in Biddeford, which is celebrating its 100th Anniversary this year. Robert Jordan, a tinsmith, founded the business and took on as an apprentice his daughter's husband, Joe Haley, and in turn Tom Haley, Brian Haley and Matthew Haley joined the business. We extend to everyone at Haley's Metal our congratulations on this anniversary;

SLS 545

Sponsored by Senator DESCHAMBAULT of York.  
Cosponsored by Representatives: FECTEAU of Biddeford, GROHMAN of Biddeford, SEAVEY of Kennebunkport.

**READ.**

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm going to take a few moments to talk about Haley's Metal Shop, and as I was deciding what I was going to say I noticed there's another small family business and Senator Dow will be speaking about that business. I'd like to tell you that Haley's Metal Shop is a 5<sup>th</sup> generation metal shop that is celebrating its 100<sup>th</sup> anniversary, serving the Southern Maine community and is in my hometown of Biddeford, but it truly is a great company. The business began with Robert Jordan, the tinsman, who later took on his son-in-law, Joe Haley, as an apprentice. While the family - while the company dates back to 1850, the official company anniversary is set for 1917 when copper work of a cross was done at St. Joseph Church, which still stands today. I want to talk about the other people that have joined that company, and you'll notice they didn't start with the company because their Dad was there. They went away and worked someplace else and each of these gentlemen has said they came back to Maine to give back to their community. After WWII the business grew steadily and Joe Haley welcomed his son, Tom, into the family business. Tom had a history of working for Lenox in Syracuse, New York. The company then became known as Haley's Metal Shop and expanded to include air conditioning, and throughout its history the company has been located in Biddeford. In 1983, Brian Haley joined the company to assist his Dad and the company grew. He previously worked for York Industry in Houston, Texas, and returned to Maine. In 2010, according to a news article, Brian's son, Matthew, joined the company as the 5<sup>th</sup> generation after a brief teaching career in New York City and, again, he says to give back to Maine. Currently, the company has more than 40 employees, including four father-and-son duos, which speaks to the small, family business style of running a company. Haley's specializes as residential and commercial installation and service of custom metal fabrication, air conditioning, heating, and, for over 15 years, geothermal heating and cooling. Haley's has also worked with vocational school children, or children students, and has employed some of its graduates. Matthews said, 'I think bringing in people not in the field of sheet metal work and seeing them grow and learn the trade is great. It's amazing to see the moment it clicks for them and the growth that occurs. Getting to see the impact it has on self - on someone's life is really rewarding.' That speaks volumes and Haley's is a fine example of what a small company can do and contribute to a community and I think we, in

the Senate, know that when we do support small businesses in Maine. I thank you, Mr. President.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize the folks from Haley's Metal. Would they please rise and accept the congratulations of the State Senate.

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Moody's Diner, in Waldoboro, which is celebrating its 90th Anniversary. Established by Percy and Bertha Moody, the diner began as a tea room and a lunch cart. The business was moved and expanded into the current diner, which is especially famous for its pies and whoopie pies. We extend to everyone at Moody's Diner our congratulations and best wishes;

SLS 548

Sponsored by Senator DOW of Lincoln.  
Cosponsored by Representative: SIMMONS of Waldoboro.

**READ.**

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

Senator **DOW:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. I rise this morning to recognize the 90<sup>th</sup> anniversary of Moody's Diner in Waldoboro. With us today representing Moody's Diner are Dan Beck, the current President and CEO of Moody's; along with Alvah Moody and his wife, Georgetta; Debbie Moody Bellows; Judy Moody Beck; Nancy Moody Genthner; Harvey Moody and his wife, Jean. Moody's Diner was established in 1927 by Percy and Bertha Moody. All of these people that I've known for many years, having lived in Waldoboro my entire life. Moody's started as a tea room and lunch cart, serving hot dogs and ice cream to visitors along coastal Route 1 in 1927. Today the restaurant is operated by Dan Beck, the grandson of the founders. Mr. Beck has maintained the family establishment atmosphere mood at Moody's and Moody's continues to be an icon to visitors and residents of Maine. Their commitment to the local community has played a key role in the success of their business. I've been at Moody's so many times that I've often joked that if I quit going to Moody's they'd have to fire two waitresses, and I usually go in and sit at the counters and the counters are the original ones that have been there for many years, that I can remember, and when they renovated they kept the old original counters because they showed the many years of wear and tear from people, from thousands of people, coming in and sitting and resting their elbows on the counters, and it was all part of the tradition, and so it's always good to be there. Sitting at the counters, I've had many good conversations. One with a lady from out-of-state who mentioned that she'd been in a few times but noticed that there was always somebody cleaning. I said, 'Yes, they clean this place continuously. It's spotless,' and I said, 'If there is any dirt it's clean dirt.' That you can be sure of. And so I'm pleased to have Dan Beck and the family join us today to congratulate them on their 90 years of business and I look forward to many more

years enjoying this fine establishment, an establishment so fine it's well recognized. Anybody that travels Route 1 from the entire east coast, if I run into them and they say, 'Where are you from?' I'll say, 'Waldoboro,' and they'll say, 'Oh, where's that?' 'Moody's Diner.' 'Oh, that's where Waldoboro is.' Because everybody knows Moody's Diner. So congratulations and thank you, Mr. President. Thank you for coming today.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, I rise to congratulate the folks from Moody's. I had a chance to get to know them a little bit better during this session as we were working through the tip credit. But, folks in the Senate, you need to know how hard it is to stay open 5 years, let alone stay open 90. I live in this world. I had two pieces of refrigeration go down last night. All my high school kids go back to school or sports in two weeks. Continually having to replace staff and equipment and get through these busy August days. I'm looking forward to getting back there again tonight. So these folks really, to last 90 years, it's a monumental feat and so I look forward to the day when they celebrate their 100<sup>th</sup>. Thank you, men and women of the Senate.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the back of the Chamber Dan Beck; Alva and Georgetta Moody; Debbie Bellows; Judy Beck; Nancy Genthner; Harvey and Jean Moody; and Warren Moody. Would they please all rise and accept the congratulations of the State Senate.

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Daniel Down, of Gray, for his 36 years of service as a Law Enforcement Deputy with the Cumberland County Sheriff's Office. We extend to him our appreciation for his long service and offer him our best wishes;

SLS 549

Sponsored by Senator DION of Cumberland.  
Cosponsored by Senators: BRAKEY of Androscoggin, BREEN of Cumberland, CARSON of Cumberland, CHIPMAN of Cumberland, DIAMOND of Cumberland, HAMPER of Oxford, MILLETT of Cumberland, VOLK of Cumberland, Representatives: AUSTIN of Gray, BATES of Westbrook, BATTLE of South Portland, BRYANT of Windham, CEBRA of Naples, CHACE of Durham, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, DAUGHTRY of Brunswick, DENNO of Cumberland, ESPLING of New Gloucester, FARNSWORTH of Portland, FAY of Raymond, GATTINE of Westbrook, Speaker GIDEON of Freeport, GINZLER of Bridgton, HAMANN of South Portland, HARLOW of Portland, JORGENSEN of Portland, KINNEY of Limington, McCREIGHT of Harpswell, McLEAN of Gorham, MONAGHAN of Cape Elizabeth, MOONEN of Portland, ORDWAY of Standish, PIERCE of Falmouth, RECKITT of South Portland, SANBORN of Portland, SIROCKI of Scarborough, SYLVESTER of Portland, TALBOT ROSS of Portland, TERRY of Gorham, TUCKER of Brunswick, VACHON of Scarborough.

Tom Caron, of Portland, for his 56 years of service as a Civil Deputy with the Cumberland County Sheriff's Office. We extend to him our appreciation for his long service and offer him our best wishes;

SLS 550

Sponsored by Senator DION of Cumberland.

Cosponsored by Senators: BRAKEY of Androscoggin, BREEN of Cumberland, CARSON of Cumberland, CHIPMAN of Cumberland, DIAMOND of Cumberland, HAMPER of Oxford, MILLETT of Cumberland, VOLK of Cumberland, Representatives: AUSTIN of Gray, BATES of Westbrook, BATTLE of South Portland, BRYANT of Windham, CEBRA of Naples, CHACE of Durham, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, DAUGHTRY of Brunswick, DENNO of Cumberland, ESPLING of New Gloucester, FARNSWORTH of Portland, FAY of Raymond, GATTINE of Westbrook, Speaker GIDEON of Freeport, GINZLER of Bridgton, HAMANN of South Portland, HARLOW of Portland, JORGENSEN of Portland, KINNEY of Limington, McCREIGHT of Harpswell, McLEAN of Gorham, MONAGHAN of Cape Elizabeth, MOONEN of Portland, ORDWAY of Standish, PIERCE of Falmouth, RECKITT of South Portland, SANBORN of Portland, SIROCKI of Scarborough, SYLVESTER of Portland, TALBOT ROSS of Portland, TERRY of Gorham, TUCKER of Brunswick, VACHON of Scarborough.

**READ.**

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

Senator **DION:** I wasn't sure there. It sounded like Darwin. But I'll take that, Mr. President. I'm a bit of a loss, having to follow my colleagues who spoke before me. My own leadership cautioned me, that I should limit the stories today so I don't try the patience of the Body. But I've been inspired by Senator Dow, so my capacity to follow that admonition is false. I'll have to speak, nonetheless.

Today I want to honor two Deputies, and I've asked them to rise ahead of time. It's an interesting process in this Chamber that we honor people and then when everybody gets up to applaud we lose sight of who it is we were speaking about. So to the right is Deputy Caron, to the left is Deputy Down. Gentlemen, you can sit down now if you'd like. I do so because is Deputy Caron being assisted by cane and, though he's a proud man and would stand for as long as I would speak, and that could be a while, I think it would take its toll on his physicality and I don't want to do that. In regards to these two sentiments, I received some e-mails from the staff at the Sheriff's Office and I was personally touched because it was addressed to Sheriff / Senator. Obviously, in their minds, the rank order is that. For those of us in this Chamber, we might reverse that order. So I speak today, in response to that, as a Sheriff. When you become a Sheriff it's a special day and a special responsibility. On some level you might think you're pretty special. That's not the case. As a matter of fact, I think one of the most humbling things about being a Sheriff, both in office and back out in the community, is when citizens approach you and compliment you and say, 'What a great job you've done' and 'What a great office you've led.' If only they knew how little you are personally responsible for that. The success of the office has always been on the shoulders of the

men and women who do the job day-in and day-out. Today you have two Deputies that represent 92 years of service to the citizens of Cumberland County. Ninety-two years. To put it in a more personal context, when Deputy Caron raised his right hand, took the oath, and stepped out onto that blue line I was entering the second grade at Holy Cross Parochial School in Lewiston. How would I know then that I would come to this moment in time to honor his service? Fifty-six years. When I became Sheriff, and I met Tom for the first time, and I asked him what his intentions were for the future, he said, 'Sheriff, to reach 50 years of service.' Consider that for a moment. Fifty years of service. That was his personal goal he felt he needed to accomplish in order to validate the time and the energy and the dedication he had given to the Sheriff's Office. All he asked of me was to put no roadblocks in the way to achieving that standard that he had set for himself. From Tom I learned the history of the office. From Tom I understood that humility should be first order because I was just passing through. I wasn't his first Sheriff and I wasn't going to be his last. If anything, my job was not to make things worse for the Deputies but, hopefully, make it easier for them to continue on a journey that I would not participate with until its end. Tom always had good energy, a wonderful attitude, a can-do perspective on life, and I know the office will miss him terribly, and I was pleased to see him today and I hope his health recovers so he can enjoy the retirement he so deserves.

Deputy Down is another story. Danny, as he's referred to as, is actually a pretty versatile person. I think one of the lessons I learned from him as a Sheriff is the need to be flexible. Dan has done everything in the Sheriff's Office that could be. He's been a Detention Officer. He's worked in dispatch. He's been a Detective. He's done two tours as a School Resource Officer. He's even served as the Secretary of the Sheriff. Think about that, he swung in behind a desk and accomplished all the tasks that we give to an executive assistant and I've never seen him in a bad mood. The only time I questioned his presence is when I looked out the window one day and saw him lying on his stomach in the parking lot trying to talk to his bomb dog. I did say, 'Maybe there's something different about this person.' He was trying to create what I think every leader needs to create in an organization, that's trust. He wanted the trust of that animal as I had hoped to have trust with my Deputies and they gave trust to me.

So I'm here to thank them. It's not much but I think it's important that this Chamber at least tips its hat to two men who gave almost a century of service to our county, and all I will say to them, on a personal level, it's been my privilege that you've allowed me to serve as your Sheriff, that I could do at least a little bit to make your careers what they were, and I hope for you, that when you reenter the community as civilians, that they extend stories and appreciation and thanks that you so well deserve. Thank you and God bless.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just a little - just a quick huge thank you from those of us who live outside of the City of Portland, out in the western part of Cumberland County. We're so grateful for the work of the Sheriff and the Sheriff Deputies but, on today especially, want to say thank you to Deputy Down and Deputy Caron for all their work. As you heard specifically some of the

things they've done and accomplishments they've had, but often times we, out in the County, in the western part, don't get a chance to say thank you, and that's what I want to carry on to you today. My constituents really appreciate your dedication and the duty that you had to perform. Not always easy. I know that for sure. So from all of us, thank you very much. We recognize what you've gone through and the contributions you've made. Thank you very much.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Daniel Down and Tom Caron. Would they please both rise and accept the greetings of the State Senate.

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**REPORTS OF COMMITTEES**

**Senate**

**Pursuant to Joint Rule 309**

From the Committee on **TAXATION** on Bill "An Act To Eliminate the 3 Percent Surcharge on Certain Income and Provide an Alternative Funding Source for the Fund To Advance Public Kindergarten to Grade 12 Education"

S.P. 186 L.D. 571

Received by the Secretary of the Senate on July 31, 2017, pursuant to Joint Rule 309.

Report **READ.**

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT.**

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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. 578

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

1 August 2017

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 512, "Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth."

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Prohibit a Person under 18 Years of Age from Being Charged with the Crime of Engaging in Prostitution  
S.P. 173 L.D. 512

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#413)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

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

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

The Following Communication: S.C. 579

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

1 August 2017

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 517, "An Act To Amend Principles of Reimbursement for Residential Care Facilities."

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend Principles of Reimbursement for Nursing Facilities and for Residential Care Facilities  
S.P. 178 L.D. 517

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 (#414)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

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

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

The Following Communication: S.C. 580

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

1 August 2017

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 721, "An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan."

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan  
S.P. 238 L.D. 721

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

Senator **BRAKEY:** Thank you, Mr. President. I rise today to ask that we sustain the veto on L.D. 721, An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan. Now I want to say up front, I recognize that it is a very sensitive subject and I 100% respect the intent behind this proposal. But I have very deep concerns about where laws like these will take us when we are not only prosecuting those who have actually committed criminal acts against others but also those whose only crime is having done nothing at all. Having done nothing at all when we might, perhaps, wish they had done something. But we're talking about individuals whose only crime is doing nothing. Now in their testimony on this bill the Criminal Law Advisory Committee captured very well some of the concerns for civil liberties, the civil liberties of Maine people that I think we should all wrestle with when we consider a bill such as this. Quote, this is from CLAC, 'Obviously, urging people to see something - say something with respect to a potential act of terrorism has potential to prevent a serious and tragic event. Against this worthy goal, the committee should consider Maine's long standing practice of siding with the liberty interests of people over government imposition of duties to report misconduct. As a result, Maine has very few criminal statutes penalizing a failure to report. Also, a person with information about a potential terrorist act may put themselves in danger by reporting, or a person with uncertain or fragmentary information may subject themselves to a criminal sanction for not acting in a situation that truly lacks clarity.' So I will say I'm concerned this law would give government the ability to prosecute regular people, people who do not always know the ins and outs of the new legal obligations we, here in Augusta, impose on them, with actual criminal penalties not for the commission of a crime against others but for failure to report information they might have on a possible future crime. If we can create mandatory reporting requirements for this one admittedly very terrible crime, an act of terrorism, then why should we stop there? Why should we not have mandatory reporting requirements in cases of premeditated murder? Why not in cases of violence sex crimes? And if we accept that precedence that we can penalize people with criminal penalties for simply not speaking up, then why not carry it all the way through all the very many crimes that we have on the books? Why not if someone knows of a planned burglary? How about we prosecute them for not reporting? I'm very concerned where this takes us. I read George Orwell's *1984* in high school, I think many of us did, and I'm concerned about the slippery slope that we can very easily start to fall down, where if you see something - say something becomes a - it becomes a mantra for every crime on the books and we all can be guilty for not reporting even the suspicion of our neighbor to the government. So I will be voting to sustain this veto. I hope the Body will join me and I'll rest my case.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, by definition acts of terrorism are different than any - almost any other crime because they have not just the victims, the direct victims, but all of us who are affected by acts of terrorism. This bill would make it a crime if somebody knew that



someone else was going to go out and blow up the State House or place a bomb at the Beach to Beacon marathon or any other similar act. When you look at what's happened in San Bernardino and Orlando and in Boston, and of course Maine is not even immune to its connection to terrorism on 9-11. It's very, very simple. It says it's a crime if the State can prove beyond a reasonable doubt not that somebody suspected there might be something strange going on, not that they thought that they worried that Joe Smith was going to do something, but they had actual knowledge. I think that as a member of society there are certain obligations we can impose upon all of us in these very, very limited circumstances to perhaps avoid another incident of that happening, and I urge the Body to override the veto. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, while I can understand completely why the Chief Executive would fear criminalizing moral obligation, I like listening to Senator Brakey's ideas about what he thinks there. But I'd like to - I understand that if someone knows of a crime other than terrorism, if they don't report it they can somehow be made an accessory to it and prosecuted for it; whereas with this one, that would be harder. That makes the case for me why we need to have a separate bill and would encourage passage - encourage us to override the veto.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I feel I have to support this bill and override only because the - I think the key word here is responsibility for our country. We're looking at an international crisis and it's been happening all over the world and we need to protect ourselves as well, and so I feel there's a responsibility here to put the person on notice that they will be responsible if they know, or have knowledge, of a plan to create terrorism in our country. So I feel this is a very important bill for Maine. Thank you.

**THE PRESIDENT:** Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#415)**

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

NAYS: Senators: BELLOWS, BRAKEY, CHIPMAN, CUSHING, DESCHAMBAULT, DION, HAMPER

EXCUSED: Senator: VOLK

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, and 27 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 581

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

1 August 2017

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 808, "An Act To Restore Community Support Services for Adults with Mental Illness."

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

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

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

mental health treatment that is not clinically appropriate is unconscionable.

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

S.P. 253 L.D. 808

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 (#416)**

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

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

EXCUSED: Senator: VOLK

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being excused, and 24 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: S.C. 582

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

1 August 2017

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

S.P. 291 L.D. 891

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 (#417)**

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

NAYS: Senators: BRAKEY, CUSHING, DAVIS, WOODSOME

EXCUSED: Senator: VOLK

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. 583

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

1 August 2017

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 949, "An Act Regarding Telehealth."

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

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

requirements and adds several unnecessary and expansive clarifications.

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding Telehealth

S.P. 304 L.D. 949

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 (#418)**

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

NAYS: Senators: BRAKEY, CUSHING, CYRWAY, DAVIS, HAMPER, KEIM, MASON

EXCUSED: Senator: VOLK

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, and 27 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The accompanying Bill:

An Act To Ensure Access to Opiate Addiction Treatment in Maine  
S.P. 307 L.D. 952

The Following Communication: S.C. 584

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

1 August 2017

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

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.

Dear Honorable Members of the 128th Legislature:

**ROLL CALL (#419)**

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

YEAS: Senators: BELLOWS, BRAKEY, 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, WOODSOME, PRESIDENT THIBODEAU

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

NAYS: Senators: CUSHING, CYRWAY, HAMPER, WHITTEMORE

My administration recently added significant requirements to its Medicaid program to ensure greater accountability for methadone treatment. It makes no sense to pay for treatment that is simply perpetuating an addiction. Taxpayer dollars should be dedicated to treatment modalities that keep people moving toward true recovery. While the state's reforms may not be perfect, we are heading in the right direction, and these reforms will continually be assessed for increased opportunities to help Mainers succeed.

EXCUSED: Senator: VOLK

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.

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

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

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

The Following Communication: S.C. 585

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

Sincerely,

S/Paul R. LePage  
Governor

1 August 2017

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

Dear Honorable Members of the 128th Legislature:

**READ and ORDERED PLACED ON FILE.**

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

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

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

S.P. 346 L.D. 1044

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 (#420)**

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

NAYS: Senators: CYRWAY, DAVIS, HAMPER, MASON, ROSEN, WHITEMORE

EXCUSED: Senator: VOLK

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

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

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The Following Communication: S.C. 586

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

1 August 2017

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 1089, "An Act To Prohibit the Use of Handheld Phones and Devices While Driving."

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

S.P. 360 L.D. 1089

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this is - this bill has had a long journey. We've come a long way over the past 10 years with this whole issue of distracted driving and what we've addressed to distracted driving, generically, and we have addressed it - tried to address it with the texting. But texting while driving has become an epidemic of all generations. It's no longer a 20 or 30 year old. It's all generations, according to research by the Pew Foundation and AAA. It's to the point where all of us have seen it. We've all seen people driving and we can see when they sway, we can see when they go too slow, too fast. I did my own experiment coming up the Turnpike two weeks ago, and I drove the speed limit from Gray to Augusta. Of course everybody passed me. I just wanted to see that morning how many people were holding telephones. One in four. One in four were holding phone. Now I'm told it's probably much greater than that around town, but one in four. We're told also by the research that was done in New York City, again I believe it was Pew, that said driving while texting is equal to drunk driving. The problem we have now is people are holding the phones and what this bill will say is you can't hold the phone. This bill is very lenient and says you can put the phone on the dashboard, put in earbuds, do anything you want to do, but you can't hold it in your hand. In Maine, last year, 750 crashes, the majority of which were connected to holding telephones. The texting law we have now is not working because people hold, and law enforcement will tell you, that when they stop someone who's texting, obviously texting, the person simply will say, 'I was simply punching in numbers.' The answer to that is, we'll take the phone. You need a search warrant to grab a phone. You're not going to do that. That's just not practical. They do that when there're serious injuries. This bill has made it, for the first time, through the committee on a unanimous basis. Why? Because the State Police, Sheriffs, and other law enforcement people told the stories of people being killed unnecessarily, and injured. Through the committee unanimously. Strong votes in this

Legislature. The problem is holding the phone. We've got to this point and the message seems to be, 'Well, we can't fine people who are - just because they're holding the phone.' Ladies and gentlemen, if we don't stop this epidemic soon then we're going to be even more regretful of all the evidence and all the actions that are taking place and the tragedies that take place. In two years this will pass. In two years the next Legislature will pass this. Why? Because the evidence is so overwhelming and I suspect the next Governor, hopefully, would sign it. The real shame are the people who will lose their lives over the next two years. That's something that we can prevent. So I would ask you to give that consideration. The bill is ready. We should address it - the problem. We know what the problem is. We know what the evidence shows us. So I would ask for your support to override this veto.

**THE PRESIDENT:** A vote of yes will be in favor of overriding the Governor's veto. A vote of no will be in favor of sustaining the veto. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#421)**

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

NAYS: Senators: BELLOWS, BRAKEY, CHENETTE, CUSHING, CYRWAY, DAVIS, HAMPER, KEIM, MASON, PRESIDENT THIBODEAU

EXCUSED: Senator: VOLK

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being excused, and 24 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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The Following Communication: S.C. 587

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

1 August 2017

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 1108, "An Act To Restore Public Health Nursing Services."

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

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

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

Currently, the CDC is implementing reforms including:

1. Focusing the work of nurses on populations that truly need our help; substance-affected infants and mothers, medically fragile individuals with special needs, and those affected by infectious disease.
2. Building strong program leadership and encouraging champions of change within our workforce.
3. Putting nurses back in district offices instead of dispatching them from home.
4. Implementing an electronic health record system that links to the Health Information Exchange and other Maine CDC data systems that streamline documentation.
5. Using the new EHR to generate management reports on productivity, caseloads and response times.

6. Leveraging technology for direct observation of latent tuberculosis clients through remote medication adherence monitoring.
7. Training and exercising the PHN Emergency Preparedness Team.
8. Creating the Maternal and Child Health Network to include state and community health nurses, community health workers, social workers, home visitors, dietitians and other community-based providers.

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Restore Public Health Nursing Services  
S.P. 362 L.D. 1108

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 (#422)**

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

NAYS: Senators: BRAKEY, CUSHING, HAMPER, KEIM, MASON

EXCUSED: Senator: VOLK

29 Senators having voted in the affirmative and 5 Senators having voted in the negative, with 1 Senator 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 Secretary has so informed the Speaker of the House of Representatives.

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The Following Communication: S.C. 588

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

1 August 2017

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 1170, "An Act To Reduce Youth Access to Tobacco Products."

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

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

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

Those who advocate that this legislation would protect those under 18 from tobacco use ignore the U.S. Centers for Disease Control's surveys from 2011-2014, which provide evidence that four times as many high school students drink alcohol than smoke

cigarettes. The fact that the legal age to purchase and consume alcohol is 21 everywhere in the country while the legal age to purchase tobacco is 18 in most of the country demonstrates this legislation will not achieve its stated purpose.

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

Finally, this bill will hurt our Maine convenience and grocery stores, which will lose sales of tobacco and other products to neighboring New Hampshire. Our Maine retailers had a compliance rate of 95.52% for sales of tobacco products—the second best compliance rate in the nation, according to the FDA's inspections involving sales to minors. Clearly, our retailers are doing an outstanding job enforcing the current law.

I cannot support legislation that creates a competitive disadvantage for our small business owners, particularly those near the New Hampshire border. Therefore, I return LD 1170 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Reduce Youth Access to Tobacco Products  
S.P. 391 L.D. 1170

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

Senator **BRAKEY:** Thank you, Mr. President. Common sense would tell me when you've lost a fight but I appreciate the indulgence. I do feel the need to just stand and speak on this one last time. I think that if we override this veto today and this goes into law there will be unintended consequences. We will see cigarettes becoming a product of the black market, sold by black market drug dealers who are selling more than just cigarettes and attracting new clients to their harder products. I think we will see that if this becomes law. I do encourage us to sustain this veto. I'll cross my fingers and hope that that happens, though I have very little hope for that. But I do just want to take this opportunity to just share with this Body and read into the record some immortal words from C.S. Lewis that I think are very relevant to this bill today. So I'll share this, then I'll sit down, but I do think it is very relevant. "Of all tyrannies, a tyranny sincerely exercised for the good of its victims may be the most oppressive. It would be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes



sleep, his cupidity may at some point be satiated; but those who torment us for our own good will torment us without end, for they do so with the approval of their own conscience. They may be more likely to go to heaven, yet at the same time likelier to make a hell of earth. This very kindness stings with intolerable insult. To be cured against ones will and cured of states which we may not regard as disease is to be put on a level of those who have not yet reached the age of reason or those who never will; to be classed with infants, imbeciles, or domestic animals." Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, as a co-sponsor of this piece of legislation, I rise to support the override. My good colleague from Androscoggin, I really appreciate his comments. He takes a line of protecting our freedoms and voicing our freedoms, and I do listen to his arguments and enjoy them. After the last one where he talked about, you know, people's freedom to choose. He talked about 18 year olds. In my experience, in my life with relatives, that freedom to choose then was kind of overridden by a loss of a freedom to quit. My mother's very last words, very last words on this planet, were, 'I could not quit.' This was just before she passed away from lung cancer and I think her freedom to quit had been robbed from her at a very early age of when she started to smoke. Both my mother and my brother, who both served in the military and I took these flyers on our desks today talking about tobacco with our men and women in the military, they both started to smoke in the military because the thing was 'smoke 'em if you've got 'em'. My brother, who is just a little bit younger than me, he's probably 56 or 57, still smokes to this day and couldn't quit. Also, still in my family, I have a nephew who lives in Colorado. I went out to visit him. He's in his early 20's and a very disturbing practice that I'm seeing is mixing and rolling your own filterless cigarettes with marijuana. It stretches it out and you can deliver it with your tobacco. Now he's just 22 or 23. So for me to support this, along with my good colleague, Senator Davis, really isn't about taking away somebody's right to choose, but just sort of delaying that until they're 21, and along with all of the other vices that we delay until 21. So, for me, it's an easy vote to override. Thank you for your patience today.

**THE PRESIDENT:** If you are in favor of overriding the Governor's veto you are going to be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#423)**

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

**NAYS:** Senators: BRAKEY, CUSHING, HAMPER, KEIM, MASON

**EXCUSED:** Senator: VOLK

29 Senators having voted in the affirmative and 5 Senators having voted in the negative, with 1 Senator 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 Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 589

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

1 August 2017

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 1260, "Resolve, To Establish the Commission to Create a Plan to Enhance the Efficiency and Effectiveness of the Probate Court System."

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

Counties provide the funding for salaries of probate judges and staff, office space, court space, equipment and office supplies. The commission is comprised of 13 members. Only two members of the commission will represent the "interest of the counties." Counties that shoulder a heavy burden in our probate court system are simply not adequately represented on this commission.

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, To Establish the Commission To Create a Plan for the Establishment of a Probate Court System with Full-time Judges  
S.P. 423 L.D. 1260

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 (#424)**

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

NAYS: Senators: CYRWAY, DAVIS, LIBBY

EXCUSED: Senator: VOLK

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. 590

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

1 August 2017

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 1263, "Resolve, To Increase Affordability of Safe Drinking Water for Maine Families."

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

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

S.P. 426 L.D. 1263

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

Senator **BRAKEY:** Thank you, Mr. President. I'm starting to feel like Captain No today, so I appreciate the indulgence but I do have to rise and ask that we sustain the veto on this bill. It's not for any particular content of the bill itself. This bill, unlike most of the drinking water bills that we had this session, most of the drinking water bills came through the Health and Human Services Committee. This one didn't, so I'm not in a place to talk about the particular merits or demerits of this bill. What I object to is the funding source for this bill. This bill would take half a million dollars out of the Medical Use of Marijuana Fund to fund a project that is completely unrelated in any way you can imagine, completely unrelated to anything to do with the Maine Medical Marijuana Program. The Maine Medical Marijuana Program is funded with fees that are paid for by patients, caregivers, dispensaries for the purpose of operating the program and paying for the regulatory oversights needed over that program. Under State statute, when there is an excess of funds in the Maine Medical Marijuana Fund we're supposed to reduce the fees that are assessed to people using this program. We should - we are not to be raiding that fund in order to fund projects completely unrelated to the program. So I cannot, despite whatever merits this bill has, I cannot vote to raid the Medical Marijuana Fund and take money from the patients who have paid into it. I hope that - I hope that this Body will join me and reject using the Medical Marijuana Fund as a piggybank for other programs.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I kind of disagree and agree on - as far as the funds for this marijuana part with my Senator, Senator Brakey, that was talking about this situation. I think what I feel is that I don't feel that our government, or our state, should be dependent on drug money and so I would sustain this only because I feel that we have fallen into the trap of depending on drug money and I cannot support that. I remember about 15 years ago, almost 20 years ago, how they used to talk about Hawaii being very dependent on the marijuana grow operations and whatever, and now we're falling into it and I just feel that when we start this this is just the ball rolling into being dependent on it. So I cannot support this.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, the debate seems to focus more on the source of funding than the bill itself here. I just wanted to weigh in in support of an override of the veto of this bill. First of all, I guess it should not come as a great shock to anybody in this Body or anybody who's familiar with this building, that from time to time

we look to unspent money in various funds to help meet the needs, whether it be the General Fund to close the budget or something like this. The Medical Marijuana Fund has, the last time I checked, about \$3.6 million in it. How could all that money be sitting there when it's supposed to be raised for enforcement, and the unfortunate answer is because the Medical Marijuana Program, to a very large extent, has not been overseen and enforced. So these monies have built up. It's a big problem and we ought to try to fix that in the next session in terms of how we are overseeing the medical marijuana, not to mention what we're going to have to do with adult use marijuana. But those funds are not needed in that program because they haven't been used on enforcement and I think the decision was made to use those funds to fund something else which, although it may not be related to marijuana, is a real, real public health need. So is this the best way to run a railroad all the time? Absolutely not. But to get this bill passed and get this policy put into place, I think it's entirely defensible. Thank you.

**THE PRESIDENT:** If you are in favor of overriding the Governor's veto you are going to be voting yes. If you are opposed you're going to be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#425)**

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

**NAYS:** Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER

**EXCUSED:** Senator: VOLK

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, and 27 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: S.C. 591

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

1 August 2017

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 1485, "An Act Regarding MaineCare Coverage for Telehealth Services."

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding MaineCare Coverage for Telehealth Services  
S.P. 515 L.D. 1485

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 (#426)

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

NAYS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KEIM, WHITTEMORE

EXCUSED: Senator: VOLK

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator 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.

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.

## ORDERS OF THE DAY

### Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (7/1/17) matter:

Bill "An Act To Amend the Law Regarding Lien Recordings on Statutory Road Associations"

H.P. 908 L.D. 1311

Tabled - July 1, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In House, June 30, 2017, **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.)

(In Senate, Veto Communications (H.C. 300) **READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article 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 (#427)**

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

NAYS: Senators: COLLINS, CUSHING, CYRWAY, DAVIS, DOW, KEIM, LANGLEY, MAKER, MASON, ROSEN, WHITTEMORE, WOODSOME

EXCUSED: Senator: VOLK

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

(See action later today.)

The Chair laid before the Senate the following Tabled and Later Assigned (7/20/17) matter:

Bill "An Act Regarding Solar Power for Farms and Businesses"  
S.P. 529 L.D. 1504

Tabled - July 20, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 28, 2017, **PASSED TO BE ENACTED** in concurrence.)

(In Senate, Veto Communications (S.C. 566) **READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article 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 (#428)**

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

NAYS: Senators: BRAKEY, CUSHING, CYRWAY, DAVIS, MASON, PRESIDENT THIBODEAU

EXCUSED: Senator: VOLK

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

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

\_\_\_\_\_  
All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

\_\_\_\_\_  
Senate at Ease.

The Senate was called to order by the President.

\_\_\_\_\_  
On motion by Senator **CUSHING** of Penobscot, the Senate **RECONSIDERED** whereby it **SUSTAINED THE VETO** on the following:

Bill "An Act To Amend the Law Regarding Lien Recordings on Statutory Road Associations"

H.P. 908 L.D. 1311

(In House, June 30, 2017, **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.)

(In Senate, Veto Communications (H.C. 300) **READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article 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 (#429)**

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

NAYS: Senators: CYRWAY, DOW, KEIM, LANGLEY, MAKER, MASON, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: VOLK

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator 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.

\_\_\_\_\_  
Off Record Remarks

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

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

\_\_\_\_\_  
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. 320

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

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

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

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

H.P. 138 L.D. 182

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

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

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 (#430)**

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

31 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 3 Senators 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 Following Communication: H.C. 321

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

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

In February of 2016, I signed an Executive Order, "An Order to Promote the Hiring of Skilled Veterans in the State of Maine," establishing the Governor's Veterans' Licensing Review Panel to identify and remove barriers for veterans to obtain state licenses and make recommendation for changes in licensing laws and rules to reduce red tape and provide flexibility for applicants.

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

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

H.P. 170 L.D. 214

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 (#431)**

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

NAYS: Senators: None

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

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.

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The Following Communication: H.C. 322

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

One way to guarantee an important issue is not going to be solved is to relegate it to a legislative study. I agree special education costs are increasing dramatically and that something

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

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

H.P. 456 L.D. 642

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 (#432)**

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

31 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 3 Senators 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 Following Communication: H.C. 323

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

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

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

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

organization registered under Section 501(c) of the Internal Revenue Code.

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

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

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State  
H.P. 462 L.D. 648

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 (#433)**

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

NAYS: Senators: BRAKEY, CYRWAY, KEIM

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

29 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 3 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.

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The Following Communication: H.C. 325

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

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

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

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

H.P. 806 L.D. 1143

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 (#434)**

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

NAYS: Senators: None

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

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. 327

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

August 1, 2017

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

Dear Honorable Members of the 128th Legislature:

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

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

Unlike this hastily assembled bill, the task will not be easy or quick. Instead, achieving a safe, sustainable program will require a thorough process, driven by the courage to make responsible decisions. Specifically, these decisions must reconcile the medical marijuana program with the new adult-use marketplace.

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

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

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

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

Governor Hickenlooper further warned of the "gray market" created by "such a looseness" in their rules. He spoke of folks legally growing marijuana under the medical caregiver and adult-

use home grow models and diverting their products to the illicit market. We would be foolish to believe Maine will fare differently than Colorado.

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

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

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities (EMERGENCY)  
H.P. 1132 L.D. 1641

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 (#435)**

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, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senator: CYRWAY

EXCUSED: Senators: LANGLEY, VOLK, WHITTEMORE

31 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 3 Senators 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 Honorable Heather J.R. Priest  
Secretary of the Senate  
128th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Priest:

House Paper 67, Legislative Document 99, "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles," 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 59 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 120, Legislative Document 162, "An Act To Improve Care Provided to Forensic Patients," 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?"

73 voted in favor and 64 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 647, Legislative Document 919, "An Act To Establish the Summer Success Program Fund," 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?"

73 voted in favor and 64 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 683, Legislative Document 970, "An Act To End Homelessness by Expanding Housing Support 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?"

83 voted in favor and 54 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

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

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled matter:

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

Tabled - August 2, 2017, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, July 20, 2017, **FAILED FINAL PASSAGE** in **NON-CONCURRENCE**.)

(Comes from the House, that Body having **INSISTED** on its former action whereby the Resolution was **FINALLY PASSED**.)  
On motion by Senator **MASON** of Androscoggin, the Senate **RECEDED**.

On further motion by same Senator, Bill and accompanying papers **COMMITTED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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Off Record Remarks

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

**COMMUNICATIONS**

The Following Communication: H.C. 329

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

August 2, 2017

House Paper 970, Legislative Document 1396, "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators," 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?"

74 voted in favor and 63 against, with 1 being excused, 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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The Following Communication: H.C. 330

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

August 2, 2017

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

Dear Secretary Priest:

Senate Paper 173, Legislative Document 512, "Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth," 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?"

78 voted in favor and 59 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 238, Legislative Document 721, "An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan," 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?"

78 voted in favor and 59 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 253, Legislative Document 808, "An Act To Restore Community Support Services for Adults with Mental Illness," 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?"

81 voted in favor and 56 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 291, Legislative Document 891, "An Act To Support the Professional Development of Principals in Maine 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?"

75 voted in favor and 62 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 304, Legislative Document 949, "An Act Regarding Telehealth," 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 55 against, with 1 being excused, 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:

**PAPERS FROM THE HOUSE**

**House Paper**

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

H.P. 1137 L.D. 1646

Comes from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

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

\_\_\_\_\_  
Senate at Ease.

The Senate was called to order by the President.

\_\_\_\_\_  
Off Record Remarks

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

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

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

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Joint Rule 309**

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

H.P. 952 L.D. 1373

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

Comes from the House **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**

On motion by Senator **WOODSOME** of York, Bill and accompanying papers **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in concurrence.

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

**ORDERS**

**Joint Order**

On motion by Senator **MAKER** of Washington, the following Joint Order:

S.P. 603

**ORDERED**, the House concurring, that Bill, "An Act To Prohibit Female Genital Mutilation," H.P. 525, L.D. 745, and all its accompanying papers, be recalled from the legislative files to the Senate.

**READ.**

\_\_\_\_\_  
Senate at Ease.

The Senate was called to order by the President.

\_\_\_\_\_  
On motion by Senator **MASON** of Androscoggin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#436)**

YEAS: Senators: BRAKEY, CHENETTE, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DOW, HAMPER, HILL, JACKSON, KATZ, KEIM, MAKER, MASON, ROSEN, SAVIELLO, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHIPMAN, DESCHAMBAULT, DION, GRATWICK, LIBBY, MILLETT, MIRAMANT, VITELLI

EXCUSED: Senators: LANGLEY, VOLK, WHITEMORE

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, and 20 being less than two-thirds of the members present and voting, the motion by Senator **MAKER** of Washington to **PASS FAILED**.

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

**COMMUNICATIONS**

The Following Communication: H.C. 331

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

August 2, 2017

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

Dear Secretary Priest:

Senate Paper 346, Legislative Document 1044, "An Act To Amend the Laws Governing Eligibility for Disability Retirement Benefits," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

76 voted in favor and 58 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 360, Legislative Document 1089, "An Act To Prohibit the Use of Handheld Phones and Devices While Driving," 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?"

81 voted in favor and 54 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 423, Legislative Document 1260, "Resolve, To Establish the Commission To Create a Plan To Enhance the Efficiency and Effectiveness of the Probate Court System," 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 57 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 529, Legislative Document 1504, "An Act To Modernize Rates for Small-scale Distributed Generation," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

88 voted in favor and 48 against, with 1 being excused, 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.**

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

Senate at Ease.

The Senate was called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order:

H.P. 1138

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

**Agriculture, Conservation and Forestry**

H.P. 465, L.D. 637 - An Act To Protect Maine's Lands

H.P. 522, L.D. 742 - An Act To Allow Hemp Growers To

Grow Hemp from Clones and To Grow Hemp Indoors

H.P. 607, L.D. 858 - An Act To Strengthen the Law

Regarding Dangerous Dogs

H.P. 667, L.D. 939 - An Act To Protect Maine's Agriculture

S.P. 552, L.D. 1574 - Resolve, To Require Greater Clearing

of Vegetation along Portions of Route 161 in the Town of Allagash

S.P. 557, L.D. 1584 - An Act To Expand the Local Foods

Economy by Promoting Local Foods Procurement

S.P. 567, L.D. 1611 - An Act To Protect Persons Who

Cultivate, Process, Buy and Sell Hemp

**Appropriations and Financial Affairs**

H.P. 33, L.D. 47 - An Act To Authorize a General Fund Bond

Issue To Fund Equipment for Career and Technical Education Centers

H.P. 97, L.D. 139 - An Act To Authorize a General Fund

Bond Issue for Maine's Community Colleges

H.P. 101, L.D. 143 - An Act To Provide Funding for Upgrades

of Learning Spaces and Other Projects Funded by the School Revolving Renovation Fund

H.P. 132, L.D. 176 - An Act To Amend the Laws Pertaining to Disability Retirement Benefits Administered by the Maine Public Employees Retirement System

H.P. 133, L.D. 177 - An Act To Remove the Age Penalty for State Retirees Working at State Correctional Institutions That Are Closing

H.P. 134, L.D. 178 - An Act To Authorize a General Fund Bond Issue To Provide Jobs, Improve Road Infrastructure and Protect Water Resources  
 H.P. 180, L.D. 247 - An Act To Amend the Retirement Laws Pertaining to Participating Local Districts  
 H.P. 225, L.D. 292 - An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service  
 S.P. 104, L.D. 316 - An Act To Authorize a General Fund Bond Issue for Railways  
 S.P. 105, L.D. 317 - An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities  
 S.P. 106, L.D. 318 - An Act To Authorize a General Fund Bond Issue to Support Economic Development with High-Resolution Geospatial Data  
 S.P. 107, L.D. 319 - An Act To Authorize a General Fund Bond Issue for Riverfront Community Development  
 S.P. 111, L.D. 345 - An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation  
 S.P. 117, L.D. 376 - An Act To Authorize a General Fund Bond Issue for a New Engineering Design and Education Center at the University of Maine  
 H.P. 296, L.D. 416 - An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Groundfish Permit Bank  
 H.P. 330, L.D. 467 - An Act To Authorize a General Fund Bond Issue To Address Changes in Sea Level  
 H.P. 364, L.D. 520 - An Act To Authorize a General Fund Bond Issue To Increase Rural Maine's Access to Broadband Internet Service  
 H.P. 365, L.D. 521 - An Act To Align the Criteria Used by the Maine Public Employees Retirement System in Determining Veterans' Disability Claims with the Criteria Used by the United States Department of Veterans Affairs  
 S.P. 181, L.D. 546 - An Act To Authorize a General Fund Bond Issue To Support Biological Research in Maine  
 S.P. 205, L.D. 590 - An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure  
 H.P. 452, L.D. 638 - An Act To Authorize a General Fund Bond Issue for Transportation Projects  
 S.P. 212, L.D. 650 - An Act To Clarify and Protect Certain Public Service Retirement Benefits  
 H.P. 466, L.D. 675 - An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Targeted Areas of the State  
 S.P. 245, L.D. 735 - An Act To Authorize a General Fund Bond Issue To Support the Independence of Maine's Seniors  
 H.P. 523, L.D. 743 - An Act To Authorize a General Fund Bond Issue To Promote and Improve the Intermodal Transportation System in Maine  
 H.P. 585, L.D. 836 - An Act To Authorize a General Fund Bond Issue To Build Maine's Workforce Development Capacity by Modernizing and Improving the Facilities and Infrastructure of Maine's Public Universities  
 H.P. 586, L.D. 837 - An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government  
 S.P. 299, L.D. 897 - An Act To Authorize a General Fund Bond Issue To Encourage Efficient Biomass Thermal and Power Projects in Maine

H.P. 652, L.D. 924 - An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government  
 H.P. 653, L.D. 925 - An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government  
 S.P. 308, L.D. 953 - An Act To Authorize a General Fund Bond Issue To Support the Biomass Industry  
 S.P. 310, L.D. 955 - An Act To Authorize a General Fund Bond Issue To Recapitalize the Municipal Investment Trust Fund  
 H.P. 677, L.D. 964 - An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings  
 H.P. 782, L.D. 1118 - An Act To Authorize a General Fund Bond Issue To Support Local Infrastructure  
 H.P. 924, L.D. 1330 - An Act To Authorize a General Fund Bond Issue To Facilitate Innovative Approaches to Regional School Facilities and To Establish the Maine Innovative Regional School Facilities Finance Program  
 H.P. 925, L.D. 1331 - An Act To Authorize a General Fund Bond Issue To Recapitalize the School Revolving Renovation Fund  
 H.P. 1033, L.D. 1509 - An Act To Prohibit Retired State Employees and Teachers from Returning to Work While Collecting Retirement Benefits  
 H.P. 1034, L.D. 1510 - An Act To Authorize a General Fund Bond Issue To Fund Wastewater Infrastructure Projects for Ratification by Voters in the June 2017 Election  
 H.P. 1035, L.D. 1511 - An Act To Authorize a General Fund Bond Issue for the Protection of Public Health and Marine Resources and To Achieve Cost Savings in State Facilities Owned by the Department of Marine Resources  
 S.P. 546, L.D. 1562 - An Act To Authorize a General Fund Bond Issue To Capitalize a Career and Technical Revolving Equipment and Renovation Fund  
 H.P. 1090, L.D. 1586 - An Act To Appropriate Funds To Provide Sea Protection and Public Access to the Historic Whaleback Lighthouse in Kittery  
 H.P. 1105, L.D. 1602 - An Act To Authorize a General Fund Bond Issue for Agricultural Water Resource Development and Marketing  
 S.P. 570, L.D. 1614 - An Act To Authorize a General Fund Bond Issue To Fund the Maine Science, Technology, Engineering and Mathematics Loan Program  
 Criminal Justice and Public Safety  
 H.P. 183, L.D. 250 - An Act To Increase the Penalty for Aggravated Sex Trafficking  
 H.P. 610, L.D. 861 - An Act To Provide Wage Parity for Certain State Law Enforcement Personnel  
 S.P. 306, L.D. 951 - An Act To Adopt the Uniform Act on Prevention of and Remedies for Human Trafficking  
 S.P. 351, L.D. 1048 - An Act To Reclassify Certain Offenses and Increase the Efficiency of the Criminal Justice System  
 H.P. 809, L.D. 1146 - Resolve, To Provide Wage Parity for Law Enforcement Officers in the Department of Corrections with Other Law Enforcement Officers  
 S.P. 389, L.D. 1168 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Victims' Bill of Rights  
 H.P. 820, L.D. 1183 - An Act To Expand Use of Electronic Monitoring in Domestic Violence, Sexual Assault and Stalking Cases



S.P. 403, L.D. 1202 - An Act To Clear a Path to Employment  
 H.P. 880, L.D. 1268 - An Act To Enhance Pretrial Justice through Risk-based Decision Making with Enhanced Diversion, Release and Treatment Options for Eligible Defendants  
 H.P. 963, L.D. 1389 - An Act To Disburse Funds to the Maine Fire Protection Services Commission  
 H.P. 972, L.D. 1414 - An Act To Ensure the Availability of In-person Visitation in County Jails  
 H.P. 973, L.D. 1415 - An Act To Provide Additional Deductions from a Sentence of Imprisonment for Completion of Education, Mental Health Treatment and Substance Abuse Treatment Programs  
 Education and Cultural Affairs  
 H.P. 37, L.D. 51 - An Act Regarding the Withdrawal of a Single Municipality from a Regional School Unit  
 S.P. 74, L.D. 228 - An Act To Amend the Mathematics Requirements for High School Graduation  
 H.P. 248, L.D. 334 - An Act To Clarify the Uses of the Fund To Advance Public Kindergarten to Grade 12 Education  
 H.P. 718, L.D. 1016 - An Act To Provide Funding for Career and Technical Education Based on Projected Enrollment  
 H.P. 930, L.D. 1336 - An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit  
 S.P. 521, L.D. 1492 - An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce  
 Energy, Utilities and Technology  
 S.P. 50, L.D. 131 - An Act To Protect the Biomass Industry  
 H.P. 98, L.D. 140 - An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund  
 H.P. 190, L.D. 257 - An Act To Enable Municipalities Working with Utilities To Establish Microgrids  
 H.P. 193, L.D. 260 - An Act To Create the Maine Energy Office  
 H.P. 376, L.D. 532 - An Act To Remove the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws  
 S.P. 267, L.D. 822 - An Act To Ensure Fairness among Large Consumers of Natural Gas  
 S.P. 397, L.D. 1176 - An Act To Ensure the Safety of Low-income Persons Who Are Deaf and Who Use Video and Captioned Phones by Providing Equitable Access to the Internet  
 S.P. 415, L.D. 1224 - An Act To Allow for Greater Energy Competition in Maine by Amending the Law Governing Electric Generation or Generation-related Assets by Affiliates  
 H.P. 951, L.D. 1372 - An Act To Increase Broadband Access for Rural Communities  
 H.P. 952 - L.D. 1373 - An Act To Protect and Expand Access to Solar Power in Maine  
 S.P. 499, L.D. 1444 - An Act Regarding Large-scale Community Solar Procurement  
 H.P. 1011, L.D. 1472 - An Act To Lower the Costs of Broadband Service by Coordinating the Installation of Broadband Infrastructure  
 S.P. 516, L.D. 1487 - An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives

H.P. 1039, L.D. 1515 - An Act To Reduce Electric Rates for Maine Businesses by Amending the Laws Governing Spending from the Regional Greenhouse Gas Initiative Trust Fund  
 S.P. 566, L.D. 1610 - An Act To Protect Privacy of Online Customer Personal Information  
 S.P. 586, L.D. 1632 - An Act To Establish the Manufacturing Jobs Energy Program  
 Environment and Natural Resources  
 H.P. 290, L.D. 399 - An Act To Revise Maine's Environmental Laws  
 H.P. 769, L.D. 1095 - An Act To Establish the Maine Coastal Risks and Hazards Commission  
 H.P. 895, L.D. 1298 - An Act To Update Maine's Water Quality Standards  
 H.P. 1054, L.D. 1534 - An Act To Address Hunger, Support Maine Farms and Reduce Waste  
 Health and Human Services  
 S.P. 20, L.D. 40 - An Act To Strengthen Requirements for Water Testing for Schools  
 S.P. 58, L.D. 166 - An Act To Increase Reimbursement for Child Care Services  
 H.P. 142, L.D. 186 - An Act To Improve Peer Support Services  
 S.P. 84, L.D. 238 - An Act To Amend the Maine Medical Use of Marijuana Act  
 H.P. 203, L.D. 270 - An Act To Consolidate Administration of Kinship Care and Relative Placement Issues within the Department of Health and Human Services  
 H.P. 205, L.D. 272 - An Act Requiring Meningococcal Meningitis Vaccinations for Teenagers  
 H.P. 207, L.D. 274 - An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers  
 S.P. 124, L.D. 383 - An Act To Increase Access to Child Care  
 S.P. 125, L.D. 384 - An Act To Strengthen Maine Children's Mental Health  
 S.P. 127, L.D. 386 - An Act To Establish Universal Health Care for Maine  
 S.P. 138, L.D. 411 - An Act To Add Addiction to or Dependency on Opiates or Prescription Drugs to the List of Qualifying Conditions for Medical Marijuana  
 H.P. 333, L.D. 470 - An Act To Strengthen Maine's Hospitals and Increase Access to Health Care  
 H.P. 403, L.D. 561 - An Act To Remove the Requirement That Child Care Facility Workers and Family Child Care Providers Submit to Criminal Background Checks  
 H.P. 404, L.D. 562 - An Act Concerning the Department of Health and Human Services  
 S.P. 183, L.D. 565 - An Act To Address Maine's Opiate Addiction Crisis  
 S.P. 184, L.D. 566 - An Act To Improve Access to High-quality Child Care by Increasing Child Care Rates  
 H.P. 421, L.D. 605 - An Act To Support Evidence-based Treatment for Opioid Use Disorder  
 H.P. 482, L.D. 691 - An Act To Prevent Lead Poisoning in Children  
 H.P. 483, L.D. 692 - Resolve, To Provide Meals to Homebound Individuals  
 H.P. 542, L.D. 762 - An Act To Allow a Percentage of Funds from the Medical Use of Marijuana Fund To Fund Health Care Research

H.P. 543, L.D. 763 - An Act To Support Individuals with Disabilities by Exempting Certain Wages from Consideration for MaineCare  
 H.P. 545, L.D. 765 - An Act To Allow In-home Child Care Providers To Care for up to 5 Children without State Certification  
 S.P. 257, L.D. 812 - Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County  
 H.P. 591, L.D. 842 - Resolve, To Support Home Health Services  
 S.P. 300, L.D. 898 - An Act To Address Mandatory Overtime for Hospital Professionals  
 H.P. 630, L.D. 902 - Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program  
 H.P. 679, L.D. 966 - An Act To Create Mental Health Liaison Positions in Each County Jail  
 S.P. 700, L.D. 999 - An Act To Provide a Healthy Learning Environment in Early Care Settings by Requiring Rules Concerning Nutrition and Physical Activity  
 H.P. 746, L.D. 1063 - An Act To Protect Substance-exposed Infants  
 H.P. 771, L.D. 1097 - An Act To Develop and Distribute Work Training Pamphlets To Educate State Agencies, Private Businesses and Other Organizations about Dementia  
 H.P. 772, L.D. 1098 - An Act To Ensure Reasonable Accommodations for Children for Whom Medical Marijuana Has Been Recommended  
 S.P. 363, L.D. 1109 - An Act To Improve General Assistance Reimbursements  
 H.P. 796, L.D. 1133 - An Act Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization  
 H.P. 798, L.D. 1135 - An Act To Strengthen the Efficacy of the Medical Marijuana Laws  
 H.P. 811, L.D. 1148 - An Act To Safeguard the Rights of Private Child Care Businesses  
 S.P. 383, L.D. 1162 - An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine  
 S.P. 398, L.D. 1177 - An Act To Create an Appeals Process for Child Care Providers  
 H.P. 826, L.D. 1189 - An Act To Define the Age of Consent for Alcohol or Drug Treatment and Mental Health Services  
 S.P. 408, L.D. 1214 - An Act To Create Fairness in Home-based Care Fees for Service  
 H.P. 886, L.D. 1273 - Resolve, To Redispend Donated Prescription Drugs  
 H.P. 923, L.D. 1329 - An Act To Allow Tobacco Retail Establishments To Serve Alcohol  
 H.P. 953, L.D. 1374 - Resolve, Directing the Department of Health and Human Services To Assess and Improve the Availability of Child Care Services  
 S.P. 493, L.D. 1423 - An Act To Amend Certain Laws Governing Child Care Providers  
 H.P. 984, L.D. 1430 - An Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder  
 H.P. 990, L.D. 1435 - An Act To Ensure Transparency in the Distribution of Federal Block Grant Funds  
 H.P. 1013, L.D. 1474 - An Act To Reduce the Regulation of Child Care Facilities

H.P. 1020, L.D. 1481 - Resolve, To Establish a Pilot Project To Provide Travel Vouchers to Persons with Disabilities in Rural Communities  
 H.P. 1028, L.D. 1495 - An Act To Break the Generational Cycle of Domestic Violence  
 H.P. 1051, L.D. 1527 - An Act To Ensure Safety, Quality and Transparency in the Medical Marijuana Market and To Ensure Sufficient Funding for Regulation and Enforcement with Respect to the Retail Marijuana Industry  
 H.P. 1060, L.D. 1539 - An Act To Amend Maine's Medical Marijuana Law  
 H.P. 1110, L.D. 1612 - An Act To Support Maine Families through Universal Family Care  
 Inland Fisheries and Wildlife  
 H.P. 12, L.D. 11 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish  
 H.P. 446, L.D. 630 - An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits  
 H.P. 548, L.D. 768 - An Act To Establish 2 Comprehensive Licenses for Hunting and for Hunting and Fishing  
 H.P. 859, L.D. 1236 - An Act To Improve Maine's Heritage Fish List  
 S.P. 502, L.D. 1451 - An Act To Promote Biosecurity and Better Regulate the Importation, Possession and Use of Aquatic Species  
 Insurance and Financial Services  
 S.P. 130, L.D. 389 - An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law  
 S.P. 155, L.D. 453 - Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery  
 S.P. 222, L.D. 660 - An Act To Allow Credit and Debit Card Surcharges  
 H.P. 487, L.D. 696 - An Act Regarding Insurance and Financial Services  
 H.P. 681, L.D. 968 - An Act To Help Prevent Financial Elder Abuse  
 S.P. 337, L.D. 1030 - An Act To Require Nondiscrimination Policies in Providing Health Care Services  
 S.P. 339, L.D. 1032 - An Act To Ensure Protection and Health Insurance of Patients  
 S.P. 431, L.D. 1279 - An Act To Ensure Patient Protections in the Health Insurance Laws  
 H.P. 975, L.D. 1417 - An Act To Require Insurance Coverage for the Diagnosis and Treatment of Lyme Disease  
 H.P. 1015, L.D. 1476 - An Act To Ensure Continued Coverage for Essential Health Care  
 S.P. 532, L.D. 1507 - An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers  
 Joint Select Committee on Marijuana Legalization Implementation  
 H.P. 122, L.D. 164 - An Act To Require Tamper-evident Packaging for Recreational Marijuana Products  
 H.P. 171, L.D. 215 - An Act To Require a License for the Possession, Sale, Cultivation or Transportation of Marijuana for Recreational Use  
 S.P. 77, L.D. 231 - An Act To Allow Municipalities To Regulate the Growing of Marijuana  
 H.P. 234, L.D. 301 - An Act To Protect Children from Marijuana Sales by Prohibiting Retail Marijuana Establishments and Social Clubs near Schools  
 S.P. 98, L.D. 310 - An Act To Responsibly Implement an Adult Use Cannabis Program

S.P. 128, L.D. 387 - An Act To Provide for Oversight of Maine's Recreational Marijuana Laws  
 H.P. 313, L.D. 433 - An Act To Allow Municipalities To Apply a Local Option Sales Tax to the Sale of Marijuana  
 H.P. 361, L.D. 498 - An Act Regarding Marijuana Licensing  
 H.P. 362, L.D. 499 - An Act To Allow Municipalities To Prohibit Retail Marijuana Facilities in Safe Zones  
 H.P. 389, L.D. 545 - An Act To Ensure Maine's Unorganized Townships and Plantations Maintain Local Control under Laws Legalizing Marijuana  
 H.P. 412, L.D. 596 - An Act To Promote Highway Safety by Restricting the Use of Marijuana and Possession of an Open Marijuana Container in a Motor Vehicle  
 H.P. 441, L.D. 625 - An Act To Prohibit the Location of a Marijuana Facility within 2,000 Feet of a House of Public Worship or Property Associated with a House of Public Worship  
 H.P. 442, L.D. 626 - An Act To Provide Funding for County Jails from Sales Tax Collected on Retail Sales of Marijuana and Marijuana Products  
 H.P. 443, L.D. 627 - An Act To Establish a Data Collection Program To Monitor Effects of Marijuana Regulation  
 S.P. 229, L.D. 667 - An Act To Repeal the Legalization of Recreational Marijuana  
 S.P. 234, L.D. 672 - An Act To Clarify a Municipality's Authority To Adopt and Enforce Land Use Regulations for Marijuana Facilities  
 H.P. 516, L.D. 734 - An Act Extending the Time Period for Municipalities To Approve Marijuana Businesses  
 H.P. 577, L.D. 797 - An Act To Fund Railroad Infrastructure and Operations  
 H.P. 578, L.D. 798 - An Act To Clarify the Intent of the Licensing Provisions in the Marijuana Legalization Act  
 H.P. 579, L.D. 799 - An Act To Protect Landlords and Tenants from the Deleterious Effects of Marijuana Use  
 S.P. 251, L.D. 806 - An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act  
 H.P. 603, L.D. 854 - An Act To Correct Errors and Inconsistencies in the Marijuana Legalization Act as Approved by the Voters  
 H.P. 604, L.D. 855 - An Act To Protect Children from Edible Cannabis Products  
 H.P. 666, L.D. 938 - An Act To Harmonize Provisions of "An Act To Legalize Marijuana" with Related Provisions of the Maine Medical Use of Marijuana Act  
 H.P. 834, L.D. 1197 - An Act to Support Substance Use Disorder Prevention, Treatment and Recovery  
 H.P. 845, L.D. 1209 - An Act To Reserve for County Government One Percent of the Excise Tax Revenue from the Sale of Retail Marijuana  
 H.P. 985, L.D. 1431 - An Act To Dedicate a Portion of the Tax on the Sale of Marijuana to Substance Abuse Prevention and Treatment, Law Enforcement Costs and Regulatory Oversight  
 H.P. 1000, L.D. 1448 - An Act To Clarify Certain Provisions of the Marijuana Legalization Act and To Deter the Use of Marijuana by Minors  
 S.P. 520, L.D. 1491 - An Act To Provide for Safety, Quality and Transparency in the Retail Marijuana Industry  
 S.P. 524, L.D. 1499 - An Act To Better Regulate Marijuana  
 H.P. 1100, L.D. 1596 - An Act To Establish the Cannabis Advisory Commission  
 Judiciary

H.P. 91, L.D. 123 - An Act To Recodify and Revise the Maine Probate Code  
 H.P. 216, L.D. 283 - An Act To Increase the Jurisdictional Limits for Small Claims  
 S.P. 266, L.D. 821 - An Act To Enact the Revised Uniform Unclaimed Property Act  
 H.P. 595, L.D. 846 - An Act To Enact the Revised Uniform Fiduciary Access to Digital Assets Act  
 H.P. 609, L.D. 860 - An Act To Establish a Statewide Electronic Warrant System  
 H.P. 662, L.D. 934 - An Act To Establish an Expedited Temporary Guardianship Process  
 H.P. 682, L.D. 969 - An Act Regarding Nonprobate Transfers on Death  
 H.P. 824, L.D. 1187 - An Act To Amend the Child Protective Services Statutes  
 S.P. 430, L.D. 1267 - An Act To Protect Licensing Information of Medical Professionals  
 S.P. 463, L.D. 1355 - An Act To Ensure the Timely and Proper Completion of Residential Foreclosures  
 S.P. 484, L.D. 1406 - An Act To Promote Prescription Drug Price Transparency  
 H.P. 1062, L.D. 1541 - An Act To Protect Certain Administrative Licensing Files  
 Labor, Commerce, Research and Economic Development  
 S.P. 231, L.D. 669 - An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers  
 H.P. 491, L.D. 700 - An Act To Give Flexibility to Employees and Employers for Temporary Layoffs  
 H.P. 640, L.D. 912 - An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy  
 S.P. 314, L.D. 958 - An Act To Enact the Uniform Emergency Volunteer Health Practitioners Act  
 H.P. 867, L.D. 1244 - An Act To Support Small Manufacturers in the State  
 H.P. 921, L.D. 1327 - An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services  
 H.P. 1063, L.D. 1542 - An Act To Support Lead Abatement in Older Residential Properties  
 H.P. 1079, L.D. 1566 - An Act To Enact the Maine Fair Chance Employment Act  
 H.P. 1091, L.D. 1587 - An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System  
 Marine Resources  
 H.P. 494, L.D. 703 - An Act To Address Marine Debris Resulting from Commercial Activities  
 H.P. 650, L.D. 922 - An Act Directing the Commissioner of Marine Resources To Investigate the Conditions of Sheepscot Pond Related to a Management Plan for Anadromous Fish Species  
 H.P. 1043, L.D. 1519 - An Act To Define the Intertidal Zone for the Management and Enforcement of Shellfish Conservation Ordinances  
 State and Local Government  
 H.P. 73, L.D. 105 - An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine  
 H.P. 336, L.D. 473 - An Act To Quantitatively Evaluate State Contracts  
 H.P. 560, L.D. 780 - An Act Authorizing the Deorganization of Cary Plantation

S.P. 268, L.D. 823 - An Act To Promote Transparency with Respect to Surveillance Technology  
S.P. 290, L.D. 890 - An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives  
H.P. 751, L.D. 1068 - An Act To Require That State-funded Buildings Be Constructed with Wood Products  
H.P. 935, L.D. 1345 - An Act To Provide Alternative Repayment Methods to Employees Overcompensated through an Employer Error  
H.P. 1023, L.D. 1484 - An Act Authorizing the Deorganization of the Town of Atkinson  
H.P. 1092, L.D. 1588 - An Act To Maintain Mail Routes and Access to Residential Structures  
H.P. 1107, L.D. 1604 - Resolve, To Amend Authorization To Sell Certain Property in Augusta  
Taxation  
S.P. 144, L.D. 442 - An Act To Create a Family Caregiver Income Tax Credit  
S.P. 435, L.D. 1283 - An Act To Modernize the Mining Excise Tax  
H.P. 932, L.D. 1338 - An Act To Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses  
S.P. 507, L.D. 1461 - An Act To Encourage the Construction of Affordable Housing  
H.P. 1018, L.D. 1479 - An Act To Modernize and Improve Maine's Property Tax System  
H.P. 1057, L.D. 1537 - An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents  
H.P. 1078, L.D. 1565 - An Act To Ensure the Effectiveness of Tax Increment Financing  
H.P. 1102, L.D. 1599 - An Act To Improve the Maine Tree Growth Tax Law  
H.P. 1124, L.D. 1629 - An Act To Protect the Elderly from Tax Lien Foreclosures  
Transportation  
H.P. 165, L.D. 209 - An Act To Amend the Laws Governing Temporary Sign Usage  
S.P. 199, L.D. 584 - An Act To Create the Fund for Municipalities To Improve Pedestrian Safety  
H.P. 812, L.D. 1149 - An Act To Provide Revenue To Fix and Rebuild Maine's Infrastructure  
S.P. 478, L.D. 1400 - An Act To Create the Bar Harbor Port Authority  
H.P. 1099, L.D. 1595 - An Act Regarding Inspection Requirements for Public Safety and Municipal Vehicles Owned by Island Communities  
Veterans and Legal Affairs  
H.P. 32, L.D. 31 - RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
H.P. 838, L.D. 1201 - An Act To Authorize Tribal Gaming  
S.P. 550, L.D. 1568 - An Act To Require That Principals of Corporations Remain the Same for a Specified Number of Years for the Corporation To Be Eligible for a Casino License  
S.P. 560, L.D. 1590 - An Act Authorizing the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians To Benefit from the Operation of an Existing Casino

H.P. 1137, L.D. 1646 - An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance; and be it further

ORDERED, that the following specified matters, which are tabled in the House of Representatives, be held over to any special or regular session, or both, of the 128th Legislature:

S.P. 384, L.D. 1163 - An Act To Authorize a General Fund Bond Issue To Provide Funding for a Program of Student Debt Cancellation and Refinancing

S.P. 568, L.D. 1613 - An Act To Authorize a General Fund Bond Issue To Assist in the Commercialization of Maine Products and Services; and be it further

ORDERED, that the following specified matter be held over on the Special Appropriations Table to any special or regular session, or both, of the 128th Legislature:

H.P. 1027, L.D. 1494 - An Act To Increase the Availability of Foster Homes

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

**READ** and **PASSED**, in concurrence.

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

#### ORDERS

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

S.O. 17

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

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

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

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Senate at Ease.

The Senate was called to order by the President.

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

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Senate at Ease.

The Senate was called to order by the President.

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On motion by Senator **CUSHING** of Penobscot, the following  
Senate Order:

S.O. 18

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

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

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

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Senate at Ease.

The Senate was called to order by the President.

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

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

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On motion by Senator **DIAMOND** of Cumberland, the Honorable  
**MICHAEL D. THIBODEAU**, President of the Senate, declared the  
First Regular Session of the 128<sup>th</sup> Legislature **ADJOURNED**  
**SINE DIE** at 7:07 in the evening.