

MAINE STATE LEGISLATURE

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

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First Regular Session

beginning December 3, 2014

beginning at page H-1

days of the receipt of the request and is still subject to court process for the denial.

Like LD 1086, the bill does not have much impact on the Legislature, itself. This is so because the Legislature has exempted the vast majority of its own documents "including working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee ..." from the requirements of FOAA. I oppose this bill because despite the fact that our government is supposed to operate as three separate but equal branches of government all of which should be transparent in their processes, the Legislature does not hold itself to the same standard. Instead, it makes the Executive Branch alone shoulder the weight of government transparency.

For these reasons, I return LD 1087 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 Implement the Recommendations of the Right To Know Advisory Committee Concerning Response Deadlines and Appeals

(H.P. 748) (L.D. 1087)
(C. "A" H-360)

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. 355V

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Harlow, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, Parry, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Austin, Battle, Buckland, Chace, Crafts, Dillingham, Dunphy L, Hanley, Hawke, Head, Hilliard, Long, Lyford, McClellan, O'Connor, Pierce J, Reed, Sherman, Sirocki, Skolfield, Stetkis, Timberlake, Turner, Wallace.

ABSENT - Farrin, Goode, Malaby, Noon, Sanborn, Theriault, Timmons.

Yes, 120; No, 24; Absent, 7; Excused, 0.

120 having voted in the affirmative and 24 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 285)

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

June 22, 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 1088, "An Act To Implement the Recommendations of the Right to Know Advisory Committee."

Much like LDs 1086 and 1087, this bill also seeks to amend the Freedom of Access Act (FOAA) in ways that impact Executive Branch agencies, including clarifying that additional agency records are public records.

Like LDs 1086 and 1087, the bill does not have much impact on the Legislature, itself. This is so because the Legislature has exempted the vast majority of its own documents "including working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee ..." from the requirements of FOAA. I oppose this bill because despite the fact that our government is supposed to operate as three separate but equal branches of government all of which should be transparent in their processes, the Legislature does not hold itself to the same standard. Instead, it makes the Executive Branch alone shoulder the weight of government transparency.

For these reasons, I return LD 1088 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 Implement Recommendations of the Right To Know Advisory Committee

(H.P. 749) (L.D. 1088)
(C. "A" H-359)

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. 356V

YEA - Alley, Austin, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Ginzler, Golden, Greenwood, Grohman, Guerin, Hamann, Harlow, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, Parry, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short,

Sirocki, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Battle, Chace, Crafts, Dillingham, Gillway, Hanington, Hanley, Hawke, Long, Lyford, McClellan, O'Connor, Pierce J, Sherman, Skolfield, Stetkis, Timberlake, Turner, Wallace.

ABSENT - Farrin, Goode, Malaby, Noon, Sanborn, Theriault, Timmons.

Yes, 125; No, 19; Absent, 7; Excused, 0.

125 having voted in the affirmative and 19 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 286)

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

June 22, 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 1154, "An Act To Provide for the Establishment of Benefit Corporations."

The State of Maine already has a statutory structure for the creation of business corporations, non-profit corporations, partnerships, limited liability partnerships, and limited partnerships, to name a few. In other words, there are plenty of avenues for the creation and functioning of corporate entities in this state. While Maine has several anti-business hurdles it needs to overcome to make Maine truly competitive, one thing we do not need is a new statutory scheme for the creation of yet another corporate structure. Moreover, this particular scheme simply creates the equivalent of a "fence-sitter" – a corporation that is neither fully for-profit nor fully non-profit.

Rather than play around with the creation of new corporate structures, the Legislature should focus its energy on passing legislation that helps existing businesses grow and become more competitive as well as legislation that attracts new business to our state. The kind of effort this bill represents is a waste of time. For these reasons, I return LD 1154 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 Provide for the Establishment of Benefit Corporations

(H.P. 792) (L.D. 1154)

(C. "A" H-363)

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. 357V

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt,

DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Grant, Grohman, Hamann, Harlow, Herbig, Herrick, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiaga, Lajoie, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, Peterson, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Black, Buckland, Campbell R, Chace, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, McClellan, McElwee, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farrin, Goode, Malaby, Noon, Sanborn, Theriault, Timmons.

Yes, 88; No, 56; Absent, 7; Excused, 0.

88 having voted in the affirmative and 56 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 287)

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

June 22, 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 1173, "An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services."

This bill would add professional growth to the list of items for which Funds for the Efficient Delivery of Educational Services (FEDES) money in the Department could be expended. This is not the purpose of this fund or its accompanying rules.

The express purpose of including FEDES funds in this year's budget was to fund collaboration among school districts that would result in ongoing savings, with those savings passed on for classroom instruction. Lowering the cost of education in Maine and giving our teachers the resources they need should be a top priority for state government and FEDES funds are an essential incentive toward this goal. Diverting these funds to other purposes would diminish this effort.

In addition, Department of Education regulations, Ch. 122, Sec. 4, Item (4)(C) already allows for expanded access to professional development, making this change to the statute unnecessary.

For these reasons, I return LD 1173 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.