

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

Wednesday, June 21, 2017

SUPPLEMENT NO. 8

COMMUNICATIONS

(2-1) The Following Communication:

H.C. 263

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

June 20, 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 L.D. 256 "An Act to Ensure Continued Availability of High-Speed Broadband Internet at Maine's Schools and Libraries."

This bill modifies the funding mechanism for the Maine Telecommunications Education Access Fund (MTEAF) used to support the Maine School and Library Network (MSLN). Currently, this program is funded through a fixed percentage assessment applied to voice-related communication service revenues. Because data-related communication revenues are replacing voice-related communication revenues, the funding available under the existing structure is decreasing. The proposed bill seeks to prop up the funding by changing to a per-line funding structure. While I support the concept of schools and libraries being joined together to achieve bulk-purchasing power to decrease the cost of providing broadband internet solutions, I cannot support the funding mechanism advanced in this bill.

The MSLN was originally developed in the mid-1990s as a result of a Public Utilities Commission rate case decision against Bell Atlantic (Maine's largest local telephone company at the time). The Commission required Bell Atlantic to provide \$20 million toward the deployment of internet services to all Maine schools and libraries. A few years later, in 1999, the legislature created the MTEAF to continue the funding and further promote internet services at Maine's schools and libraries. However, the internet is no longer a fledgling enterprise. The original purpose of the MSLN has been served – 99% of Maine's schools have internet service at a speed of at least 100 kilobytes per student. The internet is now a mature industry and should be funded in the same manner that all of the other normal costs of schools and libraries are funded.

I have long opposed fees that hide true cost of services and pass along the burden to ratepayers who have no say in paying an increased fee that funds an initiative unrelated to the service they are purchasing. While I also disfavor the existing statutory funding structure, at least it will allow a gradual transition to more local responsibility for the costs, thereby incentivizing our schools and libraries to explore services and funding based on the individual needs and characteristics of the communities they serve.

For these reasons, I return L.D. 256 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 Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries"

H.P. 189 L.D. 256

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. 264

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

June 20, 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 633, "An Act To Amend Teacher Evaluation Requirement."

I do not agree that measures of teacher effectiveness do not need to include student growth. While other measures of teacher effectiveness are certainly important, whether students grew and learned seems fundamental.

During the 127th Legislature, the Education and Cultural Affairs Committee made a firm commitment not to change the rules in the middle of the game. This bill does that. It seems that this bill would require every district in the state to revisit and revise their teacher evaluation plans, many of which are just ending their pilot phase.

This bill requires new rulemaking—without providing funding to the Department to write those rules—and it will require districts to collect data on student growth. This not only triggers privacy concerns, but it also promotes a system for collecting inconsistent measures across school districts that cannot be compared to determine whether an individual teacher, school or district is performing effectively.

The fact that this bill does nothing to alleviate administrative burden (and may actually increase administrative time and expense) only adds insult to injury.

In sum, this bill raises questions about the legislature's commitment to ensuring that every Maine student has access to a high quality educator. For these reasons, I return LD 633 to you unsigned and vetoed. I urge you to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-4) The accompanying Bill "An Act To Amend Teacher Evaluation Requirements"
H.P. 449 L.D. 633

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. 267

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

June 20, 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 1540, "An Act To Protect Consumers' Freedom of Choice in Auto Collision Repairs."

LD 1540 appears to be a solution in search of a problem. If auto insurance companies were truly steering business toward specific collision repair businesses, this may be a discussion worth having. But over the course of the last nine years, Maine's insurance bureau has only received six consumer complaints regarding this issue; two of those complaints were that insurers did not direct insureds to shops participating in the insurer's networks.

Additionally, the Superintendent of Insurance conducted a study of the seven largest auto insurance carriers in Maine and did not identify any instances of steering.

This bill micromanages Maine businesses and creates more unnecessary regulations for Maine's auto insurance industry.

For this reason, I return LD 1540 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 Protect Consumers' Freedom of Choice in Auto Collision Repairs"

H.P. 1061 L.D. 1540

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. 269

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

June 20, 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 1619, "An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone."

I appreciate the thought behind this bill and would encourage the Legislature to continue to think about ways they can create transparency and increase the quality of Methadone treatment. Unfortunately, this bill is useless. We can already seek consent of the participants in a methadone treatment program to share their information with the Prescription Monitoring Program.

If we are truly serious about addressing the shortfalls of our methadone treatment program, we need to identify ways to ensure the program is integrated into a person's overall health and to make sure they are receiving the comprehensive counseling they need. We also need to continue to appeal to the Federal government to roll back their antiquated and overly restrictive regulations to allow us to manage our program.

Including transportation costs, we pay approximately \$12 million a year for Methadone treatment in Medicaid. This is a significant cost. I agree we need to continue to make improvements to the program, but this bill does not hit the mark.

For this reason, I return LD 1619 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

(2-8) The accompanying Bill "An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone"

H.P. 1118 L.D. 1619

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