

# MAINE STATE LEGISLATURE

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

**Volume III**

**Second Regular Session**

March 24, 2010 - April 12, 2010

**Appendix**  
**House Legislative Sentiments**  
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ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
SECOND REGULAR SESSION

37th Legislative Day  
Monday, April 12, 2010

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

Prayer by Honorable Henry L. Joy, Crystal.  
National Anthem by Honorable Leila J. Percy, Phippsburg and Honorable James Michael Hamper, Oxford.

Pledge of Allegiance.

The Journal of Wednesday, April 7, 2010 was read and approved.

**COMMUNICATIONS**

The Following Communication: (H.C. 303)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

April 5, 2010

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Maine Legislature

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Agriculture, Conservation and Forestry during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	25
Unanimous Reports	19
Ought to Pass	1
Ought to Pass as Amended	13
Ought Not to Pass	4
Referred to Another Committee	1
Divided Reports	2
Committee Bills & Papers	4
Pursuant to Public Law	2
Pursuant to Statute	1
Pursuant to Resolve	1
Gubernatorial Nominations	13

Respectfully submitted,

S/John M. Nutting

Senate Chair

S/Wendy Pieh

House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 304)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC  
DEVELOPMENT**

April 5, 2010

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Maine Legislature

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Business, Research & Economic Development during the Second Regular Session of

the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	26
Unanimous Reports	20
Ought to Pass	4
Ought to Pass as Amended	12
Ought Not to Pass	3
Referred to Another Committee	1
Divided Reports	6
Gubernatorial Nominations	22

Respectfully submitted,  
S/Elizabeth M. Schneider

Senate Chair

S/Nancy E. Smith

House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 305)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

April 6, 2010

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Maine Legislature

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Criminal Justice & Public Safety during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	25
Unanimous Reports	19
Ought to Pass	4
Ought to Pass as Amended	10
Ought Not to Pass	4
Referred to Another Committee	1
Divided Reports	4
Committee Bills & Papers	2
Pursuant to Resolve	1
Pursuant to Joint Order	1
Gubernatorial Nominations	1

Respectfully submitted,

S/Stanley J. Gerzofsky

Senate Chair

S/Anne M. Haskell

House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 306)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

April 6, 2010

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Maine Legislature

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Education and Cultural Affairs during the Second Regular Session of the 124th

Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 38  
 Unanimous Reports 26  
     Ought to Pass 3  
     Ought to Pass as Amended 13  
     Ought Not to Pass 9  
     Leave to Withdraw 1  
 Divided Reports 11  
 Committee Bills & Papers 1  
     Pursuant to Resolve 1  
 Gubernatorial Nominations 19

Respectfully submitted,  
 S/Justin L. Alford  
 Senate Chair  
 S/Patricia B. Sutherland  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 307)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
 COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

April 5, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Inland Fisheries and Wildlife during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 12  
 Unanimous Reports 6  
     Ought to Pass 0  
     Ought to Pass as Amended 3  
     Ought Not to Pass 3  
 Divided Reports 6  
 Gubernatorial Nominations 3

Respectfully submitted,  
 S/Bruce S. Bryant  
 Senate Chair  
 S/Herbert E. Clark  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 308)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
 COMMITTEE ON LABOR**

April 6, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Labor during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 23

Unanimous Reports 15  
     Ought to Pass 1  
     Ought to Pass as Amended 8  
     Ought Not to Pass 3  
     Referred to Another Committee 1  
     Leave to Withdraw 2

Divided Reports 7  
 Committee Bills & Papers 1  
     Pursuant to Public Law 1

Gubernatorial Nominations 3

Respectfully submitted,  
 S/Troy D. Jackson  
 Senate Chair  
 S/John L. Tuttle Jr.  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 309)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
 COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

April 6, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Legal and Veterans Affairs during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 29

Unanimous Reports 20  
     Ought to Pass 0  
     Ought to Pass as Amended 13  
     Ought Not to Pass 5  
     Referred to Another Committee 1  
     Leave to Withdraw 1

Divided Reports 9  
 Gubernatorial Nominations 3

Respectfully submitted,  
 S/Nancy B. Sullivan  
 Senate Chair  
 S/Pamela Jabar Trinward  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 310)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
 COMMITTEE ON MARINE RESOURCES**

April 5, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Marine Resources during the Second Regular Session of the 124th Legislature has

been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 9  
 Unanimous Reports 8  
     Ought to Pass 1  
     Ought to Pass as Amended 5  
     Ought Not to Pass 2  
 Divided Reports 1  
 Gubernatorial Nominations 1

Respectfully submitted,  
 S/Dennis S. Damon  
 Senate Chair  
 S/Leila J. Percy  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 311)

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

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Natural Resources during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 31  
 Unanimous Reports 28  
     Ought to Pass 4  
     Ought to Pass as Amended 19  
     Ought Not to Pass 5  
 Divided Reports 2  
 Committee Bills & Papers 1  
     Pursuant to Resolve 1  
 Gubernatorial Nominations 3

Respectfully submitted,  
 S/Seth A. Goodall  
 Senate Chair  
 S/Robert S. Duchesne  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 312)

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

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on State and Local Government during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 8

Unanimous Reports 6  
     Ought to Pass 0  
     Ought to Pass as Amended 4  
     Ought Not to Pass 1  
     Referred to Another Committee 1

Divided Reports 2  
 Gubernatorial Nominations 4

Respectfully submitted,  
 S/Deborah L. Simpson  
 Senate Chair  
 S/Stephen R. Beaudette  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 313)

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

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Taxation during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 33  
 Unanimous Reports 26  
     Ought to Pass 5  
     Ought to Pass as Amended 11  
     Ought Not to Pass 10  
 Divided Reports 6  
 Committee Bills & Papers 1  
     Pursuant to Public Law 1

Respectfully submitted,  
 S/Joseph C. Perry  
 Senate Chair  
 S/Thomas R. Watson  
 House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 314)

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

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Transportation during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 28  
 Unanimous Reports 23  
     Ought to Pass 3  
     Ought to Pass as Amended 11

Ought Not to Pass 8  
 Leave to Withdraw 1  
 Divided Reports 5  
 Gubernatorial Nominations 3  
 Respectfully submitted,  
 S/Dennis S. Damon  
 Senate Chair  
 S/Edward J. Mazurek  
 House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 315)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**  
**COMMITTEE ON UTILITIES AND ENERGY**

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333  
 Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Utilities and Energy during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	39
Unanimous Reports	38
Ought to Pass	2
Ought to Pass as Amended	28
Ought Not to Pass	8
Divided Reports	0
Committee Bills & Papers	1
Pursuant to Public Law	1

Respectfully submitted,  
 S/Barry J. Hobbins  
 Senate Chair  
 S/Jon Hinck  
 House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 316)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**  
**COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS**

April 7, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333  
 Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Appropriations and Financial Affairs during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	12
Unanimous Reports	9
Ought to Pass	0
Ought to Pass as Amended	3
Ought Not to Pass	6
Divided Reports	3

Respectfully submitted,  
 S/Bill Diamond  
 Senate Chair  
 S/Emily Ann Cain  
 House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 317)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**  
**COMMITTEE ON JUDICIARY**

April 7, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333  
 Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Judiciary during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	27
Unanimous Reports	24
Ought to Pass	4
Ought to Pass as Amended	12
Ought Not to Pass	7
Referred to Another Committee	1
Divided Reports	3
Gubernatorial Nominations	9

Respectfully submitted,  
 S/Lawrence S. Bliss  
 Senate Chair  
 S/Charles R. Priest  
 House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 318)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**  
**COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

April 6, 2010  
 Honorable Elizabeth H. Mitchell, President of the Senate  
 Honorable Hannah M. Pingree, Speaker of the House  
 124th Maine Legislature  
 Augusta, Maine 04333  
 Dear President Mitchell and Speaker Pingree:  
 We are pleased to report that all business which was placed before the Joint Standing Committee on Insurance & Financial Services during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	25
Unanimous Reports	17
Ought to Pass	2
Ought to Pass as Amended	10
Ought Not to Pass	3
Leave to Withdraw	2
Divided Reports	8
Gubernatorial Nominations	9

Respectfully submitted,  
 S/Peter B. Bowman  
 Senate Chair

S/Sharon A. Treat  
House Chair

(HLS 1162)

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 319)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

April 7, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Maine Legislature  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

We are pleased to report that all business which was placed before the Joint Standing Committee on Health & Human Services during the Second Regular Session of the 124th Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	36
Unanimous Reports	23
Ought to Pass	3
Ought to Pass as Amended	14
Ought Not to Pass	5
Leave to Withdraw	1
Divided Reports	13

Respectfully submitted,  
S/Joseph C. Brannigan  
Senate Chair  
S/Anne C. Perry  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

**ORDERS**

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 46)

ORDERED, that Representative Sheryl J. Briggs of Mexico be excused April 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kimberley C. Rosen of Bucksport be excused for the duration of her illness.

**READ and PASSED.**

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the memory of Dr. Robert L. Woodbury, on the occasion of his being awarded a posthumous Honorary Degree from the University of Maine at Fort Kent for his commitment to and advocacy of the University of Maine System, as well as his championing of and advocacy for the smaller regional campuses. Dr. Woodbury was former chancellor of the University of Maine System and President of the University of Southern Maine. He passed away in September 2009 and had a long and distinguished career in education. We join the University of Maine at Fort Kent community in remembering the dedication to education of the late chancellor;

Presented by Representative MARTIN of Eagle Lake.

Cosponsored by Senator JACKSON of Aroostook, Representative THERIAULT of Madawaska.

On **OBJECTION** of Representative MARTIN of Eagle Lake, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Members of the House. Obviously you are aware that we did a memorial for Dr. Woodbury earlier this session. I want to quickly give you what took place. Last year, the university decided to give an honorary degree to Dr. Woodbury and, of course, as you know, he passed away last fall. The university continues to believe that the honorary degree should be granted and so we'll be doing that at the graduation this coming year.

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

**In Memory of:**

Frederick E. Hutchinson, of Lamoine, former president of the University of Maine at Orono. Dr. Hutchinson was born on the family farm in Atkinson and attended a one-room schoolhouse. He graduated from Foxcroft Academy in 1948 and served in the United States Army. After his military service, he entered the University of Maine, Orono, in 1949, with a \$200 scholarship. He graduated from the University of Maine in 1953 and received a master's degree in agronomy in 1957 and, in 1966, his doctorate from Pennsylvania State University. Dr. Hutchinson was a member of the University of Maine faculty from 1957 to 1972 and served for the next 3 years as dean of agriculture. He was vice president of research and public service at the University from 1975 to 1982. From 1982 to 1985, Dr. Hutchinson served in the United States State Department and he was the provost and senior vice president at Ohio State University from 1985 to 1992. He returned to the University of Maine as its 16th president in 1992 and retired from that position in 1997. As a University of Maine legend and icon, Dr. Hutchinson exemplified the promise and value of public higher education. The University of Maine Hutchinson Center in Belfast is named in honor of his contributions to the University of Maine. We acknowledge his extraordinary commitment and service not only to his profession but to his State and to the Nation. He will be greatly missed and long remembered by his loving family, his many friends and colleagues and those whose lives he touched;

(HLS 1155)

Presented by Representative CAIN of Orono.

Cosponsored by Representative ADAMS of Portland, Representative AUSTIN of Gray, Representative AYOTTE of Caswell, Representative BEAUDETTE of Biddeford, Representative BEAUDOIN of Biddeford, Representative BEAULIEU of Auburn, Representative BECK of Waterville, Representative BERRY of Bowdoinham, Representative BICKFORD of Auburn, Representative BLANCHARD of Old Town, Representative BLODGETT of Augusta, Representative BOLAND of Sanford, Representative BOLDUC of Auburn, Representative BRIGGS of Mexico, Representative BROWNE of Vassalboro, Representative BRYANT of Windham, Representative BURNS of Whiting, Representative BUTTERFIELD of Bangor, Representative CAMPBELL of Newfield, Representative CAREY of Lewiston, Representative CASAVANT of Biddeford, Representative CEBRA of Naples,

Representative CELLI of Brewer, Representative CHASE of Wells, Representative CLARK of Millinocket, Representative CLARK of Easton, Representative CLEARY of Houlton, Representative COHEN of Portland, Representative CONNOR of Kennebunk, Representative CORNELL du HOUX of Brunswick, Representative COTTA of China, Representative CRAFTS of Lisbon, Representative CRAY of Palmyra, Representative CROCKETT of Bethel, Representative CROCKETT of Augusta, Representative CURTIS of Madison, Representative CUSHING of Hampden, Representative DAVIS of Sangerville, Representative DILL of Cape Elizabeth, Representative DOSTIE of Sabattus, Representative DRISCOLL of Westbrook, Representative DUCHESNE of Hudson, Representative EATON of Sullivan, Representative EBERLE of South Portland, Representative EDGECOMB of Caribou, Representative EVES of North Berwick, Representative FINCH of Fairfield, Representative FITTS of Pittsfield, Representative FLAHERTY of Scarborough, Representative FLEMINGS of Bar Harbor, Representative FLETCHER of Winslow, Representative FLOOD of Winthrop, Representative FOSSEL of Alna, Representative GIFFORD of Lincoln, Representative GILBERT of Jay, Representative GILES of Belfast, Representative GOODE of Bangor, Representative GREELEY of Levant, Representative HAMPER of Oxford, Representative HANLEY of Gardiner, Representative HARLOW of Portland, Representative HARVELL of Farmington, Representative HASKELL of Portland, Representative HAYES of Buckfield, Representative HILL of York, Representative HINCK of Portland, Representative HOGAN of Old Orchard Beach, Representative HUNT of Buxton, Representative WALSH INNES of Yarmouth, Representative JOHNSON of Greenville, Representative JONES of Mount Vernon, Representative JOY of Crystal, Representative KAENRATH of South Portland, Representative KENT of Woolwich, Representative KNAPP of Gorham, Representative KNIGHT of Livermore Falls, Representative KRUGER of Thomaston, Representative LAJOIE of Lewiston, Representative LANGLEY of Ellsworth, Representative LEGG of Kennebunk, Representative LEWIN of Eliot, Representative LOVEJOY of Portland, Representative MacDONALD of Boothbay, Representative MAGNAN of Stockton Springs, Representative MARTIN of Orono, Representative MARTIN of Eagle Lake, Representative MAZUREK of Rockland, Representative McCABE of Skowhegan, Representative McFADDEN of Dennysville, Representative MCKANE of Newcastle, Representative McLEOD of Lee, Representative MILLER of Somerville, Representative MILLETT of Waterford, Representative MITCHELL of the Penobscot Nation, Representative MORRISON of South Portland, Representative NASS of Acton, Representative NELSON of Falmouth, Representative NUTTING of Oakland, Representative O'BRIEN of Lincolnville, Representative PENDLETON of Scarborough, Representative PEOPLES of Westbrook, Representative PERCY of Phippsburg, Representative PERRY of Calais, Representative PETERSON of Rumford, Representative PIEH of Bremen, Representative PILON of Saco, Speaker PINGREE of North Haven, Representative PINKHAM of Lexington Township, Representative PIOTTI of Unity, Representative PLUMMER of Windham, Representative PRATT of Eddington, Representative PRESCOTT of Topsham, Representative PRIEST of Brunswick, Representative RANKIN of Hiram, Representative RICHARDSON of Carmel, Representative RICHARDSON of Warren, Representative ROBINSON of Raymond, Representative ROSEN of Bucksport, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative SANBORN of Gorham, Representative SARTY of

Denmark, Representative SAVIELLO of Wilton, Representative SCHATZ of Blue Hill, Representative SHAW of Standish, Representative SIROIS of Turner, Representative SMITH of Monmouth, Representative SOCTOMAH of the Passamaquoddy Tribe, Representative STEVENS of Bangor, Representative STRANG BURGESS of Cumberland, Representative STUCKEY of Portland, Representative SUTHERLAND of Chapman, Representative SYKES of Harrison, Representative TARDY of Newport, Representative THERIAULT of Madawaska, Representative THIBODEAU of Winterport, Representative THOMAS of Ripley, Representative TILTON of Harrington, Representative TREAT of Hallowell, Representative TRINWARD of Waterville, Representative TUTTLE of Sanford, Representative VALENTINO of Saco, Representative VAN WIE of New Gloucester, Representative WAGNER of Lyman, Representative WAGNER of Lewiston, Representative WATSON of Bath, Representative WEAVER of York, Representative WEBSTER of Freeport, Representative WELSH of Rockport, Representative WHEELER of Kittery, Representative WILLETTE of Presque Isle, Representative WRIGHT of Berwick, Senator ALFOND of Cumberland, Senator BARTLETT of Cumberland, Senator BLISS of Cumberland, Senator BOWMAN of York, Senator BRANNIGAN of Cumberland, Senator BRYANT of Oxford, Senator COURTNEY of York, Senator CRAVEN of Androscoggin, Senator DAMON of Hancock, Senator DAVIS of Cumberland, Senator DIAMOND of Cumberland, Senator GERZOFSKY of Cumberland, Senator GOODALL of Sagadahoc, Senator GOOLEY of Franklin, Senator HASTINGS of Oxford, Senator HOBBIINS of York, Senator JACKSON of Aroostook, Senator MARRACHÉ of Kennebec, Senator McCORMICK of Kennebec, Senator MILLS of Somerset, President MITCHELL of Kennebec, Senator NASS of York, Senator NUTTING of Androscoggin, Senator PERRY of Penobscot, Senator PLOWMAN of Penobscot, Senator RAYE of Washington, Senator RECTOR of Knox, Senator ROSEN of Hancock, Senator SCHNEIDER of Penobscot, Senator SHERMAN of Aroostook, Senator SIMPSON of Androscoggin, Senator SMITH of Piscataquis, Senator SULLIVAN of York, Senator TRAHAN of Lincoln, Senator WESTON of Waldo.

On **OBJECTION** of Representative CAIN of Orono, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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. While technically the departure of Fred Hutchinson as president of the University of Maine and my entrance as a student of the University of Maine, we missed by one year, I was very privileged, as both an undergraduate student and as an alumnus of the university, to have a friendship with Fred and his wife, Dionne, and to really understand the lasting impact that their efforts and their leadership, in particularly Fred's leadership, had on the University of Maine as we know it today.

In many ways you really could say that Fred Hutchinson's life was sort of the perfect Maine fairytale, in my opinion, when it comes to higher education. Born in Maine, educated in Maine, dedicated to Maine, and then had the opportunity to graduate from the University of Maine and become a member of the faculty. For many that would have been enough, but for Fred his combination of love for sciences and love for higher education and love for the State of Maine meant that he, like many, had to leave for a few years before he could find his way back and return into the upper administration, ultimately as president of the university. I think in many ways that's a dream gig for a college



president to be able to go back to your alma mater and bring to it some leadership and vision that you had always hoped or had always seen when you were there as a student, or, as in Fred's case, as a faculty member as well.

Fred's presidency at UMaine was really the culmination of dedication and of his life's work, both at the university and beyond, that showed not only how much he cared for the state but for higher education broadly. The impact of his life on the campus is really unforgettable and UMaine is not the same because of it.

The best Fred Hutchinson story I have was when I was in graduate school I did a report, I did a big paper on the history of the National Sea Grant College Program. Many people are familiar with the Land Grant College Program, the Morrill Land Grant Act of 1865, but many people don't know that this country also passed a Sea Grant College Act that was in the early 1970s. Fred was instrumental in this, and he was involved not only at the national level, but when I did my paper, a man named Robert Abel, who was a congressman from Florida, was still alive at the time. He has since passed, and I got to talk to him on the phone and I asked him if he'd ever been to Maine and if he and his colleagues, who at the time were with Senator Claiborne Pell in Rhode Island, ever got a chance to come to Maine. He said, actually, do you know Fred Hutchinson? I said, yes, and he went on to tell me an amazing story of this group of guys, politicians and scientists and members of the higher education community coming to Maine with only a few hours to spend off of the plane, and how Fred himself got the van, threw them all in the back and drove them directly to the Maine coast on what were very bumpy roads, as the man recalled to me, and he will never forget that in most states, in most places, someone of the upper echelon of the university would have never gotten behind the wheel of that van. But Fred said, this is my state, this is my campus, you've got a few hours, let me show you around, and he threw those guys in the back of the truck and took them for a ride that at least this one congressman from Florida had never forgotten. I think that's only one example of the combination of expertise and passion for people that Fred brought to that job, and I'm very pleased and I feel very lucky that I had the chance to know him in his final years and a chance to really understand the forever impact that he had on the campus, that is not only in my district but belongs to the entire State of Maine. Thank you, Madam Speaker.

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

Representative **HARLOW**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I had Mr. Hutchinson as a teacher probably before Representative Cain was born. I was a history major and he was microbiology, and I've never forgotten any of his classes. He was such a good teacher, and he was voted Teacher of the Year on the campus my senior year. He was really good. What a great teacher he was. Thank you very much for your time, Madam Speaker, and Ladies and Gentlemen of the House. Thank you.

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

Under suspension of the rules, members were allowed to remove their jackets.

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

**SENATE PAPERS  
Non-Concurrent Matter**

An Act To Authorize Bond Issues for Ratification by the Voters for the June 2010 Election and November 2010 Election (BOND ISSUE)

(H.P. 1313) (L.D. 1826)  
(S. "G" S-529 to C. "A" H-830)

**PASSED TO BE ENACTED** in the House on April 7, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-830) AS AMENDED BY SENATE AMENDMENT "J" (S-546)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR. ORDERED SENT FORTHWITH.**

**SENATE PAPERS  
Non-Concurrent Matter**

Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1292) (L.D. 1805)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-832)** in the House on April 7, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-832) AS AMENDED BY SENATE AMENDMENTS "A" (S-535) AND "B" (S-545)** thereto in **NON-CONCURRENCE**.

On motion of Representative **PRIEST** of Brunswick, Joint Rule 311 was **SUSPENDED** for the purpose of offering an amendment.

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

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

**ENACTORS  
Emergency Measure**

An Act To Authorize Bond Issues for Ratification by the Voters for the June 2010 Election and November 2010 Election

(H.P. 1313) (L.D. 1826)  
(S. "J" S-546 to C. "A" H-830)

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

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise just to make a few comments before we have this final vote on the bond package. I didn't speak on the budget that went through here that we've all worked collaboratively on, but who knew that a year ago that we would have a \$438 million shortfall in the budget and, at the end of that discussion, that we would have a unanimous committee vote out of Appropriations. There were no harsh words spoken or major flare-ups in the Appropriations Committee, and I give credit to Representative Cain and Senator Diamond for that and all of the members of the Appropriations Committee. On this issue today, the bond package though, I'm going to be voting no, and I just wanted to give you a couple of points to explain why I, and perhaps a number of my colleagues, are going to vote against this bond package.

A year ago when we had bond negotiations and the discussions started at \$300 million with a total number of bills in for over a billion dollars worth of bonds, after the discussions were done, there was an agreement, which I'll talk a little bit more

about, there was an agreement at a bonding level for the two-year biennium of \$150 million. I wasn't in the room when that agreement was arrived at. I don't know who said what, who shook whose hand, but I do know that it's entirely possible that in the gray atmosphere of those negotiations that there were some misunderstandings. So I'm not here to say that a certain thing happened and I'm here to object to that. But if in fact there was no deal at \$150 million, I, for one, didn't know it. I thought that's what the deal was and I predicated the level of borrowing in that bond package a year ago on the fact that I was comfortable at \$150 million.

So fast-forward to today and I still like the \$150 million piece. I'm not pointing fingers or blaming anyone, but I, for one, did not hear anybody in this chamber or anywhere else in this building say, Bob, don't worry, this is \$150 million but we're going to look at more bonding next time. So I don't know what happened, but I never heard the negative that we were going to have more discussion. So here we are having more discussions, a package of \$99 million or \$89 million, depending on where it came from. Over the past summer, the Appropriations Committee met on six or eight or maybe ten occasions to discuss the stabilization piece in the previous budget we passed, a hole of \$30 million that was worked hard to close, and we closed that, and that the largest part of that closing came from a \$15.7 million piece, which was money saved by agreeing or by not allowing for anymore bonds in this biennium, so that the majority of that stabilization piece is being violated here today. Furthermore, if we go ahead and secure this bond, even at its reduced level of \$44 or \$43 million, the impact from the repayment for that bond, 10 percent for principle plus the interest, in the next biennium is going to amount to something between \$11 and \$12 million. Having just struggled long and hard through a \$438 million hole, I would say that \$11 or \$12 million next year, when the federal money stops and when we face various other issues in retirement costs, that that \$11 or \$12 million may very well mean that we have to cut somebody else who we didn't cut this time, or perhaps cut them again, whether it's critical access hospitals or substance abuse or you fill in the blank of your favorite project. Maybe it's schools, maybe it's revenue sharing. Something's got to go to make room for this \$11 or \$12 million payback for this bond that we're voting for today. That's the rule, that comes first. Maine's total bond indebtedness is somewhere north of \$11 billion if you add everything up. Furthermore, there's about \$140,000 in authorized unissued general obligation bonds. I maintain that this bond issue could have waited until next Legislature.

Finally, one last point, in this bond package, all of these projects, save one, are good ideas, things that we desperately need, whether it's the Deep Water Harbor or the roads or a number of other issues, all good projects, all in another year that I would be happy to vote for. The one plan that requires the most immediate attention is the railroad in Aroostook County, and although it is the most demanding and the most imminent problem that we face in this bond package, the plan to correct is the worst. There appears to be no plan. We've gone from \$21 million to 14, now maybe 7 and 7 plus 3. But the plan when we had a caucus, probably a week and a half ago now, with the people from the Department of Transportation, requests for details of the plan weren't forthcoming and I still worry about the railroad in northern Maine. As critical as it is, I think that we're going about it the wrong way. So that's what I have to say on the bond package. I will be voting no. I encourage those of you who feel the same way to follow my light. As far as the railroad is concerned, we will be back to visit that issue again, over and over and over. Thank you, Madam Speaker.

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 to also speak against the pending motion. When I first ran for this Legislature, I ran to create jobs, I ran for more opportunities for very young people and growing people in the State of Maine. Eighteen months ago the bottom fell out of our economy in Maine and nationwide. We're still reeling from this. We've got high unemployment and I'm still here today advocating for more jobs and better jobs in Maine. But more debt for Maine people will not create permanent, well-paying jobs in this state. More debt will only put more burden on Maine people for the next 10 years, because it takes that long for us to pay off these bonds.

I've got an article that I clipped from the *Portland Press Herald*. It appeared on April 3rd and the title of it is "Jobs data signaling a firming of economy". In it, it talks about March numbers nationwide and no question, a year ago, 2009 this time, we were seeing some horrible things on TV, night after night watching closures, hearing about the dramatic loss of jobs in this country. And in March 2009, 750,000 jobs were lost in that month alone. But fast-forward to 2010 and job growth's average about 54,000 a month, so we've clearly, clearly seen a little bit of a turning of a corner here, although I know we've still got a long way to go, and I just want to read one quote from this front page article. "We are beginning to turn the corner. This month, more Americans woke up, got dressed and headed to work at an office or factory or storefront." This quote is from our President Obama that he spoke on when he was recently in North Carolina.

In closing, as I said I ran to create jobs, I'm still working here to create jobs, and when I leave this Legislature, I will be focused on efforts for jobs. But if you want to create jobs in this state and I am really probably speaking to those that are going to be in the 125th, not the 124th, but if you want to create jobs in this state reduce regulation, encourage more innovation, allow your small businesses and medium sized businesses to perform and perform well in this state. Link our schools at the K through 12 and the higher education level, link them more closely to business so that our young people have the skills for tomorrow that we need to today and we need right now as we come out of this recession. So again, if you want to create jobs, please don't saddle Maine people with more debt. Please allow us to turn down this measure and please, please think about less debt for Maine people and more opportunity for our future. Thank you, Madam Speaker.

Representative TARDY of Newport **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.

In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken.

#### ROLL CALL NO. 372

YEA - Adams, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Celli, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Flaherty, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller,

Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Theriault, Treat, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Browne W, Burns, Cebra, Chase, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Greeley, Hamper, Harvell, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, Millett, Nass, Nutting, Pinkham, Plummer, Richardson D, Richardson W, Robinson, Rosen, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - MacDonald, McLeod, Pratt, Prescott, Trinward.

Yes, 102; No, 44; Absent, 5; Excused, 0.

102 having voted in the affirmative and 44 voted in the negative, with 5 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

### ENACTORS

#### Emergency Measure

An Act To Correct Errors and Inconsistencies in the Laws of Maine

(H.P. 1292) (L.D. 1805)

(S. "A" S-535 and S. "B" S-545 to C. "A" H-832)

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. 133 voted in favor of the same and 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

### REPORTS OF COMMITTEE

#### Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** and the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-833)** on Bill "An Act To Authorize a General Fund Bond Issue To Create Access to Dental Care throughout the State"

(H.P. 1286) (L.D. 1798)

Signed:

Senators:

BRANNIGAN of Cumberland

MARRACHÉ of Kennebec

MILLS of Somerset

Representatives:

PERRY of Calais

PETERSON of Rumford

JONES of Mount Vernon

SANBORN of Gorham

JOY of Crystal

CAMPBELL of Newfield

LEWIN of Eliot

STRANG BURGESS of Cumberland

STUCKEY of Portland

EVES of North Berwick

CONNOR of Kennebunk

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

Signed:

Senators:

DIAMOND of Cumberland

CRAVEN of Androscoggin

ROSEN of Hancock

Representatives:

CAIN of Orono

MARTIN of Eagle Lake

WEBSTER of Freeport

ROTUNDO of Lewiston

MILLER of Somerville

MILLETT of Waterford

FLOOD of Winthrop

ROBINSON of Raymond

NUTTING of Oakland

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-833)** Report. **READ.**

On motion of Representative PERRY of Calais, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

### SENATE PAPERS

#### Non-Concurrent Matter

Bill "An Act Regarding Energy Infrastructure Development"

(H.P. 1274) (L.D. 1786)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-809)** in the House on March 31, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-809) AS AMENDED BY SENATE AMENDMENT "D" (S-549)** thereto **AND SENATE AMENDMENT "A" (S-505)** in **NON-CONCURRENCE.**

Representative HINCK of Portland moved that the House **INSIST.**

Representative CURTIS of Madison **REQUESTED** a roll call on the motion to **INSIST.**

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 Winterport, Representative Thibodeau.

Representative **THIBODEAU**: Thank you, Madam Speaker. I think that it's appropriate that at this time we discuss what the amendment is that was put on down in the other body. It really is about where the revenues go should we approve or have a transmission corridor leased out in this state. The amendment would allow for 50 percent of these revenues to go to the Transportation Fund to properly fund Maine roads. Every year we come here to the State House and, as a matter of fact, just a few hours ago we approved a \$24 million bond package. We're going to go borrow that money so that we can have a highway system that our residents can use and enjoy, and probably it's a really pressing need and that's why so many of you decided that we were willing to borrow that money. Even in these really tough economic times, we stepped forward and said that was a good thing for the State of Maine. And now we're faced with the

decision, we have an opportunity to have potentially millions of dollars for our Transportation Fund ongoing, and I think it's critically important that we make the right decision here. If we're willing to borrow our way to a good highway system, certainly we ought to be willing to fund it when we have revenues that, quite frankly, are being derived from what I consider a transportation asset. So I would really encourage you to think hard before you vote on this, particularly if you represent rural Maine where our citizens are pounding back and forth across roads that need attention very badly. So thank you.

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

Representative **BROWNE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I agree with the previous speaker. I think in my eight years here this is probably one of the most important issues for our Highway Fund. We've been complaining and trying to find for years a sustainable source of highway funding. Do you know about 70 percent, and that is decreasing, of our Highway Fund comes from gas tax? With the advent of more efficient vehicles, with China and India and all these other countries that are demanding more and more of our petroleum products, the road cost is just skyrocketing. We have miles and miles of roads that need to be reconditioned or even rebuilt. We've tried to deal with the bridges, which we have done for a four year period anyways. We've tried to deal with maintained paving which is a stop gap measure at best. Here is a way of, if this corridor becomes a reality, a chance to get some sustainable funds for our transportation or our highway department and not have to depend on raising the taxes and bonds every year. I'm afraid that once this is put into law with a percentage, it would be almost impossible to change that percentage. This amendment is very realistic. It says just of the transportation corridors, things that are considered to be an asset of the highway department. So again, it's not asking for 50 percent of everything. We're going to have the utilities people get up and say, well, we weren't at the table and all of this. This is a highway asset. This should be part of our funding for our highway system, which definitely needs it. So again, I would ask you to defeat the following measure and pass the Senate version. Thank you.

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

Representative **HINCK**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. We draw to the end of this session and we're confronted with this interesting issue. I find that I don't have a great deal of disagreement with the prior speakers, the good Representatives from Vassalboro and Winterport. There are certainly infrastructure needs across the landscape in Maine. No one can deny that the roads need attention. Let's bear in mind what we're talking about here. Potential source of revenues if an entity not currently identified is potentially interested in using the highways in Maine as a corridor, an energy infrastructure corridor, and they produce a proposal, and it goes through the process in Maine and eventually is chosen and goes forward, ultimately there can be revenues from that project. We will have plenty of time to deal with that. The proposal in the bill originated with the Committee on Maine's Energy Future, did a lot of its work in a bipartisan way. In fact, when it had disagreements, they were often bipartisan disagreements. We had a commission to study energy infrastructure, included a cross-section of interested parties, included legislators. It went to the Utilities and Energy Committee and was in the committee for a good deal of time this session and passed out with a unanimous vote. That process produced a division of these hypothetical revenues. It could be

argued that that was an arbitrary division, but certainly coming up with another number once the bill reaches the floor would be even more arbitrary. It's not really the way government should respond. We need to take care of our roads, our bridges, our highways. We need to do it with real resources and the possibility of something hypothetical off in the future is not a way to address critical needs like that. I would argue we pass this bill and allow the next Legislature to deal with both issues, and I understand from members, if they're back here, we would take this up and if it's an entirely new Legislature, I'm sure that they would be inclined to take it up as well. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **MILLETT**: I'd like to get a little finer point on the effect of the Insist motion and our previous posture in terms of the Committee Report, as we had adopted previously, what that includes as a cost sharing percentage or percentages. I've heard 80/20. I don't know that that's 80 percent General Fund/20 highway, but I would like that clarified, and also get a rough idea of the amount of money that could potentially come through this cost sharing formula. And I guess as a procedural question out there, at this late date and late hour, what is the likelihood that an Insist motion would achieve a compromise in the time that we have remaining?

The SPEAKER: The Representative from Waterford, Representative Millett has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Winslow, Representative Fletcher.

Representative **FLETCHER**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'll try to answer that question. As was previously discussed, this particular bill, as we call it the corridor bill, has had quite a bit of work. What was in the final version of the bill that came out of committee essentially established a placeholder account, which was the Transportation account, and that amount was 20 percent and I must say it's kind of an arbitrary number. It wasn't through any scientific analysis of potential revenue and potential needs and it was really they had to establish that account. Now as far as future revenue, nobody knows because this is relatively unproven ground. We've heard numbers that vary between \$20 million, in higher, \$50 million, but it's purely speculative. The way the bill is structured right now is that if there were any revenues, it would go to two places: One is the Efficiency Maine Trust because there was an energy related process, and the other 20 percent would go to Transportation. Now my concern and it's what I think I have voiced is that, at this late hour, if we become in non-concurrence, will we have time to reconcile the differences between the bodies, because if the bill fails, there isn't anything in place to address this within the structure. What this bill does is establishes three corridors: the statutory corridor which is on state owned land, which could be on the Transportation, but it may not be, it could be on other state owned land; a petition corridor which is on private land but is structured in a certain way; and what's called a high impact corridor. So this isn't about the money as much as it is about the process. I'm not sure I've answered all those questions, but that's my understanding at this point. 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. First of

all, I'd like to ask is a motion to Recede and Concur in order and would it be a higher motion than the one that's on the floor?

The SPEAKER: The Chair would answer in the affirmative.

Representative THOMAS of Ripley moved that the House **RECEDE AND CONCUR**.

The same Representative **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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. The less money we have, the more important our priorities become, and it seems to me we're going to have less money as we keep chasing jobs off, as we keep losing jobs, as the employment numbers in Maine go down, as the number of good jobs go away, and we just voted on a bond package that the reason that the people who voted for it was for jobs. So I say that we need to make highways a priority if we're ever going to improve the economy. This Recede and Concur motion is an opportunity to make highways a priority and I would ask you to vote for it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Flaherty.

Representative **FLAHERTY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I want to first thank the Representative from Winterport, my colleague on the Utilities and Energy Committee. He is certainly a fighter and we've seen that so many times this session and on this committee, on our committee, the Utilities and Energy, there's a bunch of fighters and we fought this issue. DOT started with zero and the Representative from Winterport came in and said that we need to bring more money to the Department of Transportation, so we agreed. We agreed on 20 percent. We felt that an energy corridor, an energy corridor which may or may not go down 290 or 95 or any state land whatsoever, but we believed that 20 percent was more than enough. And the reason we believed this, Madam Speaker, is because there's no money right now. We don't know what type of revenues we will see. We won't be able to know exactly how much may go to the Efficiency Maine Trust, which has currently no dedicated funding revenue stream, or how much can go to the Department of Transportation. If we do sincerely want to make sure that our roads are taken care of and that our efficiency needs are taken care of and, as the Representative mentioned, create jobs in this state, shouldn't we know a little bit more about the type of dollars and figures that we are dealing with? The reason that our committee came to a unanimous decision at 20 percent, unanimous, bipartisan, as on every other piece of legislation that came to this committee, we believe strongly that we negotiated and agreed upon what is an appropriate amount given the debate that we had, and given that, again, there's no money yet. So I respect the Representative from Winterport, I respect the member of the other body who attached this amendment, but I strongly urge members of this House to respect the work that was done in committee, the negotiations that were done over several work sessions, and leave this decision, if it must be amended, to a date in the future when it makes more sense and it's more clear what type of revenues we will be talking about or perhaps not talking about. So Madam Speaker, I would respectfully ask that the members of this body vote down the Recede and Concur motion and vote in favor of the motion to Insist, as was previously established, and I'd ask you to follow my light. Thank you, Madam Speaker.

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 also want to appreciate the importance of transportation and transportation funding. I am pleased that we were able to vote today for a bond package that funded a good deal of transportation work, and I regret that in order to get that passed, we did have to remove \$12 million for energy efficiency funding from the June bond package. I think that all of us in this House probably agree that both transportation jobs and energy efficiency jobs are sorely needed in this state, and I think that we all have agreed in many of our previous votes too that energy efficiency, in particular, is tremendously beneficial to Maine's economy in the long run in order to avoid sending more money out of state for fossil fuels and other generation resources. I don't think that this number is entirely arbitrary in the sense that the 80/20 split at least was vetted in committee and did, as we've heard, have the unanimous support of the Utilities and Energy Committee in their work session. I would encourage those who are interested in changing that number to consider coming back next year with a bill to do so. I am sure there's ample time before any funds are actually in state coffers to do that, to have that conversation and to continue the one we're having now. But in the meantime I would hope that my colleagues would join me also in voting against the pending motion, so that we can get on with the business of enacting this bill as the committee voted it out. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Recede and Concur. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 373**

YEA - Austin, Ayotte, Bickford, Browne W, Burns, Celli, Chase, Clark T, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Finch, Flood, Gifford, Giles, Hamper, Harvell, Hogan, Johnson, Jones, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, Millett, Nass, Plummer, Richardson D, Richardson W, Robinson, Rosen, Saviello, Schatz, Sykes, Theriault, Thibodeau, Thomas.

NAY - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Fitts, Flaherty, Flemings, Fletcher, Gilbert, Goode, Greeley, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Tilton, Treat, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

ABSENT - Cebra, Cotta, Fossel, MacDonald, McLeod, Pinkham, Pratt, Prescott, Sarty, Trinward, Weaver.

Yes, 44; No, 96; Absent, 11; Excused, 0.

44 having voted in the affirmative and 96 voted in the negative, with 11 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Insist. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 374**

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Burns,

Butterfield, Cain, Campbell, Carey, Casavant, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Curtis, Cushing, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgcomb, Eves, Fitts, Flaherty, Flemings, Fletcher, Gilbert, Goode, Greeley, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rosen, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Tilton, Treat, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Browne W, Celli, Crafts, Cray, Crockett J, Davis, Finch, Flood, Gifford, Giles, Hamper, Harvell, Hogan, Johnson, Jones, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, Millett, Plummer, Richardson D, Richardson W, Robinson, Saviello, Schatz, Sykes, Thibodeau, Thomas.

ABSENT - Bickford, Cebra, Cotta, Fossel, MacDonald, McLeod, Pinkham, Pratt, Prescott, Sarty, Trinward, Weaver.

Yes, 105; No, 34; Absent, 12; Excused, 0.

105 having voted in the affirmative and 34 voted in the negative, with 12 being absent, and accordingly the House voted to **INSIST. ORDERED SENT FORTHWITH.**

**ENACTORS**

**Acts**

An Act Regarding Energy Infrastructure Development  
(H.P. 1274) (L.D. 1786)  
(C. "A" H-809)

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. **ORDERED SENT FORTHWITH.**

**ORDERS**

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 47)

**ORDERED**, that Representative Stephen R. Beaudette of Biddeford be excused April 5 for personal reasons.

The Speaker appointed Representative PIOTTI of Unity on the part of the House to inform the Senate that the House was ready to adjourn without day.

The Speaker appointed the following members on the part of the House to wait upon his Excellency, Governor JOHN E. BALDACCI, and inform him that the House had transacted all business before it and was ready to receive any communication that he may be pleased to make:

- Representative WHEELER of Kittery
- Representative ADAMS of Portland
- Representative AUSTIN of Gray
- Representative BEAUDETTE of Biddeford
- Representative BROWNE of Vassalboro
- Representative CAMPBELL of Newfield
- Representative FINCH of Fairfield
- Representative FLETCHER of Winslow
- Representative GREELEY of Levant
- Representative JOY of Crystal

- Representative LEWIN of Eliot
- Representative MILLETT of Waterford
- Representative PERCY of Phippsburg
- Representative PERRY of Calais
- Representative SAVIELLO of Wilton
- Representative SMITH of Monmouth
- Representative SYKES of Harrison
- Representative TARDY of Newport
- Representative WATSON of Bath

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

At this point, a message came from the Senate borne by Senator Marraché, of Kennebec of that Body, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

Subsequently, the Committee reported that they had delivered the message with which they were charged.

The Chair is pleased to welcome the Honorable John E. Baldacci, Governor of the State of Maine.

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

Governor Baldacci then addressed the Maine House of Representatives.

Governor **BALDACCI**: Madam Speaker, Leader Piotti, Leader Berry, Leader Tardy, Leader Curtis, Members of the 124th Legislature. Congratulations on a job well done during very difficult times. We came together in January to do the people's business. We faced the worst economic time since the Great Depression. State revenues were declining while the needs of our people were increasing. With an election pending and political rhetoric on the national level running hot, there was a tremendous amount of danger for stalemate. We see it around the country, political differences rule the day. But Maine is different and you've proven that. We've come together to balance a state budget. We've protected the most vulnerable. We've made important investments in education and improved our schools so our kids have the best opportunity for success. The work you've done has put Maine on a path toward recovery and economic growth and for that I say thank you.

Your accomplishments are many. You've moved Maine farther down the road to energy independence and security. You've made Maine and its environment cleaner. You've helped Maine businesses and improved health care for our people. I know that in the final days of the session patience has been tested and nerves have been frayed. There have been arguments and, at times, hurt feelings. We've all compromised and accepted difficult outcomes, but we've continued to work for the people of this state.

Today we passed an important bond package that will create jobs, save rail service in Aroostook County, which by the way is important to the entire State of Maine, and make a critical investment in our roads, ports, and other rails in Lewiston-Auburn and the Mountain Division, and education. And as time passes, the disagreements will fade and you remember most the people and the successes, and there have been many. The

relationships will last a lifetime and accomplishments will benefit the state and the people for years to come.

I want to personally thank all of you for your hard work, your dedication, your sacrifices. You've made them tremendous during this session as difficult as it's been, but I believe successful. You've made a real difference in the lives of countless people and your legacy will be remembered. Thank you, God Bless you all, and God Bless the State of Maine. Thank you.

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

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

Representative **ADAMS**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As the big family that is the 124th Maine Legislature soon disperses we would be remiss if we did not take note that one of our members will bear another, symbolic distinction out the door with him as he departs. Representative Walter Wheeler of Kittery – a friend to each and all – is likely to be the very last veteran of World War II who will ever serve in either chamber of the Maine State Legislature.

Of his generation some 113,000 Maine men and women served in World War II; some 2,500 never returned. Of the 110,000 who did return, perhaps hundreds served here in these chambers across the years. Only one serves with us now. We are just a few weeks away from the 65th anniversary of the end of the Second World War in Europe – an end which Representative Wheeler did his part to bring about himself, as a young veteran of D-Day at Normandy, June 6, 1944.

And so, with him, a page turns and a chapter closes. But, colleagues, we could never have asked for a greater a Representative of the Greatest Generation than our friend, Walter Wheeler of Kittery.

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On motion of Representative WHEELER of Kittery, the House adjourned without day at 4:54 p.m., Monday, April 12, 2010.