



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

Paul R. LePage
GOVERNOR

6 July 2018

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 912, “An Act to Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy.”

Conversion therapy is defined in LD 912 as *“any practice or course of treatment that seeks to change an individual’s sexual orientation or gender identity including ... any effort to change gender expression or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.”* The bill prohibits the use of conversion therapy by licensed mental health personnel, licensed medical personnel, and many other licensed individuals including psychologists, pharmacists, audiologists, speech pathologists, and hearing-aid dealers.

I am vetoing LD 912 because it is bad public policy. This bill attempts to regulate professionals who already have a defined scope of practice and standard of care per their statutory licensing requirements. I strongly agree that young people should not be physically or mentally abused if they come out to their parents or guardians because they have experienced sexual or romantic attraction toward an individual of the same gender. However, as this is written—“any practice or course of treatment”—can call into question a simple conversation. This is so broad that licensed professionals would be prohibited from counseling an individual even at the individual’s own request. We should not prohibit professionals from providing their expertise to those who seek it for their own personal and basic questions such as, “How do I deal with these feelings I am experiencing?”

I also have grave concerns that LD 912 can be interpreted as a threat to an individual’s religious liberty. Parents have the right to seek counsel and treatment for their children from professionals who do not oppose the parents’ own religious beliefs. At no time should such treatment take the form of mental or physical abuse and such treatment should always be subject to the statutory requirements of the standard of care for that profession.

No evidence has been presented during the many public meetings on this subject that indicates that conversion therapy is being used by anyone, including licensed professionals, in the State of Maine.

Because the standard of practice for these professionals already prohibits any practice or therapy that would amount to physical or mental abuse, what we are really trying to regulate are the private, consultative conversations between a licensed provider and a client.



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This session, I submitted a Governor's bill that posed similar circumstances to this bill. LD 1904 sought to criminalize the cultural practice of the physical mutilation of young girls in Maine and to put penalties in place when the mutilation was directed by a parent or a guardian. That language was narrow and specific, but could not pass.

Consider the two bills side by side. LD 1904 sought to ban "female genital mutilation," or "FGM," a heinous procedure involving partial or total removal of female genitalia for cultural or religious reasons. FGM is practiced on girls as young as infants up until the age of 14. The practitioner is often not a medical professional and the cutting is not typically done in a sterile setting with sterile tools, yet the cutter removes or partially removes the young girls' clitoris. FGM may also alter or remove the vaginal folds or pierce, scar or cauterize the genital area. These girls are mutilated for life.

Doctors and nurses in our hospitals have seen the brutal results, either on the exam table or in the Emergency Room after it has gone horribly wrong, and MaineCare has been billed to repair the damage. The Cumberland County District Attorney spoke vociferously in favor of this bill.

In 2013, Maine had 1,603 women at risk. Of those, 399 were under 18. Exact figures are hard to get because parents don't report this kind of mutilation, and girls are unlikely to report on their parents.


Yet opponents in the Legislature said it is not happening in our state so we should not pass the bill, although there was evidence that it is occurring in Maine and the practice has been outlawed by 26 states.

Legislators who could not stand up and outlaw the permanent mutilation of young girls' sexual organs by laypersons in unsanitary conditions with razor blades now are concerned with outlawing conversations, of which there is also "no evidence" that it is happening in Maine. This is a disgusting double-standard.

The sponsor of this bill recently tweeted: "Shame on the politicians who elect cowardice over courage." I agree. Cowardice is bowing to political correctness and voting against LD 1904, as he did, along with most of the House Democrats. I thank the members of the Legislature of both parties who had the courage to support LD 1904.

I believe we should apply consistent standards when passing legislation to protect our vulnerable young people. For these reasons, I return LD 912 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

A handwritten signature in blue ink that reads "Paul R. LePage". The signature is written in a cursive style with a large, stylized initial "P".

Paul R. LePage
Governor