

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 3, 2014

beginning at Page 1

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 (#350)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WHITTEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: CYRWAY, DAVIS, EDGECOMB, MCCORMICK, ROSEN, WILLETTE

EXCUSED: Senator: VOLK

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, and 28 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: 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.

The accompanying Bill:

An Act To Implement Recommendations of the Right To Know Advisory Committee

H.P. 749 L.D. 1088

Comes from the House, 125 members having voted in the affirmative and 19 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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 (#351)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: CYRWAY, DAVIS, MCCORMICK, WILLETTE

EXCUSED: Senator: VOLK

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, and 30 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.

Comes from the House, 125 members having voted in the affirmative and 19 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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.

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.

The accompanying Bill:

An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services

H.P. 805 L.D. 1173

ROLL CALL (#352)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 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 Following Communication: H.C. 288

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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 1186, "An Act To Promote Professional Training and Security in Maine Courts."