

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
SENATE ADVANCED JOURNAL AND CALENDAR**

Tuesday, June 27, 2017

SUPPLEMENT NO. 3

COMMUNICATIONS

(2-1) The Following Communication:

H.C. 281

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

June 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th 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 1126, "An Act Relating to the Use and Leasing of Public Reserved Lands."

This bill is another attempt by the Legislature to micromanage the Executive Branch. It requires the Bureau of Parks and Lands (BPL) to amend its rules to expressly permit bear-baiting at sites that are not accessible by road, but are accessible by water. The bill also directs the Director of BPL to issue a revised lease of land in Township 16, Range 6 for Eagle Lake Sporting Camps, changing its term from 15 years to 30 years, notwithstanding the limitation in current law for such leases to be no longer than 15 years.

In addition to micromanaging the department, this bill sets a dangerous precedent by allowing the Legislature to enact laws to benefit specific businesses or entities without considering all of the pertinent information that the department uses to make these deliberate decisions. If this bill passes, how is the Legislature going to pick and choose which sporting camp and campground leases they are going to intervene in or what public reserved land uses should be altered to benefit a few at the expense of all Maine citizens? The Legislature needs to think about the long-term consequences a bill like this will have on the state.

For these reasons, I return LD 1126 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-2) The accompanying Bill "An Act To Support Tourism on Public Reserved Lands by Leasing Sites to Commercial Sporting Camps" (EMERGENCY)

H.P. 789 L.D. 1126

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.

(2-3) The Following Communication:

H.C. 283

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

June 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th 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 1217, "An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Evaluations of the State's Investments in Economic Development."

This is a perfect example of legislation that sounds good in the committee room, but in practice falls short of delivering anything of real value for the people of Maine. This bill binds a future Legislature and administration with a series of statutory reports and deadlines without identifying adequate, permanent funding.

It has been established by the administration, OFPR and OPEGA that under existing statute—which is duplicated and expanded in LD 1217—not enough funding is generated to pay the economic development portion of the report. To meet the requirements of the changes proposed, permanent and dedicated funding should have been identified or language should have been included that says if not enough funding is generated, the evaluation won't be conducted. This bill fails to account for the real cost of putting together an independent, third-party evaluation.

LD 1217 still calls for a series of reports following evaluations to be submitted. This will result in more new reports that will go unread and sit on shelves and in drawers here in Augusta.

For these reasons, I return LD 1217 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-4) The accompanying Bill "An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Evaluations of the State's Investments in Economic Development"

H.P. 849 L.D. 1217

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.

(2-5) The Following Communication:

H.C. 284

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

June 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th 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 1376, "An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling."

National standards for substance-abuse treatment licensing is currently set by the International Certification & Reciprocity Consortium (IC&RC), which is the nationally recognized resource for prevention, substance-use disorder treatment and recovery credentialing.

The Maine State Board of Alcohol and Drug Counselors has strict standards regarding licensure. There are educational standards, clinical supervision standards and professional education standards in place to ensure that practicing clinicians maintain a certain level of competency. These standards are also considered by the IC&RC as best-practice standards for the field.

Maine has a better-than-average test passing rate as compared to other states. The test-passing rate for LADCs is at 73 percent, compared to a national passing rate of 60 percent, and the CADC passing rate is 79 percent compared to a national rate of 73 percent (IC&RC; International Certification & Reciprocity Consortium).

This state does significant work to ensure our standards are high and the quality of our counselors is excellent. This bill has the potential to significantly decrease the competency of our treatment providers. Lowering the standards and quality for substance-abuse treatment professionals is not the right approach to addressing the drug crisis that is on our streets. More than ever, we need the best counselors possible to help Mainer's break the chains of addiction.

For this reason, I return LD 1376 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-6) The accompanying Bill "An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling and To Increase the MaineCare Reimbursement Rates for Certain Counselors"

H.P. 955 L.D. 1376

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.

(2-7) The Following Communication:

H.C. 285

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

June 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th 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 1572, "An Act to Implement Recommendations of the Government Oversight Committee to Improve the Efficiency and Effectiveness of Legislative Reviews of Tax Expenditures."

I have long believed the legislature does not read the lengthy and time-consuming reports that it requires others to prepare, and this bill will not change that. This bill passes unnecessary reforms for reports that regularly go unread, are unappreciated and are left on shelves collecting dust.

While some may feel that these bureaucratic solutions are a substitute for effective and accountable management, I do not. Amending these reporting statutes is like changing scorekeeping rules for a scrimmage—it won't matter because nobody pays attention to it. Legislators willfully ignore the very reports they request. As a result, any change to reporting statutes would be inconsequential.

This bill is the latest example in a disappointing trend of legislative priorities being misaligned with the interests of the people the Legislature purports to represent. This bill is simply not necessary, which is why I return LD 1572 unsigned and vetoed. I urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-8) The accompanying Bill "An Act To Implement Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Legislative Reviews of Tax Expenditures"

H.P. 1083 L.D. 1572

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.

(2-9) The Following Communication:

H.C. 286

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

June 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th 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 1601, "An Act To Increase Funds Deposited into the Companion Animal Sterilization Fund through the Pet Food Surcharge."

This bill was originally submitted as a Governor's Bill to phase out the \$20 pet food surcharge over three years. However the ACF Committee completely re-wrote the bill in order to preserve the surcharge and increase the amount of revenue dedicated to the Companion Animal Sterilization Fund (Fund) which was the exact opposite of what I intended.

I hope the Legislature understands that Maine triple taxes pet food sold in the state. In addition to the sales tax, Maine assesses an \$80 fee along with the \$20 surcharge for each product line. The registration fee and the surcharge represent a cost of nearly \$1 million annually to pet food companies who have to pass on these costs to responsible pet owners. Part of the \$80 registration fee helps to fund regulatory work within the Department of Agriculture, Conservation and Forestry (DACF) and I believe that fee is appropriate. The \$20 pet food surcharge which is dedicated to the Fund has outlived its usefulness as there are other current revenue streams available.

When the surcharge was first put into law it was expected to raise \$100,000 for the Fund, with the excess revenue going to DACF. But as is the case with many government programs, the revenue generated from the tax has grown significantly since it was established. Meanwhile, additional revenue has been coming in from the Animal Welfare license plates and voluntary income tax check-offs. Other states use these kinds of voluntary revenue streams to pay for their spay and neuter programs and do not use a pet food surcharge.

This bill does nothing to address the tax burden placed on pet food companies and pet owners in this state. If the Legislature believes that this is a state-wide priority and more money is needed for the Fund, then the burden should be taken off the backs of these businesses and constituents and funded as a priority by the state.

For this reason, I return LD 1601 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-10) The accompanying Bill "An Act To Reduce Costs to Businesses by Phasing Out the Pet Food Surcharge" (EMERGENCY)

H.P. 1104 L.D. 1601

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.
