

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

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beginning January 6, 2016

beginning at Page 1434

STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Friday
April 29, 2016

Senate called to order by President Michael D. Thibodeau of
Waldo County.

Prayer by President Michael D. Thibodeau of Waldo County.

PRESIDENT THIBODEAU: Would everybody please join me in prayer. Lord, we come before You this morning remembering that it was only 16 short months ago that this group gathered to do the work of the Maine people. Lord, we ask for Your wisdom, Your blessing upon this group. We ask for Your wisdom as we contemplate what good public policy would be on behalf of the people of the state of Maine. Lord, this morning we pause to thank You for Your help, Your wisdom, as we struggle with some very tough issues. Lord, we thank You that You brought together this group that worked incredibly hard, sought Your wisdom, and Your blessing upon us. Lord, we pray that the work that was done here truly was good work and that the people that each one of us represents are better for it. Lord, I pray for the folks that are not coming back to join us next year, I pray that You will continue to bless their lives with health and family. Lord, I pray that they'll find plenty to do that is meaningful. Lord, I pray for the folks that do intend to come back, that they'll have a restful summer, they'll return with a new vigor, a vigor to do what's right on behalf of their constituents and the people of the state of Maine. I pray all this in Christ's name. Amen.

Pledge of Allegiance led by Senator Peter E. Edgecomb of
Aroostook County.

Reading of the Journal of Friday, April 15, 2016.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 1001

STATE OF MAINE
127TH LEGISLATURE
OFFICE OF THE GOVERNOR

Presentment Statement

**LD 1643, An Act to Correct Errors and Inconsistencies in the
Laws of Maine**

April 22, 2016

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

Dear Honorable Members of the 127th Legislature:

I have returned LD 1643, "An Act to Correct Errors and Inconsistencies in the Laws of Maine," unsigned and with the intention that it become law without my signature. This bill may result in some helpful corrections of Maine's laws. I am, however, concerned that the language of this bill directing various agencies to notify the Legislature of certain contingencies is inconsistent with Maine's constitution.

Sections C-1, C-2, C-3, C-5, C-6, C-7 and C-8 all purport to require Executive Branch or independent agencies to report to the Secretary of State and other arms of the Legislature when certain contingencies have occurred, in order to trigger the effectiveness or repeal of various statutes. These sections, however, are inconsistent with the Governor's constitutional authority to direct Executive Branch employees as contemplated by Article V, Part First, Section 1 and the Governor's authority to recommend for consideration such measures as the Governor may judge expedient pursuant to Article V, Part First, Section 9.

To the extent that this bill purports to direct these agencies to report to various arms of the Legislature, the Executive Branch shall construe this language in a manner consistent with the Governor's constitutional authority.

Sincerely,

S/Paul R. LePage
Governor

READ.

THE PRESIDENT: The Chair recognizes the Senator from
Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just wanted to briefly respond to this communication, to note that while it says that it is inconsistent with Maine's Constitution for the Legislature to have directed various agencies to notify the Legislature of certain contingencies, that is, in fact, part and parcel of what the Legislature does in enacting laws in ways that they can be effectively implemented and we are all bound by them, including State agencies. This does not, in any way, interfere with the Governor's responsibility for directing staff of those agencies in internal functions to accomplish these necessities of statute. I just wanted that to be on the record, Mr. President. Thank you for your time.

ORDERED PLACED ON FILE.

The Following Communication: S.C. 1002