



MEREDA

LEGISLATIVE AND REGULATORY WEEKLY UPDATE

Tuesday, April 17, 2018

LEGISLATIVE UPDATE

CANDIDATES FOR GOVERNOR SQUARE OFF IN PRIMARY DEBATES

Lively broadcast debates for the Republican and Democratic candidates for Governor took place over the past two weeks. On April 4, the four Republican candidates spent an hour debating issues ranging from Medicaid expansion to abortion. The Republican primary candidates are: Ken Fredette, Garrett Mason, Mary Mayhew, and Shawn Moody. On April 10, the Democratic candidates took their turn, introducing themselves and describing their political and leadership experiences as they, too, addressed a myriad of pertinent issues. The Democratic primary candidates are: Adam Cote, Donna Dion, Mark Dion, Mark Eves, Janet Mills, Diane Russell, and Betsy Sweet. In both debates, time was limited as candidates sought to distinguish themselves in a crowded field. Meanwhile, lawmakers, candidates, and the public at large, are waiting to see whether or not Maine’s primary elections will be ranked choice.

RANKED-CHOICE VOTING SAGA CONTINUES BEFORE MAINE’S HIGHEST COURT

The fight over ranked-choice voting in Maine continues to ramp up ahead of the June primary. Shortly after Secretary of State Matthew Dunlap informed the legislature that he had discovered a potential legal conflict regarding ranked-choice voting within Maine statute, Superior Court Justice Michaela Murphy issued an order that ranked-choice voting should be implemented in time for the June primary. While the ruling is a victory for supporters of ranked-choice voting, which was passed by the voters almost two years ago, the fight is not yet over. The Maine Senate voted last week, largely along party lines, to allow Senate President Michael Thibodeau to seek a judicial opinion to address the Senate’s legal concerns with the ranked-choice voting process. In her response, Justice Murphy recommended that the case go to the Maine Supreme Judicial Court for expedited review. The Maine Supreme Judicial Court held oral arguments Thursday afternoon and is expected to issue a decision soon.

APPROPRIATIONS COMMITTEE VOTES TO ADVANCE BILL TO PARTIALLY FUND MEDICAID EXPANSION

On Wednesday, April 9, Democratic lawmakers submitted a bill that would provide partial funding of Medicaid expansion. While the bill would not cover the entire cost of Medicaid expansion, which is estimated by legislative staff at between \$50 and \$60 million annually, it would provide \$10.4 million for two purposes. First, the bill would add 103 new positions to the Department of Health and Human Services to help process enrollees and administer the program. The bill also proposes to fund technology updates and testing for the Maine Integrated Health Management System, which pays MaineCare claims. While the bill will cover only a portion of

the costs of Medicaid expansion, supporters believe it is a necessary first step. However, it still faces votes in the House and Senate and a potential governor's veto.

RECREATIONAL MARIJUANA POISED TO BE IMPLEMENTED

Since November 2016, lawmakers have been debating the future of recreational marijuana in Maine. That's when voters approved, by a narrow margin, a law to legalize recreational sales and use of marijuana in the state. The backlash was quick, and many municipalities have already passed laws banning recreational marijuana sales in their communities. When it came time to craft the legislation necessary to improve the citizen-initiated law and establish a regulatory system, the divide became even clearer. Over the course of the last year and a half, members of the Legislature serving on the Joint Select Committee on Marijuana Legalization Implementation have been working hard to craft a bill that would garner approval from the Legislature and be able to clear a gubernatorial veto. This week, the House and Senate voted to approve, by a wide margin, a bill that would implement the recreational sales law. Early voting indicates that the Legislature has enough support to override a potential Governor's veto.

STATUTORY ADJOURNMENT LOOMS

The statutory adjournment date for the Second Regular Session is Wednesday, April 18, but the Legislature can vote to extend the session twice, by five legislative days each time. Rumors abound at the State House about when the Legislature will actually conclude their work sine die, but no one knows for sure. Leadership has to plan for the high likelihood of gubernatorial vetoes on bills recently or soon to be enacted. The Governor has ten days to act on legislation. Any adjournment plan, therefore, will have to account for the need for the Legislature to return after a ten-day recess in order to address outstanding vetoes. This scenario suggests that meeting the statutory adjournment date of April 18 is already out of reach.

BIG ISSUES REMAIN

By now, most committees have concluded their work, though the Education Committee was still meeting on proficiency-based graduation requirements today. Other remaining issues include: tax conformity, which would bring portions of Maine's tax law into alignment with the recently enacted federal tax law; a student debt reduction bill that would simplify and broaden Maine's current Education Opportunity Tax Credit program; and a partial funding bill for Medicaid expansion, which faces a likely gubernatorial veto.

State offices are closed on Monday, April 16 for the Patriot's Day holiday, so the Legislature will not be meeting.

SPOTTED UNDER THE DOME!



At the Maine State Chamber of Commerce Business Day at the State House, were Mark Laplante, Natural Resources Supervisor, Heather Printup, Community Relations Manager, and Pete DePasquale, Director of Government Affairs of Nestle Waters North America/Poland Spring

LEGISLATIVE DATABASE

The legislative database is attached to this weekly report for your information. It contains any newly introduced bills we have identified of interest to MEREDA.

REGULATORY DATABASE

Attached to this report please find an updated Regulatory Database highlighting any changes in newly proposed or newly adopted rules of interest to MEREDA.

If you have any questions regarding any of the above, please don't hesitate to contact MEREDA Public Policy Counsel Andrea Cianchette Maker (207) 791-1101, amaker@pierceatwood.com or Elizabeth Frazier (207) 791-1155, efrazier@pierceatwood.com.