

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

Second Regular Session
beginning January 6, 2016

beginning at Page 1434

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 the Bill. 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 (#706)

YEAS: Senators: ALFOND, BAKER, BREEN, BURNS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, VOLK, WOODSOME

NAYS: Senators: BRAKEY, COLLINS, EDGEComb, HAMPER, LANGLEY, ROSEN, WHITTEMORE, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 26 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: S.C. 996

**STATE OF MAINE
127TH LEGISLATURE
OFFICE OF THE GOVERNOR**

April 25, 2016

The 127th Legislature of the State of Maine
State House
Augusta, ME

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 867, "An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act."

Recent events make it more likely we will face a statewide referendum on the ballot in November to introduce a legal framework in Maine to tax and regulate marijuana. This bill seeks to make a significant change to tax policy for medical marijuana

dispensaries. I believe the policy implications of this bill would best be evaluated after the vote in November.

Further, the tax relief sought in this bill is necessary since federal tax law denies dispensaries the ability to deduct business expenses because marijuana remains a federally controlled substance. Since the beginning of my Administration, we have sought to move toward conformity with federal tax deductions and to simplify Maine's tax code. Earlier this year, we worked together to pass critical legislation conforming to federal tax deductions for businesses. This bill would introduce a new exception, decoupling from the federal code, which is inconsistent with the direction we have been moving.

For these reasons, I return this bill to you 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 Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act
S.P. 312 L.D. 867

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 the Bill. 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 (#707)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, DESCHAMBAULT, DIAMOND, DILL, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, VOLK, WILLETTE

NAYS: Senators: BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, MCCORMICK, ROSEN, WHITTEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, and 23 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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