

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Fourth Legislature
State of Maine

Volume I

First Regular Session

December 3, 2008 – May 27, 2009

Pages 1-608

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
FIRST REGULAR SESSION
18th Legislative Day
Tuesday, March 10, 2009

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Peter B. Panagore, First Radio Parish Church of America.

National Anthem by DOE Re Me Singers, Augusta.

Pledge of Allegiance.

Doctor of the day, Rebecca Chagrasulis, M.D., Casco.

The Journal of Thursday, March 5, 2009 was read and approved.

SENATE PAPERS

Bill "An Act To Create Jobs and Improve Energy Efficiency through the Transformation of Maine's Housing Stock" (EMERGENCY)

(S.P. 301) (L.D. 774)

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Joint Select Committee on **MAINE'S ENERGY FUTURE** and ordered printed.

REFERRED to the Joint Select Committee on **MAINE'S ENERGY FUTURE** in concurrence.

Non-Concurrent Matter

Bill "An Act To Prohibit Mandatory Binding Arbitration"

(H.P. 615) (L.D. 897)

REFERRED to the Committee on **LABOR** in the House on March 5, 2009.

Came from the Senate **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Resolve, Directing the Department of Transportation To Study Ways To Reduce Energy Use and Promote Efficiency along Major Transportation Corridors

(H.P. 582) (L.D. 846)

REFERRED to the Joint Select Committee on **MAINE'S ENERGY FUTURE** in the House on March 3, 2009.

Came from the Senate **REFERRED** to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Prohibit the Sale of a Road Sign Originally Placed by the State, a County or a Municipality"

(H.P. 10) (L.D. 15)

Majority (12) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** in the House on March 3, 2009.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE**.

On motion of Representative MAZUREK of Rockland, the House voted to **ADHERE**.

COMMUNICATIONS

The Following Communication: (H.P. 676)

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333

March 4, 2009

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 124th Legislature of the citizen initiative petition entitled "An Act to Decrease the Automobile Excise Tax and Promote Energy Efficiency."

Sincerely,

S/Matthew Dunlap

Secretary of State

STATE OF MAINE
DEPARTMENT OF STATE

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing signatures of 58,002 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on November 3, 2008, requesting that the Legislature consider an act entitled, "An Act to Decrease the Automobile Excise Tax and Promote Energy Efficiency."

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 55,087.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fourth day of March in the year two thousand and nine.

S/MATTHEW DUNLAP

Secretary of State

READ and with accompanying papers **ORDERED PLACED ON FILE**.

Sent for concurrence.

On motion of Representative WATSON of Bath, the accompanying Bill "An Act To Decrease the Automobile Excise Tax and Promote Energy Efficiency"

(I.B. 1) (L.D. 974)

REFERRED to the Committee on **TAXATION**, ordered printed and sent for concurrence.

At this point, a message came from the Senate borne by Senator BARTLETT of Cumberland of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 7:00 in the evening for the purpose of extending to His Excellency, Governor John E. Baldacci, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 7:00 in the evening and the

Speaker appointed Representative PIOTTI of Unity to convey this message to the Senate.

The Following Communication: (H.P. 677)

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333**

March 4, 2009

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 124th Legislature of the citizen initiative petition entitled "An Act to Establish the Maine Medical Marijuana Act."

Sincerely,
S/Matthew Dunlap
Secretary of State

**STATE OF MAINE
DEPARTMENT OF STATE**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing signatures of 55,408 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 21, 2009, requesting that the Legislature consider an act entitled, "An Act to Establish the Maine Medical Marijuana Act."

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 55,087.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fourth day of March in the year two thousand and nine.

S/MATTHEW DUNLAP
Secretary of State

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Sent for concurrence.

On motion of Representative PERRY of Calais, the accompanying Bill "An Act To Establish the Maine Medical Marijuana Act"

(I.B. 2) (L.D. 975)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

The Following Communication: (H.P. 678)

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333**

March 4, 2009

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 124th Legislature of the citizen initiative petition entitled "An Act to Provide Tax Relief."

Sincerely,
S/Matthew Dunlap
Secretary of State

**STATE OF MAINE
DEPARTMENT OF STATE**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing signatures of 56,546 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on November 3, 2008, requesting that the Legislature consider an act entitled, "An Act to Provide Tax Relief."

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 55,087.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fourth day of March in the year two thousand and nine.

S/MATTHEW DUNLAP
Secretary of State

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Sent for concurrence.

On motion of Representative WATSON of Bath, the accompanying Bill "An Act To Provide Tax Relief"

(I.B. 3) (L.D. 976)

REFERRED to the Committee on **TAXATION**, ordered printed and sent for concurrence.

The Following Communication: (H.P. 679)

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333**

March 4, 2009

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 124th Legislature of the citizen initiative petition entitled, "An Act to Repeal the School District Consolidation Laws."

Sincerely,
S/Matthew Dunlap
Secretary of State

**STATE OF MAINE
DEPARTMENT OF STATE**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing signatures of 58,193 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on October 17, 2008,

requesting that the Legislature consider an act entitled, "An Act to Repeal the School District Consolidation Laws."

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 55,087.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fourth day of March in the year two thousand and nine.

S/MATTHEW DUNLAP
Secretary of State

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Sent for concurrence.

On motion of Representative SUTHERLAND of Chapman, the accompanying Bill "An Act To Repeal the School District Consolidation Laws"

(I.B. 4) (L.D. 977)

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, ordered printed and sent for concurrence.

The Following Communication: (H.C. 85)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

February 26, 2009
Honorable John E. Baldacci
Governor of Maine
1 State House Station
Augusta, ME 04333

Dear Governor Baldacci:

We are pleased to invite you to deliver the State of the State address at a Joint Session of the 124th Maine Legislature on Tuesday, March 10, 2009 at 7:00 p.m.

We look forward to seeing you then.

Sincerely,
S/Elizabeth H. Mitchell
President of the Senate
S/Hannah M. Pingree
Speaker of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 86)

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

February 26, 2009
The Honorable Elizabeth H. Mitchell
President of the Senate
Augusta, Maine 04333
The Honorable Hannah M. Pingree
Speaker of the House
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

I am pleased to accept your invitation to deliver the State of the State Address at a Joint Session of the 124th Maine Legislature on Tuesday, March 10, 2009, at 7:00 PM.

I look forward to seeing you then!

Sincerely,
S/John E. Baldacci
Governor

READ and **ORDERED PLACED ON FILE.**

Subsequently, Representative PIOTTI of Unity reported that he had delivered the message with which he was charged.

The Following Communication: (H.C. 87)

**STATE OF MAINE
EXECUTIVE DEPARTMENT
MAINE STATE PLANNING OFFICE
38 STATE HOUSE STATION
AUGUSTA, ME 04333**

March 5, 2009

President Elizabeth H. Mitchell, Vice Chair
Speaker Hannah M. Pingree, Chair
Members, Legislative Council of the 124th Legislature
Maine Legislature
115 State House Station
Augusta, Maine 04333-0115

Dear President Mitchell and Speaker Pingree:

The State Planning Office is pleased to provide executive summaries of its report, titled 2009 Report on Poverty, in response to Resolve 1997, Chapter 36 to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to an Annual Report Card on Poverty. The full report is available for download at: <http://www.maine.gov/spo/economics>.

We are most willing to present the report to you and happy to answer any questions that you may have.

Sincerely,
S/Martha E. Freeman
Director

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.P. 334)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 3, 2009

Sen. John M. Nutting
Senate Chair, Joint Standing Committee on Agriculture, Conservation and Forestry
Rep. Wendy Pieh
House Chair, Joint Standing Committee on Agriculture, Conservation and Forestry
124th Legislature
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated Sidney Bradley of Easton for reappointment to the State Harness Racing Commission.

Pursuant to Title 8 M.R.S.A. §261-A (5), this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,
S/Elizabeth H. Mitchell
President of the Senate
S/Hannah M. Pingree
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

READ and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

The Following Communication: (S.P. 335)

STATE OF MAINE
124TH MAINE LEGISLATURE

March 3, 2009

Sen. John M. Nutting

Senate Chair, Joint Standing Committee on Agriculture, Conservation and Forestry

Rep. Wendy Pieh

House Chair, Joint Standing Committee on Agriculture, Conservation and Forestry

124th Legislature

Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated Curtis Bohlen of Yarmouth for appointment to the Board of Pesticides Control.

Pursuant to Title 22 M.R.S.A. §1471-B (1), this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

READ and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

The Following Communication: (S.P. 336)

STATE OF MAINE
124TH MAINE LEGISLATURE

March 3, 2009

Sen. Justin L. Alford

Senate Chair, Joint Standing Committee on Education and Cultural Affairs

Rep. Patricia B. Sutherland

House Chair, Joint Standing Committee on Education and Cultural Affairs

124th Legislature

Augusta, ME 04333

Dear Senator Alford and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated Kevin McCarthy of Falmouth and Eleanor Baker of Cape Elizabeth for appointment to the University of Maine System Board of Trustees.

Pursuant to P&SL 1967, Chapter 229, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

READ and **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

The Following Communication: (S.C. 96)

MAINE SENATE
124TH MAINE LEGISLATURE
OFFICE OF THE SECRETARY

March 5, 2009

Honorable Hannah M. Pingree

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Pingree:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 124th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Business, Research and Economic Development, the nomination of W. Donald Hudson, Jr. of Arrowsic for appointment to the Midcoast Regional Redevelopment Authority.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolves and Resolution were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Combat Childhood Obesity through the Creation of Recreational and Athletic Fields"

(H.P. 632) (L.D. 914)

Sponsored by Representative CONNOR of Kennebunk.

Cosponsored by Representatives: BEAUDETTE of Biddeford, CLEARY of Houlton, EVES of North Berwick, FLAHERTY of Scarborough, HUNT of Buxton, PRESCOTT of Topsham, Senator: SULLIVAN of York.

Bill "An Act To Remove Prior-operation Requirements for Commercial Large Game Shooting Area Licensing"

(H.P. 639) (L.D. 936)

Sponsored by Representative TARDY of Newport.

Bill "An Act To Establish Annual Reporting for Genetically Engineered Crops"

(H.P. 667) (L.D. 965)

Sponsored by Representative PRATT of Eddington.

Cosponsored by Senator DAMON of Hancock and Representatives: FLEMINGS of Bar Harbor, KENT of Woolwich, McCABE of Skowhegan, O'BRIEN of Lincolnville, PIEH of Bremen, SCHATZ of Blue Hill, SMITH of Monmouth, Senator: NUTTING of Androscoggin.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue for Capital Projects for Hospitals"

(H.P. 630) (L.D. 912)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: BERRY of Bowdoinham, CLEARY of Houlton, EATON of Sullivan, FLEMINGS of Bar Harbor.

Bill "An Act To Authorize Bond Issues for Ratification by the Voters for the November 2009 and June 2010 Elections"
(H.P. 631) (L.D. 913)

Sponsored by Speaker PINGREE of North Haven.
(GOVERNOR'S BILL)

Cosponsored by President MITCHELL of Kennebec and Representatives: BERRY of Bowdoinham, CAIN of Orono, PIOTTI of Unity, Senator: DIAMOND of Cumberland.

Bill "An Act To Establish a New Method of Determining the State Budget"
(H.P. 659) (L.D. 957)

Sponsored by Representative JOY of Crystal.

Cosponsored by Senator RAYE of Washington and Representatives: AYOTTE of Caswell, CRAFTS of Lisbon, LEWIN of Eliot, McFADDEN of Dennysville, McKANE of Newcastle, THOMAS of Ripley.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To License Septic System Installers"

(H.P. 640) (L.D. 937)

Sponsored by Representative FINCH of Fairfield.

Bill "An Act To Allocate Redemption Centers Based on Population"

(H.P. 641) (L.D. 938)

Sponsored by Representative CUSHING of Hampden.

Cosponsored by Representatives: CLEARY of Houlton, GILES of Belfast, PRESCOTT of Topsham, Senator: RECTOR of Knox.

Bill "An Act To Amend the Laws Governing the Maine Economic Improvement Fund"

(H.P. 661) (L.D. 959)

Sponsored by Representative TILTON of Harrington.

Cosponsored by Senator RAYE of Washington and Representatives: BURNS of Whiting, LANGLEY of Ellsworth, MARTIN of Eagle Lake, McCABE of Skowhegan, McFADDEN of Dennysville, PRESCOTT of Topsham, Senators: GOOLEY of Franklin, SHERMAN of Aroostook.

Bill "An Act To Amend the Licensing Requirements for Marriage and Family Therapists"

(H.P. 668) (L.D. 966)

Sponsored by Representative EVES of North Berwick.

Cosponsored by Representatives: BERRY of Bowdoinham, HUNT of Buxton, MARTIN of Orono, STUCKEY of Portland, WRIGHT of Berwick, Senator: MILLS of Somerset.

Bill "An Act To Encourage Renewable Energy Investment"

(H.P. 660) (L.D. 958)

Sponsored by Representative CORNELL du HOUX of Brunswick.

Cosponsored by Senator PERRY of Penobscot and Representatives: BERRY of Bowdoinham, CLEARY of Houlton, FLEMINGS of Bar Harbor, Speaker PINGREE of North Haven, PIOTTI of Unity, SMITH of Monmouth, VALENTINO of Saco, WRIGHT of Berwick.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative SMITH of Monmouth, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Update and Clarify Statutes Related to or Administered by the Department of Public Safety"

(H.P. 633) (L.D. 915)

Sponsored by Representative HASKELL of Portland.

Cosponsored by Representative: SYKES of Harrison, Senator: GERZOFKY of Cumberland.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

EDUCATION AND CULTURAL AFFAIRS

Resolve, Directing the University of Maine System To Self-transition Its Educational Broadband Service from Analog to Digital (EMERGENCY)

(H.P. 665) (L.D. 963)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Representatives: HINCK of Portland, NELSON of Falmouth, SUTHERLAND of Chapman, VAN WIE of New Gloucester.

HEALTH AND HUMAN SERVICES

Bill "An Act Regarding Trans Fat"

(H.P. 634) (L.D. 916)

Sponsored by Representative WEBSTER of Freeport.

Cosponsored by Senator MILLS of Somerset and Representatives: CAIN of Orono, CAMPBELL of Newfield, CONNOR of Kennebunk, MILLER of Somerville, PERRY of Calais, Speaker PINGREE of North Haven, Senator: BRANNIGAN of Cumberland.

Bill "An Act To Amend the Laws Governing Assisted Living Programs" (EMERGENCY)

(H.P. 642) (L.D. 939)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Senator BRANNIGAN of Cumberland.

Bill "An Act To Estimate the Financial Costs to Providers in Implementing MaineCare Rules"

(H.P. 643) (L.D. 940)

Sponsored by Representative MILLER of Somerville.

Cosponsored by Senator ROSEN of Hancock and Representatives: CONNOR of Kennebunk, LEWIN of Eliot, PERRY of Calais, STRANG BURGESS of Cumberland.

Resolve, To Assist Families with Substance Abuse Issues

(H.P. 644) (L.D. 941)

Sponsored by Representative BEAUDETTE of Biddeford. (BY REQUEST)

Cosponsored by Senator SULLIVAN of York and Representatives: BOLAND of Sanford, CONNOR of Kennebunk, JOY of Crystal, PRATT of Eddington.

Resolve, Requiring Rulemaking by the Maine Quality Forum Regarding Clostridium Difficile and Methicillin-resistant Staphylococcus Aureus

(H.P. 662) (L.D. 960)

Sponsored by Representative SANBORN of Gorham.

Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: BERRY of Bowdoinham, EVES of North Berwick, JONES of Mount Vernon, STRANG BURGESS of Cumberland, Senators: MARRACHÉ of Kennebec, MILLS of Somerset.

Bill "An Act To Amend the Laws Governing the Maine Children's Growth Council" (EMERGENCY)

(H.P. 671) (L.D. 969)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Senator PERRY of Penobscot and Representatives: COHEN of Portland, CONNOR of Kennebunk,

MARTIN of Orono, MARTIN of Eagle Lake, McCABE of Skowhegan, MILLER of Somerville, RANKIN of Hiram, STRANG BURGESS of Cumberland, WEBSTER of Freeport, Senator: MILLS of Somerset.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Allow Hunting on Sundays on Certain Land"
(H.P. 645) (L.D. 942)

Sponsored by Representative FITTS of Pittsfield.
Cosponsored by Senator JACKSON of Aroostook and Representatives: CRAY of Palmyra, FLETCHER of Winslow, SAVIELLO of Wilton, TARDY of Newport, Senator: PERRY of Penobscot.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Prevent the Unauthorized or Deceptive Use of the Names of Financial Institutions"
(H.P. 635) (L.D. 917)

Sponsored by Representative PRIEST of Brunswick.
Cosponsored by Senator BOWMAN of York and Representatives: BECK of Waterville, CAIN of Orono, FOSSEL of Alna, GOODE of Bangor, ROTUNDO of Lewiston, TREAT of Hallowell, Senators: ALFOND of Cumberland, McCORMICK of Kennebec.

Bill "An Act To Amend the Laws Governing Notification after a Security Breach Involving Personal Information"
(H.P. 672) (L.D. 970)

Sponsored by Representative PRIEST of Brunswick.
Cosponsored by Representatives: GOODE of Bangor, LEGG of Kennebunk, ROTUNDO of Lewiston, TREAT of Hallowell.

JUDICIARY

Bill "An Act To Increase the Evidentiary Standard Required To Establish a Guardianship"
(H.P. 647) (L.D. 944)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and Representatives: BEAULIEU of Auburn, CASAVANT of Biddeford, HILL of York, KRUGER of Thomaston, NASS of Acton, WHEELER of Kittery, Senators: HOBBS of York, JACKSON of Aroostook.

Bill "An Act To Protect the Rights of Siblings Separated by Adoption"
(H.P. 648) (L.D. 945)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and Representatives: CASAVANT of Biddeford, DILL of Cape Elizabeth, NASS of Acton, PRIEST of Brunswick, WHEELER of Kittery, Senators: DAVIS of Cumberland, HASTINGS of Oxford, JACKSON of Aroostook.

Bill "An Act To Amend the Laws To Ensure Equity in the Judicial Retirement Program"
(H.P. 650) (L.D. 947)

Sponsored by Representative TRINWARD of Waterville.
Cosponsored by Representatives: BRYANT of Windham, CLEARLY of Houlton, DILL of Cape Elizabeth, HILL of York, PRIEST of Brunswick.

Bill "An Act To Amend the Maine Condominium Act Regarding Liens"
(H.P. 663) (L.D. 961)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Representatives: CEBRA of Naples, MacDONALD of Boothbay, Senator ALFOND of Cumberland.

Bill "An Act To Protect Family Caregivers"
(H.P. 664) (L.D. 962)

Sponsored by Representative DILL of Cape Elizabeth.
Cosponsored by Senator BLISS of Cumberland and Representatives: BRIGGS of Mexico, CORNELL du HOUX of Brunswick, HASKELL of Portland, HILL of York, WALSH INNES of Yarmouth, PERCY of Phippsburg, PERRY of Calais, Senator: SIMPSON of Androscoggin.

LABOR

Bill "An Act To Reverse the Effects of Grant v. Central Maine Power, Inc. on Workers' Compensation"
(H.P. 649) (L.D. 946)

Sponsored by Representative CUSHING of Hampden.
Cosponsored by Senator PLOWMAN of Penobscot and Representatives: CLEARLY of Houlton, PRESCOTT of Topsham, Senator: COURTNEY of York.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Reduce Lung Cancer Rates in Maine"
(H.P. 646) (L.D. 943)

Sponsored by Representative MARTIN of Orono.
Cosponsored by Senator PERRY of Penobscot and Representatives: EVES of North Berwick, GOODE of Bangor, HUNT of Buxton, SMITH of Monmouth, WRIGHT of Berwick, Senator: RECTOR of Knox.

Bill "An Act To Reduce the Cost of the Maine Clean Election Act"
(H.P. 651) (L.D. 948)

Sponsored by Representative VAN WIE of New Gloucester.
Cosponsored by Representatives: BEAUDETTE of Biddeford, GILES of Belfast, TRINWARD of Waterville.

Bill "An Act To Reduce the Number of Qualifying Contributions Required for Special Elections under the Maine Clean Election Act"
(H.P. 652) (L.D. 949)

Sponsored by Representative BLANCHARD of Old Town.
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: HOGAN of Old Orchard Beach, JONES of Mount Vernon, MARTIN of Orono, MAZUREK of Rockland, THIBODEAU of Winterport, VALENTINO of Saco.

Bill "An Act To Amend the Laws Governing Liquor Liability and Licensing"
(H.P. 673) (L.D. 971)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Representatives: CLEARLY of Houlton, DILL of Cape Elizabeth, HINCK of Portland, STUCKEY of Portland, TRINWARD of Waterville, WATSON of Bath.

NATURAL RESOURCES

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide Constitutional Protection to the Funds Generated by the Regional Greenhouse Gas Initiative
(H.P. 658) (L.D. 956)

Sponsored by Representative ADAMS of Portland.
Cosponsored by Representatives: BERRY of Bowdoinham, EATON of Sullivan, HINCK of Portland, Speaker PINGREE of North Haven, Senator: BARTLETT of Cumberland.

Bill "An Act To Provide for the Safe Collection and Recycling of Mercury-containing Lighting"

(H.P. 675) (L.D. 973)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Senator RAYE of Washington and Representatives: BRYANT of Windham, CAMPBELL of Newfield, FLAHERTY of Scarborough, GOODE of Bangor, HARVELL of Farmington, HILL of York, HINCK of Portland, HUNT of Buxton, WALSH INNES of Yarmouth, KNAPP of Gorham, MacDONALD of Boothbay, McKANE of Newcastle, O'BRIEN of Lincolnville, PETERSON of Rumford, PIOTTI of Unity, ROTUNDO of Lewiston, Senators: BRANNIGAN of Cumberland, McCORMICK of Kennebec, PLOWMAN of Penobscot, SMITH of Piscataquis.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Amend the Informed Growth Act To Provide a Local Management Option"

(H.P. 636) (L.D. 918)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Senator BARTLETT of Cumberland and Representatives: FLEMINGS of Bar Harbor, HUNT of Buxton, MARTIN of Eagle Lake, Speaker PINGREE of North Haven, PIOTTI of Unity, TREAT of Hallowell, Senators: MILLS of Somerset, SIMPSON of Androscoggin.

TAXATION

Bill "An Act To Prevent and Treat Cancer in Maine by Implementing Critical Portions of the Comprehensive Cancer Program"

(H.P. 637) (L.D. 919)

Sponsored by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: AYOTTE of Caswell, BLODGETT of Augusta, BRIGGS of Mexico, BURNS of Whiting, CAMPBELL of Newfield, CASAVANT of Biddeford, COHEN of Portland, DAVIS of Sangerville, DILL of Cape Elizabeth, EVES of North Berwick, FITTS of Pittsfield, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, FOSSEL of Alna, GIFFORD of Lincoln, GILES of Belfast, GOODE of Bangor, HASKELL of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, WALSH INNES of Yarmouth, JONES of Mount Vernon, JOY of Crystal, NELSON of Falmouth, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, Speaker PINGREE of North Haven, PINKHAM of Lexington Township, RUSSELL of Portland, SANBORN of Gorham, SAVIELLO of Wilton, SCHATZ of Blue Hill, SUTHERLAND of Chapman, TILTON of Harrington, VALENTINO of Saco, WAGNER of Lyman, WEBSTER of Freeport, WILLETTE of Presque Isle, Senators: BOWMAN of York, COURTNEY of York, JACKSON of Aroostook, MILLS of Somerset, PERRY of Penobscot, RAYE of Washington, SIMPSON of Androscoggin, SULLIVAN of York.

Bill "An Act To Amend the Maine Estate Tax"

(H.P. 653) (L.D. 950)

Sponsored by Representative CLEARY of Houlton.
Cosponsored by Senator NASS of York and Representatives: CONNOR of Kennebunk, FLEMINGS of Bar Harbor, MacDONALD of Boothbay, SHAW of Standish, SMITH of Monmouth, STUCKEY of Portland, VALENTINO of Saco, Senator: JACKSON of Aroostook.

TRANSPORTATION

Bill "An Act To Reduce Noise Pollution"

(H.P. 638) (L.D. 920)

Sponsored by Representative RUSSELL of Portland.

Bill "An Act To Prioritize Funding in the TransCap Trust Fund" (EMERGENCY)

(H.P. 654) (L.D. 951)

Sponsored by Representative MAZUREK of Rockland.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: BLANCHARD of Old Town, BROWNE of Vassalboro, CAIN of Orono, CAREY of Lewiston, HARLOW of Portland, HOGAN of Old Orchard Beach, TUTTLE of Sanford, WHEELER of Kittery.

Bill "An Act To Authorize Issuance of Permanent Disability Plates and Placards"

(H.P. 655) (L.D. 952)

Sponsored by Representative CRAFTS of Lisbon.
Cosponsored by Representatives: AYOTTE of Caswell, HAMPER of Oxford, PETERSON of Rumford.

Bill "An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee"

(H.P. 669) (L.D. 967)

Sponsored by Representative PEOPLES of Westbrook.
Cosponsored by Senator GOOLEY of Franklin and Representatives: BROWNE of Vassalboro, HARLOW of Portland, HOGAN of Old Orchard Beach, MAZUREK of Rockland, ROSEN of Bucksport, THERIAULT of Madawaska, Senator: PERRY of Penobscot.

Submitted by the Department of Transportation pursuant to Joint Rule 204.

UTILITIES AND ENERGY

Bill "An Act To Amend the Charter of the Winterport Water District" (EMERGENCY)

(H.P. 656) (L.D. 953)

Sponsored by Representative THIBODEAU of Winterport.
Cosponsored by Representatives: BLANCHARD of Old Town, FITTS of Pittsfield, FLETCHER of Winslow, HANLEY of Gardiner, Senators: SHERMAN of Aroostook, WESTON of Waldo.

Bill "An Act To Clarify the Role of the Public Advocate"

(H.P. 657) (L.D. 954)

Sponsored by Representative THIBODEAU of Winterport.
Cosponsored by Representatives: BLANCHARD of Old Town, FITTS of Pittsfield, FLETCHER of Winslow, HANLEY of Gardiner, Senators: SHERMAN of Aroostook, WESTON of Waldo.

Bill "An Act Regarding New Utility Line Extension Construction"

(H.P. 670) (L.D. 968)

Sponsored by Representative FLETCHER of Winslow.
Cosponsored by Senator NUTTING of Androscoggin and Representatives: CRAFTS of Lisbon, DOSTIE of Sabattus, FITTS of Pittsfield, HANLEY of Gardiner, TUTTLE of Sanford, Senators: PLOWMAN of Penobscot, SIMPSON of Androscoggin, SULLIVAN of York.

Pursuant to Statute

Department of Agriculture, Food and Rural Resources
Representative PIEH for the **Department of Agriculture, Food and Rural Resources** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Board of Pesticides Control (EMERGENCY)

(H.P. 674) (L.D. 972)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

Jacob Gallagher, of Yarmouth, who has achieved national recognition for exemplary volunteer service by receiving a 2009 Prudential Spirit of Community Award. The prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities. Jacob, a student at Yarmouth High School, earned this award by giving generously of his time and energy since the 6th grade, to Safe Passage, a nonprofit organization which helps to educate and care for children living in a Guatemala garbage dump. We extend our congratulations to Jacob on his receiving this honor, we commend him for his selfless work and community spirit and we extend our best wishes for his continued success;

(HLS 83)

Presented by Representative WALSH INNES of Yarmouth.

Cosponsored by Senator DAVIS of Cumberland.

On **OBJECTION** of Representative WALSH INNES of Yarmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

REPORTS OF COMMITTEE

Refer to the Committee on Agriculture, Conservation and Forestry

Pursuant to Resolve

Representative PIEH for the **Joint Standing Committee on Agriculture, Conservation and Forestry** on Bill "An Act Pertaining to the Breeding and Selling of Dogs and Cats"

(H.P. 666) (L.D. 964)

Reporting that it be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** pursuant to Resolve 2007, chapter 203, section 3.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent for concurrence.

Change of Committee

Representative MAZUREK from the Committee on **TRANSPORTATION** on Bill "An Act To Authorize a General Fund Bond Issue To Maintain Train Quiet Zone Status in Millinocket"

(H.P. 474) (L.D. 660)

Reporting that it be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent for concurrence.

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Require the Secretary of State To Provide Notice of License Revocation or Suspension by Certified Mail"

(H.P. 42) (L.D. 49)

Signed:

Senators:

DAMON of Hancock

GOOLEY of Franklin

Representatives:

MAZUREK of Rockland

HOGAN of Old Orchard Beach

PEOPLES of Westbrook

THERIAULT of Madawaska

CAREY of Lewiston

ROSEN of Bucksport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-5)** on same Bill.

Signed:

Representatives:

HARLOW of Portland

BROWNE of Vassalboro

THOMAS of Ripley

CEBRA of Naples

READ.

Representative MAZUREK of Rockland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative THOMAS of Ripley **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Ripley, Representative Thomas.

Representative **THOMAS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Has anyone ever told you that your check is in the mail and then you didn't get it? Amazing, isn't it, how sometimes the mail does not get through. Well just imagine if that mail that did not get through was the notice from the Secretary of State that your license was suspended, and you are driving merrily on your way to wherever you are going and you get stopped, the officer phones in and your license has indeed been suspended, and you are handcuffed, put in the police car, your car is towed, and you are off to jail. You are facing a \$2,000 fine, and you didn't even know it because the letter never got to you for whatever reason.

What this bill requires is that, when your license has been suspended, the Secretary of State sends you a certified letter letting you know that it has been suspended. Does that seem such a horrible thing to do, when you stop and think about that driving after suspension is one of those lists of offenses that you

can go to jail for, if you have enough. You can be put in prison as a habitual offender. You can go to prison and you wouldn't even be notified, you wouldn't even know about it, and the reason we couldn't pass this in committee is because it's got a fiscal note. That is the amendment. But we only count what it costs the Secretary of State to mail this. We forget to subtract from that what it is going to cost the state to hire attorneys to defend these people. Because there is jail time involved, we are required to pay the attorneys' fees of all indigent people who have been charged with this crime, and if these people do in fact go to jail as a habitual offender, what does it cost to keep someone in jail? We don't subtract those costs either.

Like most of the fiscal notes, they add the cost they want to add, they forget to subtract the costs they want to forget, and they use these fiscal notes as a way to kill the bill. The bureaucrats just love to control us with these fiscal notes, and you have seen them in your committee. Sometimes they make sense and sometimes they are awful. This one probably is fairly accurate, but they just forget to subtract some of the costs. Let me ask you: We are in tight fiscal times and the economy is tough and budgets are going to be hard to balance. Does that relieve us of our responsibility to do what is right? Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Mazurek.

Representative **MAZUREK**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This bill came before the Transportation Committee, and what it does is it basically increases the amount of work that is needed to tell people that they have lost their license. What it does basically is it puts the onus on the Secretary of State and the Department of Motor Vehicles, and it takes personal responsibility away. We always talk about personal responsibility as being something that we cherish and we want in the State of Maine. We talk about how we like to be rugged individuals, but yet we don't want to take cause for our own missteps, and this bill takes that responsibility away from the individual, the responsibility to be a citizen who, if he knows if he is in trouble with Motor Vehicles, he takes the proper course of action. What this bill does is it puts the onus on the department to inform everybody who does this. This would be costly, time consuming, and unneeded. Thank you.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This bill creates a huge fiscal note, make no mistake about it. What happens when they deliver a letter and they refuse to sign for it? You are still left with the same original problem.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 3

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Campbell, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flaherty, Flemings, Gilbert, Giles, Goode, Harlow, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nass, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rosen, Rotundo, Russell, Sanborn, Shaw, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Theriault, Treat, Trinward,

Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wright, Madam Speaker.

NAY - Austin, Ayotte, Bickford, Browne W, Burns, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Flood, Fossil, Gifford, Hamper, Hanley, Harvell, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, Millett, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Schatz, Sirois, Tardy, Thomas, Tilton, Weaver, Wheeler.

ABSENT - Cain, Carey, Celli, Fletcher, Greeley, Hayes, McLeod, Pratt, Sykes, Thibodeau, Willette.

Yes, 92; No, 48; Absent, 11; Excused, 0.

92 having voted in the affirmative and 48 voted in the negative, with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR Second Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 23) (L.D. 64) Bill "An Act To Amend the Requirements for the Livable Wage Report"

(S.P. 41) (L.D. 119) Bill "An Act To Amend the Laws Governing Public Water System Operation Fees"

(S.P. 45) (L.D. 123) Bill "An Act Regarding the Electronic Submission of Filings"

(H.P. 236) (L.D. 296) Resolve, To Name the Gorham Bypass

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** in concurrence and the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

BILLS IN THE SECOND READING Senate as Amended

Bill "An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family" (S.P. 55) (L.D. 169)

(S. "A" S-3)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

ENACTORS Emergency Measure

An Act To Modify the Maine Dental Education Loan Program (S.P. 63) (L.D. 177)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Allow School Buses To Travel at the Posted Speed Limit on the Interstate and the Maine Turnpike

(H.P. 94) (L.D. 110)

An Act To Remove Game Sanctuary Status for Certain Lands in the Town of Orrington

(H.P. 108) (L.D. 124)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolves

Resolve, To Rename the Father Curran Bridge in Augusta

(H.P. 53) (L.D. 60)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 5, 2009, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Washington Academy boys' soccer team of East Machias
(SLS 43)

- In Senate, **READ** and **PASSED**.

TABLED - February 12, 2009 (Till Later Today) by Representative TARDY of Newport.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

Bill "An Act To Encourage Small Business Energy Efficiency"

(S.P. 306) (L.D. 792)

- In Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

TABLED - March 5, 2009 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **REFERENCE IN CONCURRENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **UTILITIES AND ENERGY**, in concurrence.

Bill "An Act To Encourage Green Commerce"

(H.P. 586) (L.D. 848)

(Committee on **UTILITIES AND ENERGY** suggested)

TABLED - March 5, 2009 (Till Later Today) by Representative FITTS of Pittsfield.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **UTILITIES AND ENERGY**, ordered printed and sent for concurrence.

SENATE PAPERS

Bill "An Act To Prohibit Cyberbullying"

(S.P. 355) (L.D. 933)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Clarify Public Sector Employee Fair Choice in Collective Bargaining"

(S.P. 356) (L.D. 934)

Came from the Senate, **REFERRED** to the Committee on **LABOR** and ordered printed.

REFERRED to the Committee on **LABOR** in concurrence.

Bill "An Act To Allow Youth To Fish for Smelt on Worthley Pond" (EMERGENCY)

(S.P. 347) (L.D. 925)

Bill "An Act To Allow Smelt Fishing in Metallak Brook, Upper Richardson Lake" (EMERGENCY)

(S.P. 348) (L.D. 926)

Bill "An Act To Establish and Enhance Populations of Large Landlocked Salmon in Certain Inland Waters"

(S.P. 349) (L.D. 927)

Bill "An Act To Expand the Moose Hunting Season"

(S.P. 351) (L.D. 929)

Resolve, To Complete an All-terrain Vehicle Trail through Pittston Farm

(S.P. 352) (L.D. 930)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Transform the Maine Economy and Create Jobs"

(S.P. 360) (L.D. 955)

Came from the Senate, **REFERRED** to the Joint Select Committee on **MAINE'S ENERGY FUTURE** and ordered printed.

REFERRED to the Joint Select Committee on **MAINE'S ENERGY FUTURE** in concurrence.

Bill "An Act To Eliminate Maine Clean Election Act Funding for gubernatorial Candidates"

(S.P. 343) (L.D. 921)

Resolve, To Reduce Funding to Maine Clean Election Act Candidates

(S.P. 345) (L.D. 923)

Bill "An Act To Clarify the Taxability of Promotional Credits in the State Gaming Laws"

(S.P. 346) (L.D. 924)

Came from the Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act To Permit the Landing of Draggged Crabs as Bycatch" (EMERGENCY)

(S.P. 350) (L.D. 928)

Bill "An Act To Establish Area Management of Maine's Scallop Fishery"

(S.P. 354) (L.D. 932)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a Supermajority Approval of the Legislature for Tax Increases

(S.P. 344) (L.D. 922)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion of Representative BEAUDETTE of Biddeford, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-6)** on Bill "An Act To Allow Military Personnel Living in Maine To Benefit under the Maine Resident Homestead Property Tax Exemption" (EMERGENCY)

(H.P. 44) (L.D. 51)

Signed:

Senators:

PERRY of Penobscot
BLISS of Cumberland
NASS of York

Representatives:

WATSON of Bath
BRYANT of Windham
LANGLEY of Ellsworth
FLEMINGS of Bar Harbor
CROCKETT of Augusta
PILON of Saco
CHASE of Wells
KNIGHT of Livermore Falls

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

VALENTINO of Saco

READ.

On motion of Representative WATSON of Bath, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-6)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 12, 2009.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Elizabeth H. Mitchell in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator MARRACHÉ from Kennebec, it was **ORDERED**, that a committee be appointed to wait upon First Lady Karen Baldacci and Jack Baldacci, inviting them to attend the Joint Convention now assembled in the hall of the House, for the purpose of extending to Governor John E. Baldacci an invitation to make such communication as pleases him.

The **ORDER** was **READ** and **PASSED**.

The **CHAIR** appointed the following:

The Sen. from Androscoggin, Sen. Simpson
The Sen. from Aroostook, Sen. Jackson
The Sen. from York, Sen. Courtney
The Rep. from Biddeford, Rep. Beaudette
The Rep. from Sanford, Rep. Boland
The Rep. from Buckfield, Rep. Hayes
The Rep. from South Portland, Rep. Kaenrath
The Rep. from Blue Hill, Rep. Schatz
The Rep. from Presque Isle, Rep. Willette
The Rep. from Brewer, Rep. Celli
The Rep. from Easton, Rep. Clark
The Rep. from China, Rep. Cotta
The Rep. from Farmington, Rep. Harvell

Subsequently, the Senator from Androscoggin, Senator Simpson reported that the Committee had delivered the message with which they were charged and are pleased to report that the First Lady and Jack Baldacci will attend forthwith.

The Chair recognized in the House Gallery the First Lady of the State of Maine, Karen Baldacci, accompanied by their son Jack.

On a motion by Senator BARTLETT of Cumberland, it was **ORDERED** that a committee be appointed to wait upon the Honorable John E. Baldacci, Governor of the State of Maine, and extend to him an invitation to attend this convention and make such communication as pleases him.

The **ORDER** was **READ** and **PASSED**.

The Chair appointed the following:

The Sen. from Cumberland, Sen. Diamond
The Sen. from Androscoggin, Sen. Craven
The Sen. from Hancock, Sen. Rosen
The Rep. from Orono, Rep. Cain
The Rep. from Kennebunk, Rep. Connor
The Rep. from Eagle Lake, Rep. Martin
The Rep. from Somerville, Rep. Miller
The Rep. from Lewiston, Rep. Rotundo
The Rep. from Freeport, Rep. Webster
The Rep. from Winthrop, Rep. Flood
The Rep. from Waterford, Rep. Millett
The Rep. from Oakland, Rep. Nutting
The Rep. from Raymond, Rep. Robinson

Subsequently, the Senator from Cumberland, Senator Diamond reported that the Committee had delivered the message with which they were charged and are pleased to report that the Honorable John E. Baldacci, Governor of the State of Maine, will attend forthwith.

The Chair recognized in the House Gallery the Constitutional Officers of the State of Maine: the Secretary of State, Matthew Dunlap; the Attorney General, Janet T. Mills. The Chair also recognized the State Auditor, Neria Douglass. The Chair recognized in the House Gallery the Justices of the Supreme Judicial Court: Justice Robert W. Clifford; Justice Donald G. Alexander; Justice Jon D. Levy; and Justice Ellen A. Gorman. The Chair recognized in the House Gallery State Court Administrator, James T. Glessner. The Chair recognized in the House Gallery Chief Brenda Commander, Houlton Band of Maliseet Indians and Guest Linda Raymond, Tribal Council Member. The Chair also recognized in the House Gallery former Senate President, Gerard P. Conley, Sr.

The Chair is pleased to welcome the Honorable John E. Baldacci, Governor of the State of Maine, accompanied by the Honorable Leigh I. Saufley, Chief Justice of the Maine Supreme Judicial Court.

The Chair recognized the evening's Herald, Captain Mitch Bailey, US Army Reserve.

The Chair welcomed the Honorable John E. Baldacci, Governor of the State of Maine, to the rostrum.

Governor Baldacci then addressed the Convention.

Governor **BALDACCI**: Madam President, Madam Speaker, Madam Chief Justice, members of the Legislature, members of the Cabinet, distinguished guests and my fellow citizens: Thank you for joining me tonight as we come together to take measure of our State. We face economic perils that will test our courage, our creativity and our resolve. We will all be called upon to make uncomfortable decisions, to do without and to do things differently. The headlines are filled with the terrible realities of the global recession.

Yesterday, I visited Baileyville in Washington County. The community received rough news just last week. The Domtar pulp mill will be indefinitely shutting down in May. More than 300 people could lose their jobs. The announcement came one day after RR Donnelley in Wells announced it would close its doors in June. More than 370 jobs will be lost. Unemployment is rising. Confidence has been shaken. As I talk with the good men and women of Maine, I hear a similar question, punctuated with fear and uncertainty. People ask: Governor, is the sun rising or is the sun setting? Has our time passed, will our children struggle in the years to come? I do not know how long this recession will last, or how deep it will go. But the sun will rise on Maine, and Maine will raise herself for the United States of America.

On Thursday when the news of the Domtar closure was released, I met with Legislators from Washington County, and we called County Commissioner Chris Gardner, who is also the director of the Port of Eastport. It was a tough day all around. But as we talked, Chris said something we all should take to heart. He said: "This is bad news, and we have a lot of things we must do in the coming days to prepare our community. But we also have to get started reinventing ourselves. We have opportunities." You know, that is the spirit of Maine. We are all aware of the challenges we face. But we can adapt. We can make the necessary changes.

In 1933, a newly elected Governor of Maine, Louis J. Brann, addressed the hardships of the Great Depression. He said:

"Giant forces are changing the entire social, political and governmental set-up of the world." "What was clear and accepted becomes complex and bewildering." "We find ourselves squarely up against conditions, new in government, calling for clear thinking and wise action ..." "We may be forced to part with some things that we have grown to like," Governor Brann continued. "Like one going on a long journey, we must pack only the essentials. We will have to 'travel light.' Today, my friends of this Legislature, the State of Maine marches along the high road of stern necessity." Now, 76 years later, our predicament demands that same clear thinking and wise action as we work to ward off a global recession. And like 1933, we must make the right choices if we are to once again prosper.

In just a few short weeks, this Legislature worked with my administration to close a \$140 million dollar budget gap for the current year. State revenues dropped because the economy is dropping. To balance the books, Democrats and Republicans worked together with little regard for partisanship. The steps we took to close the budget gap were tough, but the Appropriations Committee built a unanimous plan that won broad, bipartisan support. We packed a light bag for the rest of this year. Now we must move on to the budget for the next two years, and we can only afford to pack the essentials for that trip.

The Legislature has just finished public hearings on the budget I submitted in January. My \$6.1 billion dollar plan reduces State spending by about \$200 million dollars. It's the first time since at least 1974 that the State budget will actually be smaller than its predecessor. This budget is prudent, and the reductions are necessary. My plan protects our safety net, while calling on everyone in the State to adopt a sense of shared sacrifice. We all must do our part to get through this difficult time.

The symptoms of today's economic crisis are not unique to Maine, although we can surely feel them. Our country – the entire world – is struggling under the weight of the same burdens. But our strengths are undeniable, and we will not be deterred. It may be dark right now, but we are not lost in the night. We are not afraid of shadows or the empty noises that haunt children's dreams. The dawn of a new economic day in Maine is not here yet, but it is coming. We know the direction to look, because the sun rises first in Maine. We have a plan. There is a path to take. We know what we must do.

Just three short weeks ago the President signed an unprecedented economic recovery plan into law. This much needed federal support will send about \$900 million new dollars to Maine, to build roads, repair bridges, to help people stay well and to create jobs. We have already started putting that money to work, and combined with our existing highway plan for this spring, summer and fall, we will put 11,000 people on the job in our State just in the area of transportation. Thousands more jobs will be preserved at our schools, in our hospitals and as we advance toward new innovations and energy independence. Without the hard work of Rep. Mike Michaud and Rep. Chellie Pingree, and the courage of Sen. Olympia Snowe and Sen. Susan Collins, this great opportunity for reinvestment would have been lost. I spoke with Sen. Snowe and Sen. Collins during the most difficult hours of negotiations. They put aside empty partisanship and stood up for Maine and the nation. With a new federal wind at our back, we have an unmatched opportunity to transform our State.

Last week, I proposed a three-year, \$306 million dollar investment that will create jobs and strengthen our economy. My plan makes critical investments in energy independence, highways and bridges. It further develops passenger and freight rail, and invests in clean water and healthy communities. And it will build our intellectual capacity by supporting higher education

and innovation.

In addition, the plan will leverage more than \$380 million dollars from other sources, putting nearly \$700 million new dollars to work in Maine. I understand that folks are nervous and that some might question the wisdom of borrowing right now, even for worthy projects. Our State has always been conservative with bonds. We don't borrow more than we can afford, and we don't extend ourselves beyond good sense. We pay our bonds back in just 10 years, while most states take 20 years or longer. That makes now the time to invest. There is no excuse for inaction. We need to put people to work and help them gain the skills to be successful.

Maine has been a leader in putting technology to work in the classroom. We are going to revamp our laptop program and turn it into a powerful tool for the entire family. The Department of Education and the Department of Labor have been working to come up with a program to make sure every one of those computers has software preloaded to connect Maine families with the services available at our State's Career Centers. Every night when students in seventh through 12th-grade bring those computers home, they'll connect the whole family to new opportunities and new resources.

Just as the path forward requires us to make smart investments, it also requires that we break the bad habits of the past. We cannot afford to back-track on important reforms that have driven government at all levels to be more efficient. Change is always difficult, and it's easy to understand why some find comfort in the status quo. But business as usual doesn't work anymore. We must continue forward with the reform of K-12 administration. We can not allow Maine to be dragged backwards by a referendum that seeks a return to the expensive past. The way forward – the way to protect local schools and resources for the classroom – is to stop wasting money on unnecessary bureaucracies and administrations.

We must continue to push for more effective and efficient government here in Augusta, in our counties, and at town and city halls across the State. An excellent example is our new Board of Corrections, which is for the first time coordinating the work of 15 county jails and the state prisons. It's been hard work, with a few bumps along the way, but we see progress every day. I am confident the Board will make our corrections system more affordable, while providing better results for communities and our people. And we know there are more savings to be had by keeping our eyes on efficiency.

This summer, I asked the internationally respected business consulting group, McKinsey and Company, for a data-driven evaluation of our State. We learned that Maine can save at least \$180 million more dollars over three years by improving the way we do business. How do we do it? We must be willing to reform now. Whether it's by combining State agencies, eliminating unnecessary regulations, or holding the line on taxes, we must maintain our fiscal vigilance and question the way every tax dollar is spent.

Today, Maine's government is smaller and more effective than at any time in recent memory. Since 2002, the number of State workers has been cut by more than 700 as we have learned to do more with less. That is a stern necessity we face. But smaller government doesn't mean we settle for less effective government. Let me give you an example. In Child Welfare, we have worked with families, schools and communities to reduce the number of children in foster care by one-third and to double the percentage of children placed with relatives and families. Government gets smaller, and children are healthier and happier. Creative partnerships also give us the opportunity to stretch limited resources.

This year, Fairpoint Communications joined Maine's business community. Gene Johnson, the company's president, brought with him to Maine a commitment to our State, to expand broadband statewide and to help us grow our economy. So far, the company has added more than 440 workers to its payroll in Maine. Now the company will join with the State to form a new partnership that will help to refocus our economic development activities.

Simply put, we too often react to the crisis of the day instead of preparing and executing a comprehensive development strategy. Our approach will help regions identify their best assets and develop plans to build upon them. It's economic development from the ground up, instead of the top down. And we will combine economic development with Quality of Place. Quality of Place is shorthand for those things that we all treasure, that make Maine special, that keep us all coming home and draw visitors from around the world. It's our coastline, still dotted with working waterfronts. Our clean, deep lakes and fresh air. It's our vast and healthy forests. We have artificially separated economic development from the characteristics of our State that make it so attractive in the first place.

Occasionally, we've allowed an unnecessary competition to grow between economic development and Quality of Place. But they don't compete; they must be tied together to be successful. That's why I propose that we will continue to invest money to preserve Maine's unique heritage by continuing the Land for Maine's Future and Working Waterfront programs. This will help to preserve open access to some of our most scenic areas, help farmers and fishermen stay on the job, and safeguard our forests and protect our forest products industry with a sustainable fiber supply. Maine is a special place, and we need to protect it.

Even before health care money from the Recovery Act began to come to Maine, I worked with the Legislature to set out clear rules for how the money could be used. First and foremost, we must balance our budget and take care of the people who need our help the most. Second, we will meet our obligations to Maine hospitals. In 2006, I signed a commitment to the hospitals that Maine would pay down its debt. With State and Federal matching dollars, we will provide more than \$370 million new dollars to Maine's hospitals this year. This money will save jobs and make sure that important health programs, especially in rural communities, continue. There are 39 hospitals in Maine, employing more than 22,000 people from Fort Kent to Kittery and everywhere in between. They do a great job, and this will make them stronger.

Maine has been a national leader in providing health care coverage for our people. We have been committed to making health care more affordable and expanding access. We have had success, and our rate of uninsured ranks among the best five states in the country. Yet, a terrible side effect of rising unemployment is that more and more people are losing their health insurance because it was provided by their employer. Just when folks need health care security the most, they see it slip away. As part of his Recovery Act, the President has included provisions that make insurance more affordable for people who lose coverage when they lose their job. Unfortunately, for too many people even the new expanded option falls short.

In the coming days, I will submit a proposal using Recovery funds that will create a voucher system for newly unemployed workers who need additional help keeping their health insurance. The vouchers will help the newly unemployed buy private health insurance or help them enroll in a temporary, affordable health plan. The program will be limited and last only as long as the federal program it's meant to complement. It's a one-time program, using one-time money. As Washington works on

national health care reform, we will continue to blaze a trail here in Maine. Good health takes more than an insurance card. It requires all of us to be as healthy as we can be – preventing diseases that drive up our health care costs.

Health care premiums are growing four times faster than wages. The costs are straining family and business budgets. Chronic illness, like diabetes, asthma, heart and lung diseases, account for about 30 percent of premium costs or about \$350 million dollars a year in Maine. That's spending on poor health that in most cases is preventable. Tonight, I am announcing Maine's Universal Wellness program. It will help every Mainer know, understand and take action to reduce health risks and prevent disease, and it does it within existing resources. Beginning in July, our statewide system of Healthy Maine Partnerships will offer free, confidential risk reviews and link people to local resources that can help them improve their health and prevent disease. This is a long-term strategy that arms Mainers with the information they need to be healthier.

We also know that good health requires having enough high quality doctors and health care providers available when you need them. Doctors and nurses are the lifeblood of good health, and Maine doesn't have enough of them. I propose using \$3.5 million dollars in one-time Recovery funds to help launch two innovative medical schools that will train the doctors we need in Maine. Tufts University will partner with Maine Medical Center; and the University of Vermont will partner with Eastern Maine Medical Center and the University of Maine to create medical schools in our State, so doctors can finish their training right here. We aren't building new buildings. Instead, we will provide needed scholarships for Maine residents to support their medical education at Maine Medical Center, Eastern Maine Medical Center or the University of New England. Research shows that doctors tend to settle near the hospitals where they complete their training, and I know that given the chance young doctors will stay in Maine.

Finally, we will work with Maine's medical community to change the way we provide primary health care. Today, patients and doctors are overbooked into crazy schedules where they might get as little as 10 minutes together during an office visit. Our current system pays for sickness, not for keeping people well. It doesn't make any sense. That's why I propose using \$500,000 dollars of Recovery funds for a pilot project designed to change the way we deliver primary care. We will test a system with 15 medical practices that allows teams of doctors, nurses and other health care professionals to concentrate on keeping you well – not just waiting for you to get sick. They'll work to keep you at home and out of the hospital. We have an opportunity to transform health care in Maine, and make it more affordable and more patient-centered. That's a goal we all share.

For nearly 30 years, I have been involved in public service, for the last six years as Governor. During that time, I have had the privilege to work with many dedicated people, here in this chamber and around the state. But I have never known a stronger advocate for Maine's children than the First Lady. Karen has elevated the efforts of Maine Reads, created the Festival of the Book, and has been instrumental in bringing the first-in-New-England Educare Center to Waterville, which will break ground in June and help establish best practices for early childhood teaching. She is tireless, and an inspiration, who keeps us all grounded in what's most important. Karen is here tonight with our son, Jack, and I ask her if she could please stand and receive the greetings of the Chamber?

This summer, we received an unwelcome reminder of how dependent our State is on costly, imported oil. In a short time, prices more than doubled for gasoline, diesel and heating oil. We

were on the verge of a crisis. Truckers, fishermen and just about everyone else felt the weight of high energy costs. We immediately began planning for an emergency. We knew then, and we know now, that if heating oil prices are \$4 dollars and 50 cents a gallon, many people would struggle just to make it through Maine's long winter.

There are many factors that have contributed to the current recession. Poor decisions on Wall Street and in Washington; an economy dependent on easy credit; and a lack of government oversight all played a part. But the high cost of energy is one of the biggest factors. I'm concerned that we might forget the role high oil prices played in our current economic troubles and underestimate how quickly prices can rise again. We've been through energy crunches before. But time and time again, as prices stabilized we returned to our old habits. Not this time. Not again. No more.

For too long our economy has been held hostage by imported, foreign oil. It's jeopardized our national security, and has left us at the mercy of markets and foreign powers over which we have little control. In July, we took immediate action to begin fighting our oil addiction, with a new emphasis on making homes more energy efficient. We increased funding for weatherization, cutting the energy bill for families. We put technology to work, streaming live video to classrooms across the State, so we could expand training for homeowners and professionals so they can get the information they need to reduce energy consumption. We put all of our energy resources within reach of a single telephone call. One call to 2-1-1 will put you in touch with a person who can help. We distributed more than 300,000 do-it-yourself brochures that include easy-to-do tips to reduce energy consumption. And you raised more than \$1 million dollars through the Keep Maine Warm Fund to help folks make it through the heating season. Thank you to those who gave.

Much has been accomplished, but we must do more. Prices will go back up, and we can't sit and wait for it to happen. We must transform our State. We will become more energy efficient; we will invest in clean, renewable sources of power; we will build a better electric grid that is more reliable and capable of connecting Maine and all of the Northeast to new sources of electricity; we will empower workers to do the high-tech green jobs that our new economy will demand. And we will invest in a smarter transportation system that can move goods and people more cheaply and efficiently.

Our efforts start with energy conservation and weatherization, where we've already made a good start. We will leverage funding from the President's Recovery Act, and we'll expand the reach of our efforts. I will introduce the Maine Energy Independence Act, which will re-invent the way we manage our State energy programs, and put all of our efforts under one roof so they are more closely coordinated and integrated. We will set aggressive goals to weatherize every home in Maine and half of all of our businesses in the next 20 years.

We know that we need to make energy upgrades as easy as possible. With this plan, there will be one place that individuals, families and businesses can go to get help with all of their energy efficiency needs. My approach will build upon the strengths of our current programs, but will also energize new partnerships to accomplish our goals. Tonight I am announcing a new collaboration between the State and Maine banks and credit unions that will simplify the way people accomplish home energy improvements. The program uses State loan guarantees to access up to \$100 million dollars of private capital. It will help thaw our frozen credit market and make it possible for homeowners to invest in energy upgrades. In one simple

process, you'll be able to save money on your mortgage by refinancing, improve your home's value, and cut utility bills. And we'll provide direct support, through our State Energy Plan, for subsidized energy audits and other incentives to help businesses make improvements. The Recovery Act includes \$32 million dollars to weatherize homes for low-income families, and we're adding access to another \$100 million for middle-class families. We'll multiply our current weatherization efforts by 20 times. I'm talking about a massive infusion of new resources to fix people's homes and improve their lives. The dividends for Maine are huge. We'll send fewer energy dollars out of State, we'll reduce greenhouse gas emissions, and we'll create thousands of jobs for Maine workers.

In addition to creating new jobs, we must ensure that Maine workers are prepared to fill them. We will combine the efforts of the Department of Labor, Maine State Housing, the Public Utilities Commission and our universities and community colleges to create a green-collar workforce that is second to none. This summer Maine will have its own Weatherization Corps of young workers, who will learn important life and job skills right on the job. A joint program between the Department of Labor, Jobs for Maine Graduates, local CAP agencies and Maine Housing will train about 100 students to work on energy related projects. These young people will have the opportunity to learn about energy efficiency and home weatherization while working to make their State a better place to live, and they'll do it while earning a paycheck. It's a good program that will help young workers and help us meet our energy goals.

My energy plan also invests in the growth of Maine-based renewable energy resources. When Maine was at the peak of its economic strength, our industries were able to harness the power of our rivers and the resources in our forests to produce cheap electricity. Those resources drove Maine's industrial revolution, and those same renewable resources can power a new revolution for our State. Already, we have reduced the regulatory barriers for the development of onshore wind power, and we have an Ocean Energy Task Force working right now to do the same thing for resources that exist off our coast. The group is developing legislation that will greatly advance renewable energy projects off the coast of Maine, and I propose \$7.5 million dollars for a Maine Marine Wind Energy Fund that will support the development of the premier offshore testing site for wind energy for the country. This is a tremendous opportunity to become one of only three test sites in the country. Success will make Maine a hub for the manufacturing and research industries that will drive energy production for the next generation.

We don't have oil or natural gas reserves in Maine, but we are rich in the resources that can take their place. We have two of the largest operating wind farms in New England, and billions of dollars in proposed projects on the way. Turbines placed off Maine's coast have the potential to produce more than 133 gigawatts of electricity from wind alone. That's as much electricity as 40 nuclear power plants can produce. There's also impressive work happening in the development of tidal power, which captures the movement of the ocean to generate electricity. Ocean Renewable Power Company is field testing tidal power turbines right now near Eastport, and that's just the beginning. As my Wood-to-Energy Task Force demonstrated, Maine has great energy reserves in our forests. Whether it's through wood pellets in homes and businesses or biomass electric generation, we have great options for diversifying our energy consumption. SAD 58 Superintendent Quentin Clark has put this type of innovative thinking to work in his school system. Instead of relying on oil from 8,000 miles away, he is heating one school with pellets made in Franklin County, just eight miles

away. He's looking to expand the program to all the schools in his district. And a facility in Strong will provide the pellets. Quentin is creating opportunities by being smart about energy. Solar, hydroelectric and the potential for pumped storage round out our impressive energy mix.

Maine sits at the center of a growing energy hub, not only for us but for all of New England. To the north in Canada, there are vast sources of clean, cheap and renewable energy. To the south, millions of people hungry for renewable, clean, reliable energy supplies. As anyone in real estate can tell you, the three most important assets you can have are location, location and location. Our location puts us in a position to become a renewable energy engine for our country. We can help deliver on the promise of a new energy future – one that reduces the impact on our climate, and stabilizes and reduces the cost of electricity for Maine. But if we want to capitalize on our advantages, we must be aggressive. As we transition our economy from oil and utilize more electricity for our energy needs, we must strengthen and improve our electrical grid. That means more reliable transmission and greater capacity to handle the new energy resources that are being developed. Consider the Maine Power Reliability Project, proposed by Central Maine Power. This upgrade of our existing grid has the potential to pump \$1.5 billion dollars into our State's economy and create more than 2,000 jobs over four years. That translates into more than \$240 million dollars in new wages and salaries. In addition, we need to connect Aroostook County's electric grid to the rest of Maine and New England. We can't continue with part of our State isolated from the rest. And while we need to be able to move quickly to review new projects when they are proposed, that doesn't mean relaxing our standards. Every project must be judged on its details and must be right for Maine. But we must move forward.

We also must rethink the assets we have, and put them to the most efficient use. Right now in Maine, we have transportation corridors that run the length of our State. We need to transform them into much more. Today I signed a Memorandum of Understanding with Bangor Hydro to explore the potential use of the right-of-way that exists along our interstates and roads for new, underground transmission lines. Instead of a transmission company negotiating with hundreds of individual landowners and communities, they can utilize right-of-ways that already exist. There's less impact on the environment and less impact on people. Transportation corridors will become commerce corridors. The idea also has the potential to speed an exciting proposal currently under consideration. Bangor Hydro's Northeast Energy Link, which would run from Orrington to Boston, has the potential to inject \$2 billion dollars into Maine for the construction of a new transmission line that would move eleven hundred megawatts of clean, renewable electricity. The line would support the growth of vast wind resources and help to drive down the prices for electricity in Maine and throughout the region.

We are also investigating the potential for second energy corridor that would run between Maine and New Brunswick. Our shared objective with New Brunswick is to increase the long-term supply of secure, reliable and clean energy to our region. The work will also include the accelerated development of renewable power and an improved grid in Maine. These commerce corridors would house appropriate projects, generating tens of millions of dollars each year in new revenue for the State. Those resources would be used to meet our weatherization and energy efficiency goals, to invest in top quality energy research and other State priorities, including tax relief, and the corridors would make it quicker and easier for major projects to get started, putting people to work faster.

A third possible transmission line is being discussed as part of the plans for pump storage in Wiscasset. Riverbank Power wants to spend about \$1 billion dollar to construct an underground hydro generation facility in Wiscasset. The facility would then be connected to Boston by a proposed \$1 billion dollar underwater transmission line.

With just a small handful of projects, Maine has the potential to benefit from more than \$5 billion dollars of direct, private-sector investment. And if we meet our stated goal of developing 3,000 megawatts of wind power, Maine will see an additional \$7.5 billion dollars of energy investment. The massive size of the proposed investments – at least \$12 billion dollars and growing – demonstrates Maine's central position in the growth of renewable energy, and our great potential for energy self-sufficiency and to lower energy prices for Maine people and businesses. At stake are thousands of jobs, new economic development, and millions of dollars of potential revenues for the State that can support our priorities.

When it comes to energy, Maine and New Brunswick have a close and necessary relationship. We have to work together, and that means making compromises for our better energy future on both sides of the border. As we move forward with new and exciting energy partnerships, it is critical that the Canadian government support our efforts to bring new, liquefied natural gas terminals to Washington County. LNG has an important role to play as Maine transitions from oil to renewables, and the proposed terminals in Washington County give economic hope to a region that needs new industry. All of these projects will create thousands of good-paying, private-sector jobs in Maine just when we need them the most. To capitalize on these new jobs and to build the industries of the 21st Century, Maine must invest in education, innovation, and research and development.

A generation ago, a high school diploma opened the door to a good job that could last a lifetime. That's not true anymore. Success today depends on a college education. That's why I propose significant investments in Maine's institutions of higher learning so they can serve more students and make energy efficient improvements that will save money that can be put toward the classroom. That's why I propose an advanced technology and engineering campus as part of our redevelopment plans for Brunswick Naval Air Station. The center will bring together the University of Maine and Southern Maine Community College in a joint venture that will support the economic development of the Midcoast while also training students for the good jobs of the future. This collaboration between the university and community college should be a model for greater cooperation between our institutions of higher learning. We need to break down the walls that separate the systems and instead build bridges for greater efficiencies. There's great potential for working together and saving money, and that means more resources for students and teachers.

Tonight as we examine the State of our State, I want to take a few moments to thank the men and women of the Maine National Guard, who every day make us proud, whether it's serving in Iraq or Afghanistan or responding to an emergency right here at home. Right now, we have 15 members of the Guard serving in Iraq and Afghanistan, and hundreds more preparing for deployment later this month and early next year. All of these brave men and women are close to our hearts even when they are many miles from home. We pray for their safety, and offer our sincere gratitude for their service.

In closing, I would like to return to Governor Brann, who served our State during the worst of economic times. He said: "Maine women and Maine men have never faltered in the crisis. The ruggedness and stern grandeur of our land are reflected in

the character of our people. The future of Maine has always been safe in the hands of its sons and daughters, and never more so than today." Now in 2009, we have within reach the power to shape our own future, to write the next chapter in this Great State's story. When our grandchildren and their children look back, I want them to see in us a generation that answered the call, that transformed Maine. Our way forward is not just about energy. Or a cleaner environment, or even the jobs we'll create today, although all those things are important. What I'm talking about is a new economy, one that's built to succeed in a rapidly changing world. But it's an economy that will rely upon those same Maine traits that have served us so well: Honesty, Integrity, Quality, Pride and Workmanship. Maine Built is Best Built. There's a new era of opportunity and prosperity on the horizon. We will get there together. Thank you. Good night.

At the conclusion of the address, Governor John E. Baldacci withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

On motion of Representative TILTON of Harrington, the House adjourned at 7:48 p.m., until 10:00 a.m., Thursday, March 12, 2009.