

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

beginning December 3, 2014

beginning at page H-1

ABSENT - Fowle, Herrick, Noon.

Yes, 145; No, 3; Absent, 3; Excused, 0.

145 having voted in the affirmative and 3 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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The Following Communication: (H.C. 330)

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

June 29, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th 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 557, "An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana."

This bill goes to extreme lengths to require local schools to permit marijuana on their premises. Not only is this bill an affront to local control by school boards, it leaves unanswered concerns that noncompliance with federal law might impact the federal funds that our schools rely on. This legislation would mark a significant departure from current drug-free school practices and deserves far greater consideration than this bill has received to date.

No state has yet adopted a similar provision to permit marijuana possession and use in schools. Even Colorado, a state that prides itself in allowing marijuana anywhere it possibly can, is only now voting on its own measure that would permit medical marijuana in school. New Jersey is close to passing a similar measure, but again, there is no precedent. No state has yet had experiences that we can learn from. What liabilities are we subjecting our Maine schools, students and parents to? What implications do the federal Safe and Drug Free Schools and Communities Act trigger? In the past we have seen State non-conformance with federal law result in an obligation for the State to return funds to the federal government, and I do not support legislation that creates the same risk for the future. While lawmakers in those states may be willing to put their constituents and finances at risk, it would be irresponsible to allow Maine to be the guinea pig in this uncharted territory.

For this reason, I return LD 557 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

The accompanying item An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana

(H.P. 381) (L.D. 557)

(S. "A" S-148 to C. "A" H-207)

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

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

**ROLL CALL NO. 435V**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Espling, Evangelos, Farnsworth, Fecteau, Foley, Frey, Gattine, Gideon, Gilbert, Gillway, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Hanley, Harlow, Hawke, Head, Herbig, Hickman, Hilliard, Hobbins, Hogan, Hubbell, Hymanson, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce T, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Sirocki, Stanley, Stetkis, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Turner, Vachon, Ward, Warren, Welsh, Wood, Mr. Speaker.

NAY - Campbell J, Crafts, Edgecomb, Farrin, Fredette, Gerrish, Ginzler, Guerin, Hanington, Higgins, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Marean, Martin J, Nadeau, Peterson, Pierce J, Pouliot, Reed, Sherman, Skolfield, Stearns, Theriault, Timberlake, Timmons, Tuell, Verow, Wadsworth, Wallace, White, Winsor.

ABSENT - Fowle, Herrick, Jorgensen, Noon.

Yes, 112; No, 35; Absent, 4; Excused, 0.

112 having voted in the affirmative and 35 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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The Following Communication: (H.C. 331)

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

June 29, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th 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 752, "An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults."

Currently, the law allows for adults in the medical marijuana program, except incapacitated adults, to grow six plants for themselves. Incapacitated adults are allowed to have other individuals grow marijuana for them. This irresponsible bill would allow for incapacitated adults to cultivate their own medical marijuana. An incapacitated adult is defined in the Adult Protective Services Act as one:

who is impaired by reason of mental illness, mental deficiency, physical illness or disability to the extent that that individual lacks sufficient understanding or capacity to make or communicate responsible decisions concerning that individual's person, or to the extent the adult cannot effectively manage or apply that individual's estate to necessary ends.

22 M.R.S.A. § 3472(10). It is bizarre that we are encouraging adults with insufficient ability to make responsible decisions to grow marijuana. These individuals are at high risk of abuse and exploitation, and yet we are doing our best to promote their keeping a street valued drug in their home? Our elderly and disabled already are having their prescription drugs stolen from

them, and here we are just adding another unnecessary risk for them.

For these reasons, I return LD 752 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

The accompanying item An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults

(H.P. 505) (L.D. 752)  
(C. "A" H-331)

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

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

**ROLL CALL NO. 436V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Buckland, Burstein, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Evangelos, Farnsworth, Farrin, Fecteau, Frey, Gattine, Gideon, Gilbert, Gillway, Golden, Goode, Grant, Greenwood, Grohman, Harlow, Hawke, Head, Herbig, Hickman, Hobart, Hobbins, Hogan, Hubbell, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, O'Connor, Parry, Peterson, Pierce J, Pierce T, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Sirocki, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Turner, Vachon, Wadsworth, Warren, Welsh, Wood, Mr. Speaker.

NAY - Austin, Black, Campbell J, Campbell R, Crafts, Dillingham, Edgecomb, Espling, Foley, Fredette, Gerrish, Ginzler, Guerin, Hanington, Hanley, Higgins, Hilliard, Hymanson, Kinney M, Lockman, Long, Lyford, Maker, Marean, McClellan, Nadeau, Nutting, Picchiotti, Pickett, Pouliot, Reed, Sherman, Skolfield, Stetkis, Theriault, Timberlake, Timmons, Tuell, Verow, Wallace, Ward, White, Winsor.

ABSENT - Fowle, Hamann, Herrick, Noon.

Yes, 104; No, 43; Absent, 4; Excused, 0.

104 having voted in the affirmative and 43 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 332)

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

June 29, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th 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 1090, "Resolve, To Establish a Pilot Project for Medicaid

Reimbursement for Acupuncture Treatment of Substance Abuse Disorders."

This resolve requires the Department of Health and Human Services to apply to the federal government to establish a Medicaid pilot program to allow reimbursement of acupuncture to treat alcohol abuse, substance abuse, and co-occurring disorders (substance abuse and mental health issues).

While I appreciate the desire to establish a cost-neutral or cost-saving drug addiction program, I am concerned that the evidence for the efficacy of acupuncture in treating addiction is lacking. The studies that seem to indicate it works are of low quality and reliability—they have low numbers of test subjects, are not randomized and double-blinded, and do not use standard treatment protocols. In other words, we would be paying for a service that is not scientifically proven to be successful. I am opposed to using Maine taxpayers' dollars to pay for unproven treatments.

For these reasons, I return LD 1090 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders

(H.P. 751) (L.D. 1090)  
(C. "A" H-438)

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

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

**ROLL CALL NO. 437V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Buckland, Burstein, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Greenwood, Grohman, Guerin, Harlow, Hawke, Head, Herbig, Hickman, Hobbins, Hogan, Hubbell, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, McCabe, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Shaw, Short, Stanley, Stearns, Stuckey, Tuell, Turner, Vachon, Verow, Wallace, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Black, Campbell J, Chace, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grant, Hanington, Hanley, Higgins, Hilliard, Hobart, Hymanson, Kinney J, Kinney M, Lockman, Long, Lyford, Marean, Mastraccio, McClellan, McCreight, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Prescott, Reed, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Wadsworth, White, Winsor, Wood.

ABSENT - Fowle, Hamann, Herrick, Noon.

Yes, 91; No, 56; Absent, 4; Excused, 0.

91 having voted in the affirmative and 56 voted in the negative, with 4 being absent, and accordingly the Veto was **SUSTAINED**.