



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

Paul R. LePage
GOVERNOR

1 August 2017

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

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 1044, "An Act to Amend the Laws Governing Eligibility for Disability Retirement Benefits."

This bill creates a problematic precedent that I cannot support. First, it establishes a precedent for providing certain retirement benefits to former employees not otherwise eligible for those benefits. While some in the legislature might be nonchalant about extending the state's obligation to public-sector employees beyond the scope of employment, I make no such mistake.

If this bill is allowed to become law, it will only be a short time before other former employees are back before the legislature with new theories about other benefits they believe they are entitled to. We should not open this door with this new exception.

Further, this bill provides benefits to former employees who have settled claims with the state. Since I have been Governor, it has been my experience that the Office of the Attorney General regularly settles a wide range of claims that they could have prevailed on in court. While litigating can be expensive, the knee-jerk reaction in the Office of the Attorney General has been to settle quickly, even when the State of Maine has the law on our side and we are likely to prevail.

Therefore, I worry this bill creates a new incentive for employees to bring claims, which will likely result in a settlement, opening the aperture to many more former employees eligible for benefits as provided by this bill.

For these reasons, I return LD 1044 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,

Paul R. LePage
Governor



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