

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
13th Legislative Day
Wednesday, February 17, 2010

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

Prayer by Reverend Art Gowie, Waldo County Cooperative Ministry, Brooks, Staff Chaplain at Eastern Maine Medical Center, Bangor .

National Anthem by Lisa Suarez, Machias.

Pledge of Allegiance.

Doctor of the day, Mark Cooper, M.D., Pittston.

The Journal of Thursday, February 11, 2010 was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 685)

**JOINT RESOLUTION IN SUPPORT OF THE NEW ENGLAND
SECONDARY SCHOOL CONSORTIUM**

WHEREAS, the New England Secondary School Consortium is a multistate partnership to promote and advance higher educational aspirations, performance and attainment among the adolescents of Maine, Connecticut, New Hampshire, Rhode Island and Vermont and it has been and will continue to be a force for enhancing the quality of Maine's system of public secondary education; and

WHEREAS, Maine must transform its educational policies, assessment practices, teaching strategies, professional development and state and local leadership to ensure that its students will not only be competitive with their peers across New England and the globe, but that every student graduates prepared for success in the colleges, careers and communities of the 21st century; and

WHEREAS, because education and high levels of postsecondary degree attainment are critical to workforce development, job creation and sustainable, long-term economic prosperity in the 21st century, it is critical that Maine strives to improve educational quality, opportunity and efficacy for its citizens through regional collaboration, resource sharing, expertise exchange and performance comparability; and

WHEREAS, the New England Secondary School Consortium is developing:

1. Internationally competitive learning models and programs at the secondary level that will redefine the traditional concept of the public high school to more effectively mirror the lives and learning needs of today's students;
2. Learning standards that reflect the ways in which our youth will live, work, learn and lead in the 21st century;
3. New state and local policies designed to stimulate educational innovation and creativity; and
4. Performance assessments that can more accurately measure the essential knowledge, skills and habits of mind that Maine students will apply throughout their lives and across all educational, career and civic contexts; and

WHEREAS, because the New England states share similar histories, educational systems, demographic populations, social challenges and interdependent economic prospects, the independent and collective interests of our states can be more effectively served through strategic partnerships that can improve the educational, career and life outcomes of our citizens; and

WHEREAS, the New England Secondary School Consortium is fostering a coordinated regional effort to build broad-based support for its major initiatives among educators, policy makers

and business leaders, while also engaging parents and community members in the educational process through school involvement, positive messaging, community outreach and cross-state networking; and

WHEREAS, innovative regional collaborations have the potential to attract significant public and private investments, create a higher skilled workforce, attract new economic opportunities, drive sustained economic growth and improve the quality of life for all Maine residents; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to express our strong support and endorsement of the New England Secondary School Consortium and its goals, strategies and partnerships; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John E. Baldacci, Governor of Maine; the Maine Department of Education; the commissioners of education for Connecticut, New Hampshire, Vermont and Rhode Island; the executive director of the Great Schools Partnership; the president of the Nellie Mae Education Foundation; and the director of education for the Bill and Melinda Gates Foundation.

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

READ.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise today simply to observe that the joint resolution in front of us at this time represents the joint efforts and the joint commitment of five New England states, three of which have already passed this resolution, which is really about focusing our energies and our efforts and our expectations of our students at the secondary level. And as a teacher for over 20 years, I'm excited and proud to be bringing this forward here in Maine, along with Senator Alford. Senator Alford and I serve on the Advisory Committee to the New England Secondary Schools Consortium, and that new effort at which all five New England states, all five except Massachusetts, who I'm sure will come along eventually, are committing to these goals that you see in front of you in the joint resolution. I think we all understand that it's time to really rethink some of our practices in secondary school to make the best of the good research based practices that are now out there, and through this compact I think that we understand now that we can truly see a way forward towards these goals. These are ethical commitments, these are commitments to our future economy, and I am pleased today to share this resolution with you and with this entire chamber. I look forward to a strong bipartisan commitment in our vote today. Thank you, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 274)

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

February 17, 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 following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass":

Agriculture, Conservation and Forestry

L.D. 1698 An Act To Prevent the Spread of Eastern Equine Encephalitis

Education and Cultural Affairs

L.D. 1613 An Act To Modernize the Laws Governing the State's Cultural Agencies

Inland Fisheries and Wildlife

L.D. 1689 An Act To Increase Payments to Agents Who Provide Tags for Wild Game

Taxation

L.D. 1634 An Act To Increase Financial Assets of Maine Citizens by Allowing Split Tax Refunds

L.D. 1674 An Act To Amend the Law Governing Sales Tax Exemptions for Certain Nonprofit Youth Organizations

L.D. 1721 An Act To Provide a Sales Tax Exemption for Commemorative Items Honoring Veterans

The sponsors 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.**

The Following Communication: (S.P. 687)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

February 9, 2010

Sen. Lawrence Bliss

Senate Chair, Joint Standing Committee on Judiciary

Rep. Charles R. Priest

House Chair, Joint Standing Committee on Judiciary

124th Legislature

Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated William S. Brodrick of Kennebunkport for reappointment as an Active Retired Justice to the Maine Superior Court.

Pursuant to Article V, Part 1 §8 of the Constitution of Maine, this nomination will require review by the Joint Standing Committee on Judiciary 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 **JUDICIARY.**

READ and **REFERRED** to the Committee on **JUDICIARY** in concurrence.

The Following Communication: (S.P. 688)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

February 9, 2010

Sen. Lawrence Bliss

Senate Chair, Joint Standing Committee on Judiciary

Rep. Charles R. Priest

House Chair, Joint Standing Committee on Judiciary

124th Legislature

Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated Wayne Douglas of Ocean Park for reappointment and David Soucy of Fort Kent for appointment as a Maine District Court Judge.

Pursuant to Title 4, MRSA §157-1 these nominations will require review by the Joint Standing Committee on Judiciary 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 **JUDICIARY.**

READ and **REFERRED** to the Committee on **JUDICIARY** in concurrence.

The Following Communication: (S.C. 639)

**MAINE SENATE
124TH MAINE LEGISLATURE
OFFICE OF THE SECRETARY**

February 11, 2010

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 nominations:

Upon the recommendation of the Committee on Legal and Veterans Affairs, the nomination of Honorable Orland McPherson of Eliot for reappointment to the State Liquor and Lottery Commission.

Upon the recommendation of the Committee on Legal and Veterans Affairs, the nomination of Michael T. Peters of Dixfield for reappointment to the State Liquor and Lottery Commission.

Upon the recommendation of the Committee on Legal and Veterans Affairs, the nomination of Walter J. Simcock of Waterville for reappointment to the State Liquor and Lottery Commission.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act Regarding the Commissioner of Education's Rule-making Authority"

(H.P. 1272) (L.D. 1784)

Sponsored by Representative CONNOR of Kennebunk.

Cosponsored by Senator ALFOND of Cumberland and Representatives: ADAMS of Portland, EVES of North Berwick, KENT of Woolwich, LEGG of Kennebunk, SMITH of Monmouth, STRANG BURGESS of Cumberland, Senators: COURTNEY of York, SULLIVAN of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Allow Electronic Filing of Vital Records and Closing of Records To Guard against Fraud and Make Other Changes to the Vital Records Laws"

(H.P. 1271) (L.D. 1781)

Sponsored by Representative PERRY of Calais. (GOVERNOR'S BILL)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Bolster Maine's Social Safety Net through Voluntary Sales Tax Contributions" (EMERGENCY)

(H.P. 1273) (L.D. 1785)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representatives: BERRY of Bowdoinham, BOLAND of Sanford, CLEARY of Houlton, CRAY of Palmyra, CURTIS of Madison, DILL of Cape Elizabeth, EATON of Sullivan, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, GILES of Belfast, HANLEY of Gardiner, JONES of Mount Vernon, JOY of Crystal, KNAPP of Gorham, LAJOIE of Lewiston, LEGG of Kennebunk, MAGNAN of Stockton Springs, PENDLETON of Scarborough, PERRY of Calais, PETERSON of Rumford, SANBORN of Gorham, SIROIS of Turner, SOCTOMAH of the Passamaquoddy Tribe, TREAT of Hallowell, WAGNER of Lyman, WAGNER of Lewiston, WATSON of Bath, WEAVER of York, WILLETTE of Presque Isle, Senators: COURTNEY of York, PERRY of Penobscot, RAYE of Washington.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **TAXATION** suggested and ordered printed.

REFERRED to the Committee on **TAXATION** and ordered printed.

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 items:

Recognizing:

the Konbit Sante Cap-Haitien Health Partnership, based in Falmouth, a Maine-based medical support group that works to improve the public health system in Cap-Haitien, Haiti, on its raising more than \$140,000 in a day-long telethon at City Hall in Portland, sponsored by the city and WGME-TV. Konbit Sante works with the Haitian Ministry of Health and with Haitian colleagues to build capacity within the public health system for Haitians to care for Haitians. In recent days, Konbit Sante has secured medical supplies and gasoline for generators to help with earthquake relief efforts. Through its work with Justinian Hospital

in Cap-Haitien, doctors, nurses and residents worked from the beginning in helping patients from Port-au-Prince, the capital of Haiti. The telethon, the brainchild of former Portland city councilor Peter O'Donnell and City Councilor Jill Duson, engaged city hall employees, city councilors, Mayor Mavodones, Police Chief Craig and many others to work the phone lines. We acknowledge the extraordinary measures that Konbit Sante Cap-Haitien Health Partnership and the volunteers for the telethon have provided in their assistance of the people who need it most, and we send our appreciation to all who were involved in this exemplary charitable cause;

(HLS 882)

Presented by Representative NELSON of Falmouth.

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

On **OBJECTION** of Representative NELSON of Falmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Nelson.

Representative **NELSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. These are challenging times in Maine, but as difficult and as challenging as these times are for Mainers, our problems take on a new perspective when we look at the chaos and challenges in Haiti, devastated by the January 12th earthquake. Over 200,000 died. One and a half million people in Haiti are homeless. That's more than the entire population of the State of Maine. The capital, Port-au-Prince, and the government health care system, all fragile to begin with, are now literally in shambles. Mainers are compassionate and generous people. Konbit Sante exemplifies that.

In Haitian—this is from a flyer that was in the Portland Symphony Orchestra program last night—in Haitian Creole, a *konbit* is a group of people working together toward a common goal. The word *sante* means health. Konbit Sante believes the key to saving lives in northern Haiti involves making long-term improvements to the public health system to that end. Konbit Sante volunteers and staff work in collaboration with Haitian clinicians and administrators to build local capacity in all aspects of the health system, from door-to-door community outreach programs to strengthening community health centers to improving care at the regional referral hospital.

Begun 10 years ago, this organization partners with health care providers in Haiti to deliver critically needed medical care in Cap-Haitien, about 85 miles north of the capital of Port-au-Prince.

Since the January 12th earthquake, this organization has made extraordinary efforts to help the Haitians. The Haitian medical staff on the ground have brought many people to Cap-Haitien for desperately needed medical care, physicians nurses and other medical personnel have flown to Haiti to augment the services and work with Haitians to address the medical crisis facing our island neighbor, and the organization has now augmented that \$140,000 raised at the telethon to over \$360,000 to assist Haiti in buying medical supplies, feed and care for more than 500 earthquake survivors, feed 110 medical residents and interns working at the public hospital in Cap-Haitien, and pay for surgery and radiology costs for survivors who have required orthopedic surgeries. This is all according to the Executive Director Nate Nickerson who is in the House today. We want to

recognize and applaud the people involved with the work of Konbit Sante. They truly exemplify the compassion, generosity, skill and goodness of Maine people. Thank you, Madam Speaker.

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

Recognizing:

the Katahdin Area Council of the Boy Scouts of America, as the council members celebrate the 100th Anniversary of the Boy Scouts of America. The Katahdin Area Council serves over 4,000 youths from the scenic six northern counties of Maine. It covers 17,981 square miles, making it the largest council in land area east of the Mississippi, and is the easternmost council in the contiguous 48 states. The council represents approximately two-thirds of the land area and about one-third of the population of the State of Maine. Since 1920, the Katahdin Area Council's mission has been to "serve others by helping to instill values in young people and, in other ways, to prepare them to make ethical choices during their lifetime in achieving their full potential." We send our congratulations to the Katahdin Area Council as the members celebrate the centennial of the founding of the Boy Scouts of America, and we send them our best wishes;

(HLS 883)

Presented by Representative THIBODEAU of Winterport.

Cosponsored by Senator WESTON of Waldo.

On **OBJECTION** of Representative THIBODEAU of Winterport, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Thibodeau.

Representative **THIBODEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today to share with you some important details about scouting in Maine and to honor 100 years of scouting tradition. The Boy Scouts of America organization has spent a century helping cultivate young men and women into strong, civic-minded citizens. See, the Boy Scouts have been co-ed since 1969.

Brewer Troop 1, originally called Brewer Congregational Scouts, was chartered on October 25, 1909. Seven years later, in 1916, Boy Scouts of America was chartered by the United States Congress. The mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetimes by installing in them values of the scout's oath and law.

I wish to thank all of those who have taken time to invest in our youth through our scouting program. Its positive impact on young men and women's lives is significant and apparent.

I also wish to recognize, we have three Eagle Scouts that serve in this body: Representative Saviello, Representative Hinck, and Representative Knight. That's the only three that I'm aware of. If there is another, please feel free to acknowledge yourself. But on behalf of the Maine Legislature, I wish the Katahdin Area Council and the Pine Tree Council another 100 years of success. I would like to move that all members of this body be recognized as cosponsors of this sentiment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Saviello.

Representative **SAVIELLO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Years ago, in fact, I remember receiving the 50 year award and wearing it happily. Soon after, I was at Boy Scout camp in front of a tree working on trying to figure out how to determine the volume of

that tree. Couldn't do it. Along came a scout leader. Yes, he was actually the camp cook. He took time to help me learn how to do this kind of work, and the theme of the story is, I remember it and think back to it, that led me to a career of over 30 years working in the forest industry. So Boy Scouts have done a lot for me. They have helped me to learn how to serve people. I thank Mr. Cook, who I don't have any idea who he was. I thank the Boy Scouts of America and congratulate them on 100 years.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Butterfield.

Representative **BUTTERFIELD**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As the fourth Eagle Scout that I'm aware of in the chamber, I would just add my voice and my congratulations to the council. Thank you.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative **GILES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise not as a former Boy Scout, actually a former Girl Scout, but I rise to proudly congratulate the council on its 100 year celebration. I am a proud parent of an Eagle Scout who came up through their program, and I will say today, as he is in his mid-20s, one of the proudest things he ever accomplished was the Eagle Scout. And I congratulate the families who have given the time and the effort of the program, because truly, bringing the Eagles we have here today, if you are a parent of an Eagle Scout, you know it is a true family experience and it is just terrific. So I congratulate them all and glad we can honor them in this body. Thank you.

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

Recognizing:

Brandon G. Ouellette, of Ellsworth, a member of Boy Scout Troop No. 86, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Brandon landscaped the property of St. Margaret's Chapel in Winter Harbor, which included the construction of stairs and benches and seeding the lawn. We extend our congratulations to Brandon on this achievement;

(HLS 888)

Presented by Representative LANGLEY of Ellsworth.

Cosponsored by Senator DAMON of Hancock.

On **OBJECTION** of Representative LANGLEY of Ellsworth, was **REMOVED** from the Special Sentiment Calendar.

READ.

Recognizing:

Kyle A. Ouellette, of Ellsworth, a member of Boy Scout Troop No. 86, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Kyle constructed a storage shed at the Woodlawn Museum in Ellsworth to store croquet gear. We extend our congratulations to Kyle on this achievement;

(HLS 889)

Presented by Representative LANGLEY of Ellsworth.

Cosponsored by Senator DAMON of Hancock.

On **OBJECTION** of Representative LANGLEY of Ellsworth, was **REMOVED** from the Special Sentiment Calendar.

READ.

Recognizing:

William C. Dickey, of Lamoine, a member of Boy Scout Troop No. 86, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, William constructed a recycling bin for Lamoine Consolidated School. We extend our congratulations to William on this achievement;
(HLS 890)

Presented by Representative LANGLEY of Ellsworth.
Cosponsored by Senator DAMON of Hancock, Representative EATON of Sullivan.

On **OBJECTION** of Representative LANGLEY of Ellsworth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Langley.

Representative **LANGLEY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I proudly rise today to recognize three Eagle Scouts from my troop; Troop 86 from Ellsworth. It is fitting that today is the day that Scouting's 100th anniversary is being recognized. What better tribute to Scouting than to recognize the pinnacle of scouting; young men reaching the rank of Eagle Scout.

My most cherished award in my life is my Eagle Scout Dad pin, for you see while these scouts have accomplished only what 2 percent of all youth who enter scouting achieve, the real benefit of scouting is that it makes a better parent out of you. Throughout all of my scouting days, I thought I was raising a child when in reality; my son through scouting was raising a Dad.

Kyle and Brandon Ouellette are twins and for those of you in this body who are Eagle Scouts or have sons who are Eagle Scouts, you know just how hard it is to reach the rank of Eagle Scout. It takes a concerted effort, a tremendous amount of family effort to get through a single Eagle project, let alone two Eagle projects going on simultaneously. Mr. and Mrs. Ouellette deserve a medal.

Will is here with his mom and dad who know all too well just how hard it is for a young man to finish his Eagle project with all the distractions that school and sports add to the schedule.

Kyle, Will and Brandon have a lot to be proud of, how they helped each other on their Eagle journey, proud of parents who cared enough to push them when they thought of quitting, their communities who supported and encouraged them and the organizations who were the recipients of their Eagle projects. Please join me in congratulating Kyle Ouellette, Will Dickey and Brandon Ouellette on reaching the rank of Eagle Scout. Thank you very much.

Subsequently, the Sentiments were **PASSED** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving" (EMERGENCY)

(S.P. 579) (L.D. 1501)

Signed:

Senators:

DAMON of Hancock
PERRY of Penobscot

Representatives:

MAZUREK of Rockland
PEOPLES of Westbrook
THERIAULT of Madawaska
HARLOW of Portland
CAREY of Lewiston
HOGAN of Old Orchard Beach

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-361)** on same Bill.

Signed:

Senator:

GOOLEY of Franklin

Representatives:

BROWNE of Vassalboro
ROSEN of Bucksport
THOMAS of Ripley

Came from the Senate with the Majority **OUGHT NOT TO PASS Report READ and ACCEPTED.**

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. We've raised the gas tax. We've raised license fees. We've raised title fees. We borrow money like there's no tomorrow. We've got GARVEE bonds. We've got TransCap bonds. We've got general obligation bonds, both Highway bonds and General Fund bonds. We've got \$130 million worth of stimulus money and, the way I count it, we've got more money to spend on our roads than we've ever had and they've never been in worse shape. If we keep neglecting our secondary roads, they are not going to be passable. And what we need to do is we need to get the water out of those roads. When the pavement cracks and the water runs into the base of the road, it allows the frost to work, freezing and thawing, moves that pavement, breaks it up more allowing even more water into it. When the water gets into the base of the road, it softens it up, it turns that into mud, and then traffic runs over it and you get ruts, and in the bottom of those ruts a crack will appear and the water runs directly into the base of those roads. Talk to anybody who's spent any time building or maintaining roads, they will tell you if you're going to keep a road, you've got to get the water out of it. You need good ditches, you need pavement without cracks, and you need to keep it graded and shaped so that the water runs to the ditches. And maintenance paving is so critical to keeping our secondary roads that people don't realize it, and we have neglected maintenance paving. We spend our money on everything else but maintenance paving. I don't know if that's because they are rural roads and rural people don't count anymore. I don't know. It's frustrating. We've got to do a better job. This bill would allow a few crumbs from the table to be allowed to be spent on maintenance paving, and somehow we have got to get the message across that maintenance paving is about more than making that road smooth. It's about preserving it, because if we

don't start preserving some of these roads, the only way we're going to fix them is to rebuild them and we can't afford to do that. Thank you, Madam Speaker.

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. What this bill basically says is that it takes surplus capital and puts it into the Highway Maintenance and Paving Fund, and this has already been done. This is a common practice that's been done year after year, after year, after year, after year. Any surplus capital that comes to the Maine DOT goes into maintenance service treatment, so this is a micromanagement tool. I think it takes away the flexibility of the department to do things correctly. It's a bill that's just not needed. It's already being done. I hear people say we have too many laws, well, here's an example of piling on another law that we don't need. It's already being done. Any surplus capital is taken and given and put into MST, and this has been done for many, many years. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Just to clarify, there's a difference between capital surplus, which goes back into capital projects, and what we're trying to do with MST. MST is basically something, it's an operational expense, and it comes out of basically the gas tax money. Anything that's capital overage has to go for a capital need. MST is not a capital need. This is duplicative. It is not something that is going to get us anywhere. The likelihood of us having surpluses of the kind that could be applied to maintenance surface treatment is probably not something I'm going to see in my lifetime, and perhaps not something that will be seen by the lifetime of any one in this chamber today. So this is one of those I'm for good and against evil bills, but it doesn't do anything to move us forward. Thank you.

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. 261

YEA - Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Briggs, Bryant, Butterfield, Cain, Campbell, Casavant, Cleary, Cohen, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Beaulieu, Bickford, Browne W, Burns, Celli, Chase, Clark H, Cotta, Cray, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossil, Gifford, Giles, Greeley, Hamper, Harvell, Hill, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Schatz, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Adams, Ayotte, Bolduc, Carey, Cebra, Clark T, Connor, Cornell du Houx, Crafts, Crockett J, Flaherty, Miller, Percy, Pieh, Pratt, Willette.

Yes, 82; No, 53; Absent, 16; Excused, 0.

82 having voted in the affirmative and 53 voted in the negative, with 16 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-625)** on Bill "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

(H.P. 557) (L.D. 821)

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

PERRY of Calais

PETERSON of Rumford

JONES of Mount Vernon

SANBORN of Gorham

CAMPBELL of Newfield

STUCKEY of Portland

EVES of North Berwick

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

Signed:

Senators:

MARRACHÉ of Kennebec

MILLS of Somerset

Representatives:

JOY of Crystal

LEWIN of Eliot

STRANG BURGESS of Cumberland

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-625)** Report.

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt Rules Clarifying Fish Stocking Decisions

(H.P. 1057) (L.D. 1508)

Signed:

Senators:

BRYANT of Oxford

JACKSON of Aroostook

Representatives:

CLARK of Millinocket

WHEELER of Kittery

SHAW of Standish

BRIGGS of Mexico

EBERLE of South Portland

Minority Report of the same Committee reporting **Ought to Pass** on same Resolve.

Signed:
 Senator:
 TRAHAN of Lincoln

Representatives:
 CRAFTS of Lisbon
 SAVIELLO of Wilton
 SARTY of Denmark
 McLEOD of Lee
 DAVIS of Sangerville

READ.

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

**CONSENT CALENDAR
 First Day**

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

(H.P. 1144) (L.D. 1616) Bill "An Act To Enhance Newborn Blood Spot Screening To Conform to Federal Newborn Screening Standards" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1217) (L.D. 1716) Bill "An Act To Expedite Rulemaking Concerning Agronomic Utilization of Sludge" Committee on **NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 1245) (L.D. 1751) Resolve, Regarding Legislative Review of the Repeal of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1246) (L.D. 1752) Resolve, Regarding Legislative Review of the Repeal of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1072) (L.D. 1522) Bill "An Act To Streamline the Renewal Process for a Permit To Carry a Firearm" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-633)**

(H.P. 1095) (L.D. 1553) Bill "An Act To Facilitate Establishment of Watershed Districts" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-631)**

(H.P. 1158) (L.D. 1630) Bill "An Act To Clarify the Laws Governing Instant Redeemable Coupons Included with a Spirits Product" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-634)**

(H.P. 1210) (L.D. 1709) Bill "An Act Concerning the Use of Long-term Antibiotics for the Treatment of Lyme Disease" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-632)**

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

**CONSENT CALENDAR
 Second Day**

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

(S.P. 607) (L.D. 1601) Bill "An Act To Create the Lincolnville Sewer District" (C. "A" S-360)

(S.P. 628) (L.D. 1663) Bill "An Act To Establish a Committee To Promote General Aviation in the State" (C. "A" S-358)

(H.P. 1146) (L.D. 1618) Bill "An Act To Amend the Loan Originator Registration Laws"

(H.P. 1147) (L.D. 1619) Bill "An Act To Facilitate Uniformity Regarding Exemption from Registration of Certain Securities Offerings"

(H.P. 776) (L.D. 1121) Bill "An Act To Protect Elderly Residents from Losing Their Homes Due to Taxes or Foreclosure" (C. "A" H-621)

(H.P. 858) (L.D. 1239) Bill "An Act To Establish a Revenue Source for the Maine Pesticide Education Fund" (C. "A" H-619)

(H.P. 1059) (L.D. 1510) Bill "An Act To Maintain Compliance of Maine's Insurance Laws with National Standards" (C. "A" H-628)

(H.P. 1083) (L.D. 1539) Bill "An Act Concerning Technical Changes to the Tax Laws" (C. "A" H-622)

(H.P. 1085) (L.D. 1541) Bill "An Act To Protect Consumers from Charges after a Free Trial Period" (C. "A" H-626)

(H.P. 1123) (L.D. 1585) Bill "An Act To Protect Maine Farms and Nurseries" (C. "A" H-620)

(H.P. 1161) (L.D. 1633) Bill "An Act To Expand Eligibility of Certain Municipal Landfills To Participate in the State's Remediation and Closure Program" (C. "A" H-629)

(H.P. 1165) (L.D. 1637) Bill "An Act To Change the Requirements for the Sales Tax Exemption for Snowmobile Trail Grooming Equipment" (C. "A" H-623)

(H.P. 1240) (L.D. 1743) Bill "An Act To Provide for the 2010 and 2011 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) (C. "A" H-624)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**ENACTORS
 Emergency Measure**

An Act To Clarify the Application of Certain Statutory Requirements to Foreclosures

(H.P. 1208) (L.D. 1707)
 (C. "A" H-604)

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

Representative BERRY of Bowdoinham **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. 262

YEA - Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant, Cebra, Celli, Chase, Clark H, Cleary, Cohen, Cotta, Cray, Crockett P, Curtis, Cushing, Davis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Perry, Peterson, Pilon, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Adams, Ayotte, Bolduc, Carey, Clark T, Connor, Cornell du Houx, Crafts, Crockett J, Flaherty, Miller, Percy, Pieh, Pratt, Willette.

Yes, 136; No, 0; Absent, 15; Excused, 0.

136 having voted in the affirmative and 0 voted in the negative, with 15 being absent, and accordingly Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

Emergency Measure

Resolve, To Support the Development of Maine's Economic Future by Promoting Science, Technology, Engineering and Math Education

(S.P. 677) (L.D. 1764)
(S. "A" S-359)

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. 132 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

Acts

An Act To Fund the Maine Downtown Center
(H.P. 75) (L.D. 91)
(C. "B" H-607)

An Act To Update Laws Regulating the Maine Emergency Management Agency
(S.P. 589) (L.D. 1531)

An Act To Amend the Laws Governing the We Support Our Troops Registration Plates
(H.P. 1107) (L.D. 1570)
(C. "A" H-606)

An Act To Require That Marine Resources Dealers Purchase Only from Licensed Harvesters
(H.P. 1122) (L.D. 1584)

An Act To Provide Continued Protection of Benefits for Retirees of the Maine Public Employees Retirement System
(S.P. 602) (L.D. 1595)
(C. "A" S-356)

An Act To Expand the Use of Ignition Interlock Devices
(H.P. 1137) (L.D. 1609)

An Act To Make Technical Changes to the Laws Governing the Practice of Law
(H.P. 1150) (L.D. 1622)

An Act To Enhance the Small Enterprise Growth Fund
(S.P. 624) (L.D. 1659)

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, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

(S.P. 591) (L.D. 1533)

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, February 11, 2010, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (S-353)** - Minority (3) **Ought Not to Pass** - Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Create State and Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine"

(S.P. 505) (L.D. 1389)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-353).**

TABLED - February 9, 2010 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - Motion of Representative WRIGHT of Berwick to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

The **SPEAKER**: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'm not going to stand up to debate the good intentions or the value of LD 1389. What I would like to do is to ask you folks to look at this in three different perspectives.

First of all, it creates a new program, a board or council, they have specific duties but it is a permanent creation. It has a recurring cost, although there is no fiscal note and I'll get to that in just a moment, it's going to add, if you remember that book of boards and commissions we got, it actually has 92 pages. It's going to add another page to that. It's a recurring cost every year out into the future. Anything that adds cost to us, I think, needs to be under intense scrutiny.

Secondly, Ladies and Gentlemen, where does this fall on our vertical list of priorities of all of the things that we do here in the State of Maine. Is it above or below? For example, is it more important or less important than training for crisis intervention

programs for mental health workers? Is it above or below elder care to keep people out of the nursing home? Is it above or below the director's position to Maine State Police Crime Lab? All three of those things are under scrutiny and possible to be cut. Where does it fall?

Thirdly, as I said, there is no fiscal note. But there is a cost, and I wish there was a fiscal note because it would go to Appropriations and fall right into that struggle of decision-making and priorities that they're involved in right now. There is a cost. It is an 11 member board, per diem travel expenses, administrative costs and so forth. How are we going to pay for these additional costs? I'm shocked at what I found out. Let me read to you how we're going to pay for these very small additional costs, and I'll quote, additional costs to the State Planning Office, DECD and other state agencies can be absorbed within existing budget resources. Let me read that to you again. Additional costs to the State Planning Office, DECD and other state agencies can be absorbed within existing budget resources. Ladies and Gentlemen, what message is sent to us when a department says we've got some surplus money around and we can fund this? I thought we were in a fiscal crisis. I thought we had to cut \$438 million in the Supplemental Budget. I think that that needs to be an investigation by the committees of jurisdiction as to those other agencies, the State Planning Offices, DECD. By the way, would you like to know what the other agencies are? The Department of Transportation, the Department of Conservation, Cultural Affairs Council, Department of Agriculture, Department of Marine Resources, Department of Inland Fisheries and Wildlife. All of these have sent a message to us. The message that I received was these folks have some money sitting around they don't know what to do with, so they'll fund a program that we're about to create. It's a lot easier to say no to a program right now that we're about to create, or it's suggested that we create, than it is sometime in April to try and cut or eliminate a program. I've been around here eight years, I've seen a lot of programs in the state added or expanded. I've seen very few, if any, that have been eliminated. Ladies and Gentlemen, every vote that we take is a statement of our priorities. It's a public statement of our priorities. If we can't get our hands around a few thousand dollars and act fiscally responsible, how are we ever going to get our hands around a \$438 million shortfall? Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Cohen.

Representative **COHEN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I stand before you in support of the Majority Ought to Pass as Amended Report. This bill is timely. We are in a difficult economy, and we need to do everything we can to sustain and create jobs. This bill facilitates job creation by laying out a new way of thinking about and implementing economic development.

Traditional economic development looks at an area's weaknesses and tries to correct them, rather than looking at an area's strengths and trying to build on them. This bill presents an asset-based model, which is based on building Maine's strengths, as a way to foster and attract new business. This asset based model has caught on in states like Tennessee, Minnesota and Washington, as well as other communities and countries, including Saint John, New Brunswick.

The idea behind this bill is that, by identifying and prioritizing projects that boost Maine's quality of place, the state can attract and retain more people, which will in turn bring new investment and jobs.

Let me give you a few examples of successful quality of place investments. The Farnsworth Museum in Rockland is an example where investment and expanding the museum has

increased visitors and spurred the creation of local businesses including art galleries, restaurants and bed and breakfasts. The Maine Winter Sports Center in Fort Kent is another example, where public and private investment has resulted in increased visitors and new jobs. A third example is the redevelopment of downtown Bangor. As office buildings were rehabilitated there, occupancy rates grew, and new retail, restaurant and entertainment businesses followed.

It goes without saying that we need quality of place investments like these, that can be an anchor for new businesses and new jobs. This bill establishes a framework for identifying worthy asset-based projects in each region of the state, and encouraging public and private investment in them.

Finally, an important reason to pass this legislation is to encourage new federal and philanthropic funding, both which have expressed interest in quality of place. This is a cutting edge idea that is drawing a lot of attention from funders who want to see regional cooperation and investment in the unique assets of each region.

I will be supporting LD 1389 because, as Maine competes for business in a global economy, investing in what we have—our quality of place—is the best thing we can do to facilitate new businesses and create new jobs. I hope you vote in support of the Majority Ought to Pass as Amended Report. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Prescott.

Representative **PRESCOTT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the pending motion. As a member of the Business, Research and Economic Development Committee, I ask you why the state always has to be the authority on how things have to get done. I, like a lot of you in this House, ran on setting priorities and we need to show restraint at this time. This bill deals largely with branding, messaging if you will. We all understand that from our campaigns. Give this time in the private sector. There are more than capable people out there that can do what this bill intends to do. It's not that I don't agree with what this bill will do or may do, but give this time in the private sector. We need to show that we can set priorities, we need to show that we are leaders, and we need to show our constituents that this is not the time to be adding costs to the state budget. Thank you.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative **JOY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. First, I would like to request a roll call.

The SPEAKER: A roll call is already in order.

Representative **JOY**: Thank you very much, Madam Speaker. I hate to disagree with the young lady from Portland, but this will not create jobs that are going to move Maine ahead in any way. We hear a lot about green jobs today, but I think we need to take a lesson from Spain. Spain made a major campaign to supposedly create green jobs, and for every job they created, they lost two from the private sector and that's exactly what would happen here. This is another move to take more control of land away from private owners and put in the hands of the state. We've seen this going on and on and on. Every time that happens, then the people who owned that land in the first place no longer pay taxes. The state doesn't pay taxes on it. The state can't manage the land that they own already, so any time that we talk about quality of place, you ought to watch out because somebody is reaching for your pocketbook and they are looking to take land off the tax roll. Thank you very much, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Buxton, Representative Hunt.

Representative **HUNT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the motion. Each year, each of us receives the Measures of Growth, whose sole purpose is to promote an improved quality of life through a vibrant and sustainable economy, supported by vital communities and a healthy environment. In 2006, a report from the Brookings Institution, Charting Maine's Future: An Action Plan for Promoting Sustainable Prosperity and Quality Places, prominently recommended the promotion of regional planning to promote meaningful and sustainable economic development in all areas of the state. Up until now, the recommendations have been followed piecemeal rather than in a coordinative way. Finally, this unified vision will be infused into the state's fabric for the long-term. Quality of place is something that other states can't replicate. It is something that separates our state from the rest. This is a new direction, a unified direction working to promote the qualities which are so important to each of us. I encourage you to support the motion.

The **SPEAKER**: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative **GILES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill, not because I do not support quality of place in Maine. I feel that's very important and very vital, and I appreciate the discussion and the hard work we had in our committee on this. However, before you cast your vote, I would encourage each member of this House to read very carefully the title and some of the components of this bill, and I would not be misled by the title, because the title says it's "An Act To Create State and Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine".

When you read this bill there is nothing specific in terms of requiring any certain number of jobs, any type of jobs, any specifics to jobs that's going to help us as we build this economy and try to pull us out of this recession. The mission of this bill is very far-reaching. It gives oversight to this council, to our downtowns, historic centers, to our educational systems, to our fishing, our wildlife, our forestry, research, leisure and tourist industries, and more. I ask you is quality of place an agency, a council, a department, or is quality of place a culture, is it part of who we are and what we do? And I say quality of place is part of who we are and what we do, and we don't need a separate layer council of government that is in charge of quality of place.

I'll use as an example, when I was in college back in the late '70s we were given a survey about computers and how we wanted to use computers in our every day life at college. Did we want to have computers be a department, a computer science class, or did we want computers incorporated into everything, English classes, math classes, history classes, and, at the time, it was sort of a novel idea to take that approach. Well, I don't even think you'd ask that question today because computers and communications is just electronic and that's part of our life, and that's the way I view quality of place. It's part of the life in Maine. We don't need a group of 12 people who are in charge of it, even though they may be very well-intentioned with it. So I can put the budget hat on and say, well, we should not do this because of budget reasons and that's primarily why I didn't support this, because I also have concern with the fiscal note. It doesn't talk about the cost to all the other agencies and local organizations that are going to change ways they do business to meet the requirements of this council. But primarily I do not support this legislation because I believe it takes a wrong direction with how we think and breathe about quality of place in this state. Let's let

the regions create the Farnsworths, the regions create these local wonderful projects, and let them continue to do the fine work that they do and us to sort of maybe stand back and get out of the way on this one. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise in support of this motion of Ought to Pass. There was a lot of discussion in our committee on this, and we spent quite a few work sessions addressing a lot of the concerns that folks have raised here today. Some of those concerns I shared initially, in these initial discussions, as we moved towards working to make sure that we weren't expanding government, we weren't creating new boards and commissions, which was one of the concerns. So instead of creating a new commission, we looked at rehabbing an existing commission that had shared similar goals, and we simply worked to redefine the definition of that to address this concern that we were creating a new commission. We're focusing on a strategy of coordination, collaboration and local control. The Maine Quality of Place Council simply provides administrative ability to pull together the various components that should be considered in our economic development. It isn't creating a far-reaching government expansion. It's providing recommendations. The decisions are still made at the local level.

I wanted to also mention that passing this and moving ahead with quality of place opens the state up to federal economic development grant money, desperately needed economic development money that we don't, unfortunately, in this body and in our budgets, spend a lot of money on, so any more money that we can draw in to regional development, quality of control, is critical.

To follow-up on a point that was made earlier about our investments in downtowns, we get a 14 to 1 return on investment when we put money into our downtowns and grow our downtown communities. We get local jobs. We don't get the chain stores; we get local Maine businesses creating jobs for Maine people. We know that those communities are continuing to grow. Belfast is one. Bangor is another that's invested work in our downtown to grow and expand and recognize, as the good Representative from Portland mentioned, that we don't want to just focus on what's wrong with our economic development. We want to highlight and focus on what is good and work regionally at the local level to enhance that and do what we can to create good jobs for our communities. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Stockton Springs, Representative Magnan.

Representative **MAGNAN**: Thank you, Madam Speaker. I guess it's because I'm sitting on this side of the room, but I'm rising in opposition to this bill. I don't know. It isn't that I don't think it's a good idea. Representative Sykes, I think, put out the argument that it is a good idea and it's a wonderful thought. However, I think it's time for the private sector to step up and organizing themselves into teams, into consortia, then they reach out to the organizations we already have in place in the state. We have tourism chamber councils; we have chambers of commerce and rotary. We have all kinds of organizations in the public sector that have the capability of organizing these regions and doing this type of work, and forming those types of consortia which could reach out to grants. I mean, the town of Bucksport, I don't represent it but the town of Bucksport has shown an extraordinary pride of place through grant writing and rebuilding and doing all kinds of things without needing to go away from it's own resources and it's own hard work. And so, as I said, I think we've got to ask the public sector to step up and join with the

towns, join with the regions, join with the organizations we already have in place on the state level and put this together in this time of economic need. Thank you.

Representative **CAMPBELL** of Newfield **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The **SPEAKER**: The Chair recognizes the Representative from Houlton, Representative Cleary.

Representative **CLEARY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the Majority Ought to Pass as Amended Report. Certainly there has been some debate on some bill here today, but I'm not entirely sure it is this one from some of the comments that I've heard. We had support within the committee, bipartisan support, as well as support from both bodies of this Legislature. We also had support from the Executive and, most importantly to me, from every economic development district in the State of Maine. The reason for that is, well, there are a number of reasons but the most important one is that this law would enhance the role of the EDDs and provide sound investment for the State of Maine.

I heard some comments here and there are certainly a number of different drafts of this bill before it came to here, to the House floor, and there may be some confusion. There is not a grand, over-reaching body that has been created here that would impose, by fiat, rules for quality of place on the EDDs. That is not the case. In fact, it says specifically that this bill is crafted so that there is no mandate for the economic and community development districts within the State of Maine. It provides recommendations and guidelines so they may obtain state and federal grant funds. And the important thing about the bill is that the quality of place investments are limited to federal funds or private funds. There is no general revenue fund involved in this bill. There is a fiscal note of \$1,000, and that is \$500 from federal revenue funds and \$500 from other, or special, revenue funds. So it does not impact the budget work that the Appropriations Committee is working on so hard right now.

I would just say a couple of other things. I heard some concerns about green jobs or jobs that maybe will go within or to the State of Maine and detract from the economic development of our state, and that is simply not so. In fact, it says specifically that describes quality of place investments to include investments in new sustainable agriculture, fisheries or forest products, investment in sustainable business that build on existing workforce skills, and natural or built assets, redevelopment of historical and cultural assets, investments that preserve/enhance downtowns, coastline islands or undeveloped lands, and that may increase the opportunities for recreational and tourism activity in the State of Maine. So it is certainly not a bill that is trying to take land away from the current work that is involved in those positions, and I would just ask that the members of this House support the Majority Ought to Pass as Amended Report. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Just to reiterate. Good intentions, be nice to have. There is no fiscal note, therefore it won't go to Appropriations, it won't fall in line with the priorities they have to set. The priority decision is here. The buck stops in this House. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative **GILES**: Thank you, Madam Speaker. I just want to make one brief closing comment and just to remind the

House, and I shared this information previously, that Washington State recently ended funding for 75 state commissions and boards in an effort to try to contain the cost of their government, and this just goes in the opposite direction at a very critical time for the State of Maine. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. When I, and I think when many of us talked to business owners who have brought their businesses here to Maine, I typically hear two major reasons as most salient for their having done so. One of them is our strong, hardworking, creative and resourceful workforce, and the other is our quality of life. I hope that we would remain focused and remain systematic and coordinated by passing this bill and accepting the Majority Report today. I don't disagree with many of the objections that have been raised by those speaking against the pending motion, but I do worry that many of those objections are really to the original bill and not to the amendment that's been put forward and worked so hard on by the vast majority of the committee in a bipartisan fashion. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise today in support of this motion. I'd like to point out I was originally opposed to this bill when it came before our committee, but as our debate went on and as I heard from people like my very hardheaded town manager in the Town of Boothbay who said ignore the quality of place name, what's really important here is the regionalness that this is going to bring to our economic development planning. This requires more regional planning for economic growth. It may be around quality of place and that's a great thing, but what we're trying to do is increase the ability and the opportunity for regional economic development councils to work more together. And in the economic development world, one of the things we've heard is the inconsistency of our programs year to year and from place to place. This bill will bring that consistency to our effort. I urge you to support it so that we can have a more consistent economic development program going forward. I think this is one low-cost, new program that will not cost the state a lot of money. It will bring us lots of economic development in the future. Thank you, Madam Speaker.

The **SPEAKER**: A roll call having been previously ordered, the pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.:

ROLL CALL NO. 263

YEA - Beaudoin, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Briggs, Bryant, Butterfield, Cain, Campbell, Casavant, Clark H, Cleary, Cohen, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Flemings, Gilbert, Goode, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Martin JR, Martin JL, Mazurek, McCabe, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Beaudette, Beaulieu, Browne W, Burns, Cebra, Celli, Chase, Cotta, Cray, Curtis, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Flood, Fossil, Gifford, Giles, Greeley, Hamper, Hanley, Harvell, Johnson, Joy, Knapp, Knight, Langley,

Lewin, Magnan, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Van Wie, Wagner J, Weaver.

ABSENT - Adams, Ayotte, Bolduc, Carey, Clark T, Connor, Cornell du Houx, Crafts, Crockett J, Flaherty, Miller, Percy, Pieh, Pratt, Willette.

Yes, 80; No, 56; Absent, 15; Excused, 0.

80 having voted in the affirmative and 56 voted in the negative, with 15 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-353)** was **READ** by the Clerk and **ADOPTED.** The Bill was assigned for **SECOND READING** Thursday, February 18, 2010.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-610)** - Committee on **TRANSPORTATION** on Bill "An Act To Direct Funds from the Highway Fund to the Highway and Bridge Light Capital Program" (EMERGENCY)

(H.P. 1169) (L.D. 1641)

TABLED - February 11, 2010 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - Motion of Representative MAZUREK of Rockland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED.**

On motion of Representative BROWNE of Vassalboro, the House **RECONSIDERED** its action whereby the Majority **Ought Not to Pass** Report was **ACCEPTED.**

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Browne.

Representative **BROWNE:** Thank you, Madam Speaker. Everybody, I'm sure, has heard from constituents about the condition of their roads. We heard Representative Thomas, in section article 6-1, talk about the essence, why we need to have this maintenance paving. Maintenance paving as everybody knows, I'm sure by now, we've talked about it for years, it prolongs the life of a road. It costs about \$40,000 a mile as opposed to approaching \$2 million a mile for reconstruction. So again, it's just a critical need.

In the Transportation Committee last week, we had a bunch of state agencies, private agencies, saying how important for their businesses that we have and maintain our roads. As we know, DOT has a biennial budget in the neighborhood of \$660 million. They have a total of 1.2 billion, with a "b", dollars of revenue to work with. Now a lot of that is earmarked, granted, but I feel we need to establish our priorities. Our Transportation Department needs to establish priorities of maintaining the roads and bridges. Now we did a pretty good job. We had 288 bridges that were in danger of failing. We established a TransCap fund which helped plug the gap, so our bridges are now not quite as critical. This bill originally sought to set aside the 7.5 percent of the highway revenues. We speared a compromise and reduced that to half, so it's now 3.75 percent. It doesn't take effect until July 1st of 2011. It's going to be terminated at 2014, so it's going to have a trial period to see if it's worked. Last year, we only did 254 miles of maintenance paving. We had zero dollars budgeted for the coming work season. With the savings we have now established, it's going to be 300 miles. We need to do 600 miles just to keep up. So again, I think this is a very important piece of legislation just to dedicate a certain amount of funds, and again, it's only in the neighborhood of \$11 or \$12 million per year. We

heard and we will hear reports on how devastating it's going to be. We're going to have to cut back personnel, have massive layoffs, reduce our capital expenditures. Again, if you have your priorities set, roads and bridges should be number one as far as the highway department goes. So again, I would urge you to vote against the pending motion and support the Minority Report. Thank you, Madam Speaker, for allowing me to speak.

Representative TARDY of Newport **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 Rockland, Representative Mazurek.

Representative **MAZUREK:** Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I speak here today to urge you to support the pending motion. There is no question in anybody's mind that there is a definite need for light capital funding for MST. However, this particular vehicle is not the way to go about doing it. It doesn't provide for any funding, there is no reasonable plan, and it simply is a cost shift from one area of the DOT budget to another area, and it's simply shifting the problem. Three point seven five doesn't sound like a whole lot of money, but when you break it down by year, it's about \$11 million, and without any plan on how to raise that \$11 million, that means it has to be taken from somewhere. Well, we could take it out of operations, which probably would be the most logical place, and, as I heard, there would be some positions eliminated, approximately 150 in each year that this is existing, so we're talking well over 300 jobs being eliminated. Now DOT has already eliminated over 200 jobs and in its current budget, it's looking at 33 more positions to be eliminated in LD 1728. So we don't take it out of operations, we take a little bit out, maybe we'll take it out of bridges and that's a good place to take out some money. I mean all of our bridges, as we know, are reaching their maximum life expectancy, so let's not repair those for awhile. Let's take a chance, and if we drive fast enough over them maybe we can get over it before it collapses. We could play like a little game of Russian roulette on that, that sounds like fun. Maybe we could take it out of the ferry service. Heck, the blue highway. I'm sure the people of Vinalhaven and Islesboro and North Haven, they'd be more than willing to cut back on their ferry service. You know island living, let's make it even a little tougher for them. So where are we going to get this \$11 million a year? There's nothing in here that says where this money is coming from, it really doesn't. However, there is a bright spot. Most of MST comes out of cash because it's short-term spending and revenue forecasting is says that there's a possibility that there may be some excess funds that will be used for MST paving this year. So again, I can understand the reasoning why we need it. Yes, we do need it. However, this LD is not the way to do it. It doesn't provide a reasonable plan over a long period of time to get the funds to do this job correctly. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES:** Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Here we are again with the difference between capital and operations funds. Even if we decided we were going to take money out of the bridge account, we can't. That's capital money. We can't touch it. All of the MST has traditionally come from operations money, it's come from our cash account which is the money we take in, in fuel tax. Now I don't think I'm the only one in this chamber who understands that fuel taxes have been, even before the recession, tailing off due to the fact that we're doing a

good thing. We're driving more fuel efficient cars. The fact of the matter is if we take this 3.75 percent, all we are doing is rearranging the deckchairs on the Titanic. This isn't going to solve the problem. We'll have no one to plow the roads; we'll have nobody to rebuild the culverts. You know, you can say what you want to about the fact that you think there is all kinds of pork in DOT's budget. I don't think so. I really don't think so. What's happened is we are suffering a revenue shortfall, so this isn't going to help. Would that we could fix it this way, but we can't. Anyway, I would ask you very, very strongly to think this through logically and understand the difference between capital money and operations money. Thank you.

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. Worry about where \$11 million is going to come from so we can save a few roads, roads that if we don't fix are going to cost us more, much more down the road. But we can take 7.5 percent of the gas tax out of the highway budget and send it to the bond bank, it doesn't get counted anymore. We can increase the registration fees by \$10, and we can send that over to the TransCap Fund and not count that anymore. We can increase the title fees by \$10 and not count that anymore. We can reduce the amount that we send to public safety and not count that. We can send \$75 million every budget cycle to the TransCap Fund and not count it. But we can't find \$11 million to pave some roads so they are fit to drive over. Thank you.

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. 264

YEA - Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Briggs, Bryant, Butterfield, Cain, Campbell, Casavant, Clark H, Cleary, Cohen, Crockett P, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hinck, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Beaulieu, Bickford, Browne W, Burns, Cebra, Celli, Chase, Cotta, Cray, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossil, Gifford, Giles, Greeley, Hamper, Harvell, Hill, Hogan, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Schatz, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Adams, Ayotte, Beaudette, Bolduc, Carey, Clark T, Connor, Cornell du Houx, Crafts, Crockett J, Dill, Flaherty, Miller, Percy, Pieh, Pratt, Willette.

Yes, 80; No, 54; Absent, 17; Excused, 0.

80 having voted in the affirmative and 54 voted in the negative, with 17 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Exempt the Town of Hermon from the School Administrative Unit Consolidation Law" (EMERGENCY)

(S.P. 686) (L.D. 1782)

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 Amend the Charter of the Kennebec Water District"

(S.P. 690) (L.D. 1783)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** in concurrence.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle, who wishes to address the House on the record.

Representative **TUTTLE**: Thank you, Madam Speaker. I'd like to congratulate Representative Diane Russell of Portland for being nominated the best politician in Portland by *The Phoenix* newspaper's reader poll. It's about time that Portland has a good politician. Congratulations, Representative Russell.

The SPEAKER: The Chair recognizes the Representative from Lexington Township, Representative Pinkham, who wishes to address the House on the record.

Representative **PINKHAM**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. Many of you watched TV this week and watched the Winter Olympics. We watched our native son of Carrabassett Valley, born in Farmington, Maine win his second gold medal for the United States in a snowboarding competition, making a great comeback from behind to win, making us proud of his achievements. We, the 124th Legislature, congratulate you on your achievements and are extremely proud of you. Thank you, Madam Speaker.

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

On motion of Representative WALSH INNES of Yarmouth, the House adjourned at 11:54 a.m., until 10:00 a.m., Thursday, February 18, 2010.