

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Regular Session**

May 28, 2009 – June 12, 2009

**Second Regular Session**

January 6, 2010 - March 23, 2010

Pages 609-1214

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
SECOND REGULAR SESSION  
4th Legislative Day  
Thursday, January 14, 2010

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

Prayer by Reverend Walden C. Chandler, First Baptist Church, St. George.

National Anthem by Cole Barbour, Owls Head.

Pledge of Allegiance.

Doctor of the day, Jo Linder, M.D., Falmouth.

The Journal of Tuesday, January 12, 2010 was read and approved.

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At this point, the Speaker recognized the Representative from Biddeford, Representative CASAVANT, and he was added to the quorum call of the Second Regular Session of the 124th Legislature.

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**SENATE PAPERS**

Bill "An Act To Improve Safety on Maine's Primary and Secondary Roads, Reduce Road Maintenance Costs and Improve the Environment and the Economy by Allowing Certain Heavy Commercial Vehicles on the Interstate Highway System in Maine" (EMERGENCY)

(S.P. 663) (L.D. 1736)

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

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

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**COMMUNICATIONS**

The Following Communication: (H.C. 252)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

January 7, 2010

Chief Justice Leigh I. Saufley  
Maine Supreme Judicial Court  
P. O. Box 368  
Portland, ME 04112

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 124th Maine Legislature on Tuesday, January 26, 2010 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

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.**

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The Following Communication: (H.C. 253)

**STATE OF MAINE  
SUPREME JUDICIAL COURT  
PORTLAND, MAINE 04112**

January 11, 2010

The Honorable Elizabeth H. Mitchell  
President of the Senate

3 State House Station  
Augusta, Maine 04333-0003  
The Honorable Hannah M. Pingree  
Speaker of the House  
2 State House Station

Augusta, Maine 04333-0002

Dear President Mitchell and Speaker Pingree:

I am pleased to accept your invitation to address a Joint Session of the 124th Maine Legislature on Tuesday, January 26, 2010, at 11:00 A.M. I appreciate the courtesy of the Legislative Branch of government in permitting me to address the cause of justice in Maine.

I look forward to seeing you on January 26, 2010.

Sincerely,

S/Leigh I. Saufley

Chief Justice

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 255)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON JUDICIARY**

January 12, 2010

The Honorable Elizabeth H. Mitchell  
President of the Senate  
The Honorable Hannah M. Pingree  
Speaker of the House of Representatives  
124th Legislature

State House

Augusta, ME 04333

Dear Madam President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Judiciary from the review and evaluation of the Maine Human Rights Commission under the State Government Evaluation Act. In its review, the Committee found that the Maine Human Rights Commission is operating within its statutory authority.

Sincerely,

S/Senator Lawrence S. Bliss  
Senate Chair  
S/Representative Charles R. Priest  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 254)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

January 12, 2010

Honorable Hannah M. Pingree  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Pingree:

Pursuant to Joint Rule 310, the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1420 An Act To Alter the Distribution of Maine Clean Election Act Funding to Gubernatorial Candidates

The sponsor and cosponsors have been notified of the Committee's action.

Sincerely,  
S/Millicent M. MacFarland  
Clerk of the House

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

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The Following Communication: (H.C. 256)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

January 13, 2010  
Honorable Hannah M. Pingree  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Pingree:

Pursuant to Joint Rule 310, the Committee on Labor has approved the request by the sponsor, Representative Tuttle of Sanford, to report the following "Leave to Withdraw":

L.D. 403 An Act To Increase the Minimum Wage

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Representative Pinkham of Lexington Township, to report the following "Leave to Withdraw":

L.D. 1669 Resolve, To Name the New Bridge over Gilman Stream in New Portland the Joshua Bernard Memorial Bridge

Sincerely,  
S/Millicent M. MacFarland  
Clerk of the House

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

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The Following Communication: (S.P. 664)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

January 11, 2010  
Sen. Nancy B. Sullivan  
Senate Chair, Joint Standing Committee on Legal and Veterans Affairs  
Rep. Pamela Jabar Trinward  
House Chair, Joint Standing Committee on Legal and Veterans Affairs  
124th Legislature  
Augusta, ME 04333

Dear Senator Sullivan and Representative Trinward:  
Please be advised that Governor John E. Baldacci has nominated Margaret Matheson of Augusta for appointment to the Commission on Governmental Ethics and Election Practices.

Pursuant to Title 1 M.R.S.A. §1002, this nomination will require review by the Joint Standing Committee on Legal and Veterans 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 **LEGAL AND VETERANS AFFAIRS.**

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

The Following Communication: (S.P. 665)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

January 11, 2010  
Sen. Nancy B. Sullivan  
Senate Chair, Joint Standing Committee on Legal and Veterans Affairs  
Rep. Pamela Jabar Trinward  
House Chair, Joint Standing Committee on Legal and Veterans Affairs  
124th Legislature  
Augusta, ME 04333

Dear Senator Sullivan and Representative Trinward:

Please be advised that Governor John E. Baldacci has nominated Harry Stickney of Augusta and Joseph LaLiberte of Lewiston for appointment to the Gambling Control Board.

Pursuant to Title 8 M.R.S.A. §1002 (4), these nominations will require review by the Joint Standing Committee on Legal and Veterans 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 **LEGAL AND VETERANS AFFAIRS.**

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills 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:

**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act To Provide for the 2010 and 2011 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)  
(H.P. 1240) (L.D. 1743)

Sponsored by Representative SMITH of Monmouth.  
(GOVERNOR'S BILL)

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: AUSTIN of Gray, COHEN of Portland, HUNT of Buxton, MARTIN of Orono, PRESCOTT of Topsham, WRIGHT of Berwick, Senator: RECTOR of Knox.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Remove the Requirement That the Annual Budget of a Regional School Unit Must Be Approved at a Budget Validation Referendum"

(H.P. 1236) (L.D. 1739)

Sponsored by Representative McFADDEN of Dennyville.  
Cosponsored by Senator SHERMAN of Aroostook and Representatives: AYOTTE of Caswell, BURNS of Whiting, EATON of Sullivan, EDGECOMB of Caribou, JOHNSON of Greenville, PINKHAM of Lexington Township, SCHATZ of Blue Hill.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

**JUDICIARY**

Bill "An Act To Establish a Duty To Report Serious Injuries"  
(H.P. 1235) (L.D. 1738)

Sponsored by Representative McLEOD of Lee.  
Cosponsored by Senator RAYE of Washington and  
Representatives: BURNS of Whiting, CEBRA of Naples,  
EDGECOMB of Caribou, GIFFORD of Lincoln, LEWIN of Eliot,  
SARTY of Denmark, SYKES of Harrison, TARDY of Newport.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 203.

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**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 Chapter  
9: Rule Requiring Best Management Practices for Growing  
Crops To Minimize Cross Contamination, a Major Substantive  
Rule of the Department of Agriculture, Food and Rural Resources  
(EMERGENCY)

(H.P. 1241) (L.D. 1744)

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.

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**Pursuant to Statute**  
**State Board of Corrections**

Representative HASKELL for the **State Board of  
Corrections** pursuant to the Maine Revised Statutes, Title 5,  
section 8072 asks leave to report that the accompanying  
Resolve, Regarding Legislative Review of Chapter 2: Change of  
Use, Downsizing, or Closure of Correctional Facilities, a Major  
Substantive Rule of the State Board of Corrections  
(EMERGENCY)

(H.P. 1237) (L.D. 1740)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE  
AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve  
**REFERRED** to the Committee on **CRIMINAL JUSTICE AND  
PUBLIC SAFETY** and ordered printed pursuant to Joint Rule  
218.

Sent for concurrence.

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**Pursuant to Statute**  
**Department of Education**

Representative SUTHERLAND for the **Department of  
Education** 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  
101: Maine Unified Special Education Regulation, a Major  
Substantive Rule of the Department of Education  
(EMERGENCY)

(H.P. 1238) (L.D. 1741)

Be **REFERRED** to the Committee on **EDUCATION AND  
CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve  
**REFERRED** to the Committee on **EDUCATION AND  
CULTURAL AFFAIRS** and ordered printed pursuant to Joint  
Rule 218.

Sent for concurrence.

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**Pursuant to Statute**

**Department of Health and Human Services**

Representative PERRY for the **Department of Health and  
Human Services** 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  
232: Well Drillers and Pump Installers Rules, a Major  
Substantive Rule of the Department of Health and Human  
Services (EMERGENCY)

(H.P. 1239) (L.D. 1742)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN  
SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ**.

On motion of Representative PERRY of Calais, the Resolve  
was **REFERRED** to the Committee on **NATURAL RESOURCES**,  
ordered printed and sent for concurrence.

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

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**ORDERS**

On motion of Representative WHEELER of Kittery, the  
following House Order: (H.O. 33)

**ORDERED**, that Representative Patrick S. A. Flood of  
Winthrop be excused January 6 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Paul  
E. Gilbert of Jay be excused January 6 for health reasons.

**READ** and **PASSED**.

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Phillip Hoose, of Portland, who won the National Book Award  
for young people's literature for the book *Claudette Colvin: Twice  
Toward Justice*, which was based on extensive interviews with  
Claudette Colvin and many others. Mr. Hoose presents the first  
in-depth account of an important yet largely unknown civil rights  
figure, skillfully weaving her dramatic story into the fabric of the  
historic Montgomery bus boycott and court case that would  
change the course of American history. The book placed on  
various lists of best books of the year. We congratulate Mr.  
Hoose on his winning this prestigious and well-deserved award;

(HLS 836)

Presented by Representative HASKELL of Portland.  
Cosponsored by Senator ALFOND of Cumberland, Senator  
BRANNIGAN of Cumberland, Representative RUSSELL of  
Portland, Representative ADAMS of Portland, Representative  
HINCK of Portland, Representative HARLOW of Portland,  
Representative LOVEJOY of Portland, Representative STUCKEY  
of Portland, Representative COHEN of Portland.

On **OBJECTION** of Representative HASKELL of Portland,  
was **REMOVED** from the Special Sentiment Calendar.  
**READ**.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Haskell.

Representative **HASKELL**: Thank you very much, Madam Speaker. Madam Speaker, Men and Women of the House. It's a great honor for me to stand here today to recognize Phil Hoose for this extraordinary book. I feel so small when you consider how large that young woman was at 15 years old, when realizing with plenty of other seats on the bus, that she was being asked to move for no reason other than there was a line drawn on that bus about where people could stand. She understood even at that young age that that was just not right, and so she didn't give up her seat. She was dragged off the bus, she was taken to prison. The story of this young woman and her bravery, this ordinary young woman, perhaps a good student but living an ordinary life in the days of the Jim Crow laws, recognized how unfair it was and she became an extraordinary figure in history. Besides that act that she did that day and what she suffered as a result of it, she was not congratulated and awarded and held up. She was shunned and things did not go well for her particularly after that event. But she came back a year later, still a young woman, and stood up in front of the court for the very first case that helped strike down those Jim Crow laws in Montgomery, Alabama.

Phil Hoose, an extraordinary writer of a number of other books, dogged this poor woman, Claudette, for a couple of years because he was interested in the story and wanted this story to be told, and she granted him the interview and, through a series of interviews with her and others, he has written this extraordinary book which is the winner of the National Book Award. The book is dedicated to the Honorable Gerry Talbot, who is no stranger to many of us here. He was the first African-American to serve in the Maine House of Representatives, and he has been instrumental in keeping African-American history alive here in the State of Maine. He is joining the author today.

Madam Speaker, I'd like folks here to know that this is an important book and I think it would be important for everyone to have it in their library. In the Welcome Center from 11 to 1 Mr. Hoose is going to be signing this book. It will be available for you, so feel free to come down. If you haven't got your checkbook with you today, let me know, I'll front it for you, no problem. And so I really do appreciate the time to speak about this today with great due respect for our upcoming holiday on Monday and understanding that the State of Maine has produced an author with one of the most important books about the history of African-Americans in our country. Thank you.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

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**REPORTS OF COMMITTEE**

**Change of Committee**

Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen the Laws against Illegal 'Puppy Mill' Operators"

(S.P. 605) (L.D. 1598)

Reporting that it be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

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

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Representative **BEAUDETTE** from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Charter of the Buckfield Village Corporation"

(H.P. 1075) (L.D. 1525)

Reporting that it be **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent for concurrence.

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**Divided Report**

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Aid Municipalities and the Unorganized Territory in the Reduction of Property Taxes"

(H.P. 539) (L.D. 788)

Signed:

Senator:

PERRY of Penobscot

Representatives:

WATSON of Bath

BRYANT of Windham

FLEMINGS of Bar Harbor

CROCKETT of Augusta

PILON of Saco

VALENTINO of Saco

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-584)** on same Bill.

Signed:

Senators:

BLISS of Cumberland

NASS of York

Representatives:

CHASE of Wells

KNIGHT of Livermore Falls

SIROIS of Turner

**READ.**

On motion of Representative WATSON of Bath, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1055) (L.D. 1506) Bill "An Act To Authorize Maine Media College To Confer the Degree of Master of Fine Arts" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

There being no objections, the above item was ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

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**ENACTORS**  
**Emergency Measure**

An Act To Implement the Recommendations of the Initiative To Streamline State Government and To Make Other Necessary Changes to Law

(H.P. 1177) (L.D. 1668)  
(C. "A" H-585)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative DILL of Cape Elizabeth, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED House Amendment "A" (H-587)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Dill.

Representative **DILL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Good morning. I first just want to say thank you for all the hard work the Appropriations Committee did in reaching a consensus on LD 1668, which is the streamlining bill, and just briefly by way of background, as I'm sure many of you recall, we had a difficult budget session last year. We reached agreement on the budget and the biennial budget included a promise by this body to find \$30 million in structural savings and the Appropriations Committee did an incredible amount of work over the summer when some of us might have been at the beach or other nice places. They were here doing a lot of hard work and, again, I just want to thank them for that effort.

Part of the streamlining bill that I'm trying to, what I consider, improve for the benefit of our towns and cities is Part E. Part E essentially takes \$625,000 from the money that is dedicated to revenue sharing and puts it in the General Fund to meet this \$30 million goal that we set as a legislature.

I'm just going to briefly tell you a little bit of what I learned about revenue sharing in the last couple of days, because it's an issue that is of considerable concern to my community and I suspect to yours as well. Revenue sharing essentially is the state's sharing of income and sales tax with municipalities to help them provide services to the citizens of our districts. Roughly, the state, this is a very simplistic outline, but roughly what happens is the state collects sales and income tax and every month cuts a check to our towns and cities of five percent of that amount and distributes it among our districts. Last year, when we voted on the budget, in Part S, we made a little change in how the state distributes revenue sharing. In the past, we would collect all of the money, say, for example, in April and on the state books we would record the five percent check to our various districts in April, even though the check wasn't cut until the following month in May. So last year in order to balance the budget, recognizing that there was this lag effect that we were stating on our books a payment that wasn't actually being made until the following month, we, in our collective wisdom, changed that in the budget. And so what that meant was because we operate on fiscal years, so we go from July 1st, which is the beginning of the fiscal year and it runs 12 months, so June is the last month of the fiscal year, and how that helped us last year is because we were able to balance the budget because in June, instead of recording on the state books a payment to our districts for revenue sharing that wasn't going to be made until July, we didn't have to do it, and so that was good because it enabled us to balance our budget and we went home. But in doing that, it set up a new system and in the new system the budget director had to make certain assumptions about the next June, and our good budget director and our wonderful Appropriations

Committee are not perfect and there was an error, and the error was to the tune of about \$625,000, and Part E of the streamlining bill attempts to correct that error, which is a good thing.

My amendment, it's a good thing that we're correcting the error but it's a bad thing because \$625,000 is being taken away from our cities and towns at a time when they can least afford to be cut. So what my amendment purports to do is to delete the section of the bill that takes the \$625,000 from revenue sharing and moves it over to the General Fund and plugs that hole with money that, as I understand it, I'm no expert and I'm sure there are experts in the room who are going to tell me differently, as I understand it, there is a balance in a salary account that could be used to correct this error and, therefore, this \$625,000 would not be cut from municipal revenue sharing.

You are, I believe, going to hear that I'm completely wrong, that this language in the bill does nothing for revenue sharing, that because of the natural decline in state revenues, the states are going to get what they're going to get and my amendment is useless, and so I will just simply state that if you look at the language, I don't think you have to be a lawyer to look at the language in Part E and see that we are, by enacting this amendment, taking \$625,000 from revenue sharing and moving it into the General Fund. I could go on and on and on and on, but I won't. I respectfully urge you to consider my amendment and I thank you very much for your time.

Representative **CAIN** of Orono moved that **House Amendment "A" (H-587)** be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. The Representative from Cape Elizabeth is not all wrong and, in fact, I think her words about revenue sharing are expressing something that all of us are feeling right now, which is a great frustration with the state's revenue fluxes, up and down. Just yesterday we heard news, the December revenue forecast, that December revenues actually came in \$30 million above their newly projected amounts. That's good news. Some of it's a timing issue. We're not in any place where we're popping corks of champagne or anything like that, but I think we're all frustrated with the fact that we want these numbers to land so that we can start to make plans around them, both at the state level and at the municipal level.

What LD 1668 includes, as the Representative from Cape Elizabeth described, is a recognition of reality, a reality that the December forecast should have included an additional, approximately, \$633,000 total over '10 and '11 in revenue sharing deductions because of the natural rise and fall of state revenue. That's all true. What we are doing is recognizing that here. Part of our goals in the streamlining bill and I'll be happy to speak more to the whole bill upon Enactment very briefly, but I want to tell you that one of our goals was to be more transparent in our budgeting, to be more honest in the way we account things, to not take for granted the moving of money or of the lapsing of balances anywhere. This is one example of that. Nothing that went into the \$30 million bill, including this proposal, was arbitrary. Every bit of it went through a lot of rigorous debate and, in this case, was unanimously accepted by both parties, by all members of the Appropriations Committee. To me, this portion of the bill is honest. It says this is where revenues actually are.

I will acknowledge that there is another bill before all of us, in the form of the Chief Executive's supplemental budget, which I will not get into but just for the point of clarification that it is inherently in conflict with this proposal because that was also

built on a revenue forecast that did not include this money, so I want to put you all on notice that this conversation is not going away. We are already starting to have it in Room 228, the Appropriations Committee room, we're having it with the Taxation Committee, we're having it across many of your committees and if you read any of the state's papers, you'll see that our municipalities are talking about it too.

I would ask you to join me in voting green and voting yes for Indefinite Postponement of this amendment, so we can enact the \$30 million bill as it was crafted by the Appropriations Committee in a unanimous way and, in my opinion, in this case, specifically recognizes what is reality for our towns and municipalities. I look forward to having a full and rigorous and lively debate about revenue sharing as we go forward in many other ways, but I ask that you support me in this Indefinite Postponement motion so that we can move past this \$30 million and get back to the other work we have to do. Thank you, Madam Speaker.

Representative DILL of Cape Elizabeth **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-587)**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-587). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 252**

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Connor, Cornell du Houx, Cray, Crockett P, Curtis, Cushing, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Flood, Gifford, Gilbert, Giles, Goode, Hanley, Harlow, Harvell, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, Miller, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Saviello, Schatz, Shaw, Sirois, Strang Burgess, Stuckey, Sutherland, Tardy, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Boland, Cebra, Chase, Clark T, Cohen, Cotta, Crafts, Crockett J, Davis, Dill, Eberle, Fletcher, Fossel, Greeley, Hamper, Hill, Johnson, Joy, Langley, Lewin, McKane, McLeod, Pinkham, Plummer, Prescott, Sarty, Sykes, Theriault, Thibodeau, Thomas, Weaver.

ABSENT - Bolduc, Celli, MacDonald, Millett, Nass, Percy, Smith, Stevens, Willette.

Yes, 107; No, 35; Absent, 9; Excused, 0.

107 having voted in the affirmative and 35 voted in the negative, with 9 being absent, and accordingly **House Amendment "A" (H-587)** was **INDEFINITELY POSTPONED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-585)**.

Representative SYKES of Harrison **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 253**

YEA - Adams, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Cray, Crockett P, Curtis, Cushing, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Piotti, Plummer, Pratt, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Saviello, Schatz, Shaw, Sirois, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Bickford, Cebra, Chase, Crafts, Crockett J, Davis, Fletcher, Gifford, Greeley, Johnson, Langley, Lewin, McFadden, McKane, McLeod, Pinkham, Prescott, Sarty, Sykes, Thomas, Weaver.

ABSENT - Boland, Bolduc, Celli, MacDonald, Millett, Nass, Percy, Smith, Stevens, Willette.

Yes, 119; No, 22; Absent, 10; Excused, 0.

119 having voted in the affirmative and 22 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

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

**SENATE PAPERS**

The following Joint Order: (S.P. 667)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 19, 2010 at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

**READ** and **PASSED** in concurrence.

Bill "An Act To Clarify Safety Requirements in Acadia National Park"

(S.P. 666) (L.D. 1737)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

**REPORTS OF COMMITTEE**

**Change of Committee**

Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure the Availability of Alcohol-free Motor Fuels"

(S.P. 478) (L.D. 1320)

Reporting that it be **REFERRED** to the Committee on **TRANSPORTATION**.



Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

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

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On motion of Representative MCLEOD of Lee, the House adjourned at 11:00 a.m., until 10:00 a.m., Tuesday, January 19, 2010 pursuant to the Joint Order (S.P. 667).