

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 8, 2014

beginning page H-1301

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
34th Legislative Day
Wednesday, April 2, 2014

(H.P. 973) (L.D. 1365)
(C. "A" H-664)

On motion of Representative BERRY of Bowdoinham,
TABLED pending **RECONSIDERATION** and later today
assigned.

The House met according to adjournment and was called to
order by the Speaker.

Prayer by Honorable Bernard L. A. Ayotte, Caswell .
National Anthem by Bangor Area Children's Choir.
Pledge of Allegiance.
Doctor of the day, Ann E. Dorney, M.D., Norridgewock.
The Journal of yesterday was read and approved.

The Following Communication: (H.C. 394)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 1, 2014
The 126th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 126th 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 1597, "An Act to Clarify Provisions of the Medical Marijuana
Act."

This bill makes it legal for an elected official to visit a medical
marijuana grow site operated by a registered caregiver or
dispensary. Such a visit currently is against the law. This bill
would apply to all elected officials, even those that would have no
legislative authority whatsoever over medical marijuana issues,
such as probate judges or town road commissioners. It seems
hypocritical for us as elected officials to exempt ourselves from
the law, especially when most of those elected would not need
specialized knowledge of medical marijuana to perform their job
duties.

For these reasons, I return LD 1597 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 An Act To Clarify Provisions of the
Maine Medical Use of Marijuana Act (EMERGENCY)

(H.P. 1168) (L.D. 1597)
(C. "A" H-665)

The **SPEAKER**: The Chair recognizes the Representative
from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Mr. Speaker. Mr.
Speaker, Men and Women of the House. I hope you will join me
today in overriding this veto. LD 1597 received a Unanimous
Report, Ought to Pass, from the Committee on Health and
Human Services and it went under the hammer in this body. We
worked very, very hard in the committee to get the support of the
entire committee and I'm very grateful for the hard work that my
colleagues on the HHS Committee did. Basically, what this bill
does that was passed is it allows marijuana dispensaries and
caregivers to allow, if they choose, elected officials, local and
state, to come in and receive tours and to try to understand better
the work that is done in these budding businesses. One thing
I've learned in the short period of time that I've been on the HHS
Committee is that there are still a lot of misconceptions and
myths about how this health care treatment and how these
businesses operate. There's only so much you learn sitting in a
committee room. While I've been on HHS I've had the
opportunity to tour hospitals, I've had the opportunity to tour
Riverview, I've had the opportunity to tour the Mental Health Unit
down at the Warren Prison, but I am not allowed, under current
statute, even at the invitation of a dispensary or a caregiver, to
come in and try to understand better about how they operate. I

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act Regarding Wet Storage Sites for Cultured Marine
Organisms"

(H.P. 1175) (L.D. 1603)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee
on **MARINE RESOURCES READ** and **ACCEPTED** in the House
on March 31, 2014.

Came from the Senate with the Minority (5) **OUGHT TO
PASS AS AMENDED** Report of the Committee on **MARINE
RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO
BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (H-768)** in **NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham,
TABLED pending **FURTHER CONSIDERATION** and later today
assigned.

COMMUNICATIONS

The Following Communication: (H.C. 393)

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

April 1, 2014
The 126th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 126th 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 1365, "An Act To Promote New Models of Mobility and
Access to Transportation."

This bill is unnecessary and unwieldy. MaineDOT is in the
process of writing a new statewide strategic transit plan, which
addresses the concerns outlined in this bill. The Department has
been successfully spearheading this effort without legislative
action for approximately a year now; I trust they will accomplish
this without a legislative mandate.

Further, LD 1365 creates an eighteen member advisory group to
provide input on transit issues in the State. After reviewing the
membership of such group, I feel conflicts of interest may arise
and compromise the duties of the advisory group.

For these reasons, I return LD 1365 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 An Act To Promote New Models of
Mobility and Access to Transportation

AUGUSTA, MAINE 04333-0001

think that it's important for us to do whatever we can to try to understand these businesses, especially the folks on the HHS Committee who are charged with overseeing these and driving policy around these businesses. I think this legislation makes a lot of sense and I hope it's going to continue to get the strong support from this body. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also join in with the good Representative from Westbrook and urge your support for this legislation. When this legislation first came out, there was a lot of controversy over it. But what this bill is actually intended for is to give elected officials, both legislators and those at a municipal level, the opportunity, at the invitation of the owners of these small businesses, the caregivers in our community and the dispensaries, etcetera, to have an opportunity to become educated about the program. I think it's really important for municipal officials which is why we included them in this to understand about all the businesses in their town. At this time, it's illegal for any of us to enter one of these establishments and I think it's really important that we make it easier for us to do so. Thank you very much.

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. 613V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Ayotte, Cotta, Crafts, Crockett, Davis, Fitzpatrick, Gifford, Guerin, Johnson P, Knight, Long, Weaver.

ABSENT - Bennett, Black, Campbell R, Carey, Chapman, Johnson D, Kent, Kusiak, Noon, Pringle.

Yes, 129; No, 12; Absent, 10; Excused, 0.

129 having voted in the affirmative and 12 voted in the negative, with 10 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 395)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION

April 1, 2014

The 126th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 126th 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 1685, "Resolve, To Strengthen the Protection of Children from Abuse and Neglect."

I am in favor of efforts to make Maine children safe from abuse and neglect. However, it makes no sense for the Legislature to demand work from the Department of Health and Human Services through a resolve when the Department has volunteered to conduct the work in a reasonable timeframe. The Executive and Legislative branches can work together cooperatively and productively, and to that end, not every solution needs to be a legislative enactment. Sometimes, the less complicated the solution, the easier it is to accomplish.

For these reasons, I return LD 1685 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 Strengthen the Protection of Children from Abuse and Neglect (EMERGENCY)
(H.P. 1208) (L.D. 1685)
(C. "A" H-667)

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, I rise to urge this body to override the veto that we received yesterday. Mr. Speaker, Men and Women of the House, I do so because I feel very strongly about the issue of child abuse and neglect prevention, and because in all that I have learned here as a policymaker and as a teacher for 20 years, preventing child abuse and neglect rises to the very top of the list for me in terms of the things that we can do to move our economy forward, to move our educational system forward, and to help our state to move forward. The timing of this veto was particularly unfortunate and even shocking. It was unfortunate and shocking not only because yesterday was the beginning of Child Abuse and Neglect Prevention Month, not only because it was April Fools yesterday and in some ways the arrival of this veto letter seemed a cruel joke on children who are suffering today from child abuse and neglect, but more importantly because no time is better than the present to take real action, certain action, with the department to address child abuse and neglect. We know from science, recent science, that adverse childhood experiences have a dramatic effect on a child's brain development, health, learning, productivity, and their ability to lead a happy and productive life in the future. So, Mr. Speaker, I hope today that we can join together in overriding this veto and making sure that the good work that is in this bill goes forward. Thank you.

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.