

MAINE STATE LEGISLATURE

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

Daily Edition

Second Special Session

beginning June 19, 2018

beginning at page H-1739

businesses operating in Maine's unorganized territories and rural towns, which lack the capacity or resources to contract with an online service.

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

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

Sincerely,

S/Paul R. LePage

Governor

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

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

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

(S.P. 678) (L.D. 1809)

(S. "A" S-517 to C. "A" S-417)

In Senate, July 9, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

The **SPEAKER**: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker, Friends of the House. I rise in favor of the notion that burn permits should be available free, conveniently online, using the software that has been designed by our local fire safety professionals.

This software has demonstrated the test of time. It's preferred by the local frontline safety folks who have to use it and it actually reduces the number of false alarm calls that taxpayers have to pay for. This bill is about candid common sense, Madam Speaker. We should not be surprised that the level of compliance with burn permit requirements is greater when there is no cost, when it is easy, when it's convenient, when it's instantaneous to apply and get a response, and when it actually reduces the administrative burden of our public safety officials. Madam Speaker, I urge you and my colleagues to support this common sense measure and override the Chief Executive's veto.

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

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

ROLL CALL NO. 733V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant,

Denno, Devin, Doore, Dunphy, Espling, Farnsworth, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Campbell, Dillingham, Farrin, Johansen, Tuell.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 139; No, 5; Absent, 7; Excused, 0.

139 having voted in the affirmative and 5 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 1062)

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

July 6, 2018

The 128th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 238, "An Act to Amend the Maine Medical Marijuana Act."

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

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

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

For these reasons, I return LD 238 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

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

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

The accompanying item An Act To Amend the Maine Medical Use of Marijuana Act (EMERGENCY)

(S.P. 84) (L.D. 238)
(C. "A" S-443)

In Senate, July 9, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

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

ROLL CALL NO. 734V

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

NAY - NONE.

ABSENT - Duchesne, Fay, Harvell, Kinney M, McLean, Pickett, Simmons.

Yes, 144; No, 0; Absent, 7; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 1063)

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

July 6, 2018

The 128th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1321, "An Act To Promote Social and Emotional Learning and Development in Early Childhood."

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

For this reason, I return LD 1321 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

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

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

The accompanying item An Act To Promote Social and Emotional Learning and Development in Early Childhood

(S.P. 450) (L.D. 1321)
(S. "B" S-533 to C. "A" S-128)

In Senate, July 9, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

Representative **FARNSWORTH**: Thank you, Madam Speaker. One of the interesting things that we discovered on the Children's Growth Council is that with preschool children we are actually having incidents of significant behavioral issues that are resulting in young children being expelled from the programs, and one of the issues that has come up is that many of the teachers in preschool and child care do not have the skills or understanding about how to provide adequate care in these situations. This particular proposal is basically to ask the Department of Education to take and develop a program that will provide that kind of support to the early childhood professionals in this state. So I would just urge, for the benefit of those little kids that are experiencing those failures, that maybe we can stop that by providing the teachers with the appropriate training. Thank you.