

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 8, 2014

beginning page H-1301

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
SECOND REGULAR SESSION  
29th Legislative Day  
Wednesday, March 26, 2014

(H.P. 1329) (L.D. 1846)

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

Prayer by Pastor Mark Allen Doty, Hammond Street Congregational Church, UCC, Bangor.

National Anthem by Angela Pitteroff, Augusta.

Pledge of Allegiance.

At this point, the Speaker recognized the Representative from Eddington, Representative JOHNSON, and he was added to the quorum call of the Second Regular Session of the 126th Legislature.

Doctor of the day, Joel Kase, D.O., North Yarmouth.  
The Journal of yesterday was read and approved.

**COMMUNICATIONS**

The Following Communication: (H.C. 386)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

March 26, 2014

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On March 24, 2014

Honorable Joan M. Nass of Acton and

Honorable Richard A. Gould of Greenville for appointment to the Maine Indian Tribal-State Commission.

Pursuant to Title 30, MRSA, §6212, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Patricia A. Duran of Herman and

Beth Anne Lorigan of Brewer for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA, §12705, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Require the Licensure of Scrap Metal Recyclers and Mobile Scrap Metal Dealers"

Sponsored by Representative LONGSTAFF of Waterville.

Cosponsored by Senator PATRICK of Oxford and Representatives: DION of Portland, ESPLING of New Gloucester, FOWLE of Vassalboro, GATTINE of Westbrook, HERBIG of Belfast, NADEAU of Winslow, WILSON of Augusta, Senator: LACHOWICZ of Kennebec.

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

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

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 item:

**Recognizing:**

the members of the Poland Regional High School Boys Basketball Team, who won the 2014 Western Maine Class B Championship: Pat Kuklinski, John Fossett, Zach Lowe, Derek Michaud, Alan Young, Adam Mocchiola, Coady Lagasse, Dan Kuklinski, Shawn Murphy, Billy Bickford, CJ Martin, Josh Gary and Tyler Michaud; coach Tyler Tracy; and assistant coaches Stevie Ray, Eddie Ray and Walter Buotte. We extend our congratulations and best wishes to the members of the team on their achievement;

(HLS 794)

Presented by Representative McCLELLAN of Raymond.

Cosponsored by Representative POWERS of Naples, Representative JACKSON of Oxford, Representative TIMBERLAKE of Turner, Senator MASON of Androscoggin, Senator CLEVELAND of Androscoggin.

On **OBJECTION** of Representative McCLELLAN of Raymond, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker. Good morning, Ladies and Gentlemen. I stand with great pride today. Poland Regional High School was established in 1999. It's got an interesting story, I won't go into it, but my children were in the first, seventh and ninth grade class, so we were there the first six years as a family. I have great pride because, as a member of the Education Committee, Mr. Speaker, as we talk about cutting edge education policy and good works, I often hear the name Poland Regional High School and Bruce M Whittier Middle School mentioned. That's not why we're here today though. I'm here to highlight the Boys Basketball Team which is the Western Maine Class B Champions for this year and a couple of the sports highlights include, this is one of the few times, Mr. Speaker, in the last 40 years, that a seated team knocked off the third place seed, the second place seed and the first place seed, and went on to win the championship. Poland Regional High School Boys Team, this year, set school records in wins, the seeding they got to get into the tournament, and also a win streak they had during the year, all school records, and this is the first time they won the championship in the school history. So I'm

very proud of that. My kids are older than some of the people in this room today, so I didn't follow the team as much as I maybe should have. I asked the coach if he could speak to the team a little bit and he gave me a real short paragraph and it said that this is a very genuine team. Every guy is respectful, polite and considerate. I've never been part of a team as a player or a coach as nice as this one. There are no egos and there have never been any academic problems or any issues that warranted any issues during the year. Last year, the team was given a sportsmanship award so maybe we should have seen this coming, and this year, of course, they won the Class B, and finally, the team, their grade point average is 2.90. So, Mr. Speaker, it is with great pride that I point out the team today and congratulate them on their great accomplishment. Thank you, Mr. Speaker.

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

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**REPORTS OF COMMITTEE**  
**Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-730)** on Bill "An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun" (H.P. 183) (L.D. 222)

Signed:

Senators:

GERZOFISKY of Cumberland  
DUTREMBLE of York  
PLUMMER of Cumberland

Representatives:

DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
MARKS of Pittston  
PEASE of Morrill  
PLANTE of Berwick  
TYLER of Windham  
WILSON of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-731)** on same Bill.

Signed:

Representative:

LONG of Sherman

**READ.**

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

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Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Protect Maine's Scenic Character"

(H.P. 812) (L.D. 1147)

Signed:

Senators:

CLEVELAND of Androscoggin

JACKSON of Aroostook

Representatives:

HOBBINS of Saco  
BEAVERS of South Berwick  
GIDEON of Freeport  
HARVELL of Farmington  
LIBBY of Waterboro  
RUSSELL of Portland  
TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-738)** on same Bill.

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representatives:

DUNPHY of Embden  
NEWENDYKE of Litchfield

**READ.**

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

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**CONSENT CALENDAR**  
**First Day**

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

(S.P. 687) (L.D. 1735) Bill "An Act To Amend Forester Licensing Requirements" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-448)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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**ENACTORS**

**Emergency Measure**

An Act To Implement the Recommendations of the Substance Abuse Services Commission with Regard to the Controlled Substances Prescription Monitoring Program

(S.P. 743) (L.D. 1840)

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 Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Directing the Department of Health and Human Services To Amend MaineCare Rules as They Pertain to the Delivery of Covered Services via Telecommunications Technology

(H.P. 1167) (L.D. 1596)  
(C. "A" H-723)

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. 131 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.

**Emergency Measure**

Resolve, Establishing the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast

(H.P. 1174) (L.D. 1602)  
(C. "A" H-725)

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

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **FINAL PASSAGE** and later today assigned.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services

(H.P. 1255) (L.D. 1748)  
(C. "A" H-724)

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. 126 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.

**Emergency Measure**

Resolve, To Establish the Blue Ribbon Commission on Independent Living and Disability

(H.P. 1261) (L.D. 1757)  
(C. "A" H-705)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. 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. 566**

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Cooper, Crafts, Daughtry, DeChant, Dickerson, Dill, Doak, Dorney, Evangelos,

Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Keschl, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Parry, Peoples, Peterson, Plante, Pouliot, Priest, Pringle, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Bennett, Black, Clark, Cotta, Cray, Davis, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Johnson D, Johnson P, Kinney, Lockman, Long, Malaby, Marean, Nadeau A, Newendyke, Nutting, Pease, Reed, Sanderson, Sirocki, Turner, Tyler, Volk, Wallace, Weaver, Willette, Winsor, Wood.

ABSENT - Campbell R, Crockett, Devin, Dion, Herbig, Hickman, Jackson, Kent, Libby A, Noon, Peavey Haskell, Powers, Russell, Wilson.

Yes, 101; No, 36; Absent, 14; Excused, 0.

101 having voted in the affirmative and 36 voted in the negative, with 14 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Lower Electrical Costs through Transmission Alternatives and Renewable Sources

(H.P. 753) (L.D. 1060)  
(C. "A" H-646)

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.

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

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-655)** - Minority (3) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Coverage of Family Planning Services"

(H.P. 881) (L.D. 1247)

**TABLED** - March 11, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING** - Motion of Representative FARNSWORTH of Portland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Pringle.

Representative **PRINGLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of this bill, which I was proud to sponsor. LD 1247 provides access to

family planning services and preventive health care from any Medicaid provider for people making up to 200 percent of the federal poverty level. The program of allowing states to obtain waivers for their Medicaid programs for these services began 40 years ago under Richard Nixon. The federal government has paid for these programs at a ratio of 9:1, \$9 federal for every dollar state spent, ever since the program was instituted, and now it's possible for a state to obtain a state plan amendment rather than having to apply for a waiver. Thirty states have implemented this program and all have shown big returns on their initial investment, both in terms of how it's affected the lives of their members and the savings to their state programs and many of these states have experienced savings in the first year. These programs for access to family planning help reduce unwanted or unplanned pregnancies, and they also reduce, because unplanned pregnancies are one of the major sources of people seeking abortion services, states who have implemented these plans have had a reduction in the number of abortions performed. I have been a passionate supporter for people to have access to plan when they have children. We know that those who have an unplanned pregnancy are more likely to have to turn to the state for support. I can share information from 2008 that MaineCare spent more than \$33 million on health care costs associated with unintended pregnancies, prenatal care, labor and delivery. More than \$12 million of that was in state funds. Half of all pregnancies covered by MaineCare are unintended and 70 percent of the births resulting from unintended pregnancies in Maine are covered by MaineCare. By providing access to reproductive health care, including birth control, the incidence of unintended pregnancies drops. By year three of implementation, the number of unintended pregnancies covered by MaineCare will drop an estimated 1,060, with a result in cost savings to state taxpayers of nearly \$2 million. We know of the human cost, too, for access to preventive health care. For many people, particularly women in this state, access to reproductive health services is often their only access to health care. This plan covers pap smears, mammograms, screening for STDs and treatment for STDs. So I would like to comment, too, that there was bipartisan support for this out of the Health and Human Services Committee. So I strongly urge you to vote yes to support this plan. Thank you.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended 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 York, Representative McGowan.

Representative **McGOWAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. As the co-chair of the Cancer Commission, I just would like to remind you that two of our recommendations in order to reduce the incidence and mortality from cancer in Maine are to increase access to health care and to expand family planning services. For poor and especially rural women in Maine, family planning services are the first line of detection and screening for cancer. So I ask for your support in this bill with the hope that we can recognize the connection between Maine's high rate of cancer and these services. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Coverage for women's health is very important, absolutely; however, going up to 200 percent of federal poverty level is a huge expansion and, I

think going far and above where we need to go for eligibility. If we expand Medicaid in this state, we're only required to go to 138 percent of poverty level. Anybody above 100 percent of poverty level does have access to private health insurance plans, at this time, which are also mandated to cover those services. To expand Medicaid on this, it's just not the right idea, right now. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Norridgewock, Representative Dorney.

Representative **DORNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to support this bill. As the other people have stated, other states have done this program. It's been very successful. It saves state money, especially if we're in a situation where we may not be expanding our MaineCare through the Affordable Care Act. This is really crucial to the working poor of our communities. I deliver many babies. I would say at least half of them in Somerset County that I am delivering are unplanned pregnancies. Many of them do a very nice job with their children, but they would be really benefited by this service and I encourage you to support it. Thank you very much.

Representative PRINGLE of Windham **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 Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to speak in favor of the pending motion. This is a great measure to help ensure that we have healthy Mainers. It provides access to low-income women to lifesaving services, as we've heard, such as pap smears, breast exams and family planning services. It also doesn't cover anything related to abortion, I wanted to highlight that, and I also wanted to bring up that we already cover care under the MaineCare system for pregnant women up to 200 percent of the federal poverty level. So this is truly a bill that, no matter where you stand, you can support when realizing it helps women stay healthy, and it helps them plan for their future and make sure they have access to the best care possible. I urge you to follow my light.

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

#### **ROLL CALL NO. 567**

**YEA** - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Dickerson, Dill, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gatine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Malaby, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Pouliot, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stuckey, Tipping-Spitz, Treat, Tyler, Villa, Volk, Welsh, Werts, Wilson, Winchenbach, Mr. Speaker.

**NAY** - Ayotte, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson D, Johnson P, Keschl, Kinney, Lockman, Long, MacDonald S, Maker, Marean, McClellan, Nadeau A, Newendyke, Nutting, Pary, Pease, Reed, Sanderson, Sirocki, Stanley, Theriault,

Timberlake, Turner, Verow, Wallace, Weaver, Willette, Winsor, Wood.

ABSENT - Crockett, Devin, Dion, Herbig, Hickman, Jackson, Kent, Libby A, Noon, Peavey Haskell, Powers.

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

92 having voted in the affirmative and 48 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-655)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-655)** and sent for concurrence.

An Act To Improve Maine's Economy and Energy Security with Solar Energy

(H.P. 886) (L.D. 1252)

(C. "A" H-650)

TABLED - March 24, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **PASSAGE TO BE ENACTED**.

Subsequently, on motion of Representative HARVELL of Farmington, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-650)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "C" (H-744)** to **Committee Amendment "A" (H-650)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative HARVELL: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Well, this is an amendment in an attempt to address some of the concerns that I had and I heard from fellow members of this body in relation to the solar panel rebates. Yesterday, when I woke up at my house, it was 6 below and clearly the crisis that we face this winter is one of heating, and because it was a rate increase that fundamentally would be paid for by everyone and because solar panels were so expensive that is was largely only those with means that could have taken advantage, I sought to amend this bill which would also allow a low-income portion of it which would make it available to heat pumps for low-income people so that everyone would be available for a solar rebate, but it would only be Maine citizens and only those that qualify as low-income would be available for the heat pump section. It's a compromise that everybody probably hates and maybe everybody likes a little bit of it. It was an attempt to bring some sides together, and it also, I think, is an attempt to address a crisis that the low-income people face in our state, right at this moment. I was in the home of a constituent over the weekend who is attempting, at this point, to heat her home by leaving her oven on and opening the door. The reality is that solar panels for people of low-income, because the initial cost is just too much, they are not, in all reality, going to

take advantage probably of the solar panel portion of this and there would be nothing in this rebate for them except the rate increase, if you allow low-income people to have access to heat pumps, there is something in them and it also addresses an immediate need, and I ask you to follow my light.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Morrison.

Representative MORRISON: Thank you, Mr. Speaker. Good morning, Ladies and Gentlemen. I just want to thank the good Representative from Farmington for putting this amendment forward to gain compromise. As the lead sponsor of this bill, I am in full support of this amendment. I am asking everyone to follow my light as well. I think it was a good example of two parties getting together for bipartisan support on a bill that started off with not a lot of bipartisan support. So I want to thank the good Representative again from Farmington for coming to me and working out this amendment. I think it's a great win-win for both sides and everybody gets a little bit of help during this heating crisis that we're having. Everyone can have solar, if they need to, and then if you qualify for LIHEAP you can get a heat pump. So, in my opinion, it's a win-win for both parties and I ask you for your support. Thank you, Mr. Speaker.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ADOPT House Amendment "C" (H-744)** to **Committee Amendment "A" (H-650)**.

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 Brooksville, Representative Chapman.

Representative CHAPMAN: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. As the director of one of the four weatherization training centers in the state set up to aid the Weatherization Assistance Program of the federal Department of Energy, I'm well acquainted with what the needs are to improve the energy efficiency of Maine's households. Heat pumping is the mechanism by which we will all be providing indoor climate control in the future because of its high efficiency, and I enthusiastically support this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative BEAVERS: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative BEAVERS: I do support this. I just want a little clarification and that is does this add an additional 5¢ for solar rebates per month on our electric bills?

The SPEAKER: The Representative from South Berwick, Representative Beavers, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative HARVELL: Thank you, Mr. Speaker. The rate increase remains unchanged for this. It's the same mechanism that you supported in committee.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "C" (H-744) to Committee Amendment "A" (H-650). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 568

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Cooper, Daughtry, DeChant, Dickerson, Dill, Doak, Dorney, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Grant, Hamann, Harlow, Harvell, Hayes, Hobbins, Hubbell, Johnson P,

Jones, Jorgensen, Kaenrath, Keschl, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Nutting, Parry, Pease, Peoples, Peterson, Plante, Pouliot, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Welsh, Werts, Wilson, Winchenbach, Mr. Speaker.

**NAY** - Bennett, Clark, Cotta, Crafts, Cray, Davis, Dunphy, Fitzpatrick, Gifford, Guerin, Johnson D, Kinney, Libby A, Lockman, Long, MacDonald S, Malaby, McClellan, Nadeau A, Newendyke, Reed, Sanderson, Sirocki, Timberlake, Turner, Wallace, Weaver, Willette, Winsor, Wood.

**ABSENT** - Crockett, Devin, Dion, Graham, Herbig, Hickman, Jackson, Kent, Noon, Peavey Haskell, Powers, Pringle.

Yes, 109; No, 30; Absent, 12; Excused, 0.

109 having voted in the affirmative and 30 voted in the negative, with 12 being absent, and accordingly **House Amendment "C" (H-744) to Committee Amendment "A" (H-650) was ADOPTED.**

Subsequently, **Committee Amendment "A" (H-650) as Amended by House Amendment "C" (H-744) thereto was ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-650) as Amended by House Amendment "C" (H-744) thereto in NON-CONCURRENCE** and sent for concurrence.

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An Act To Further Delegate Permit-granting Authority to the Bureau of Forestry

(S.P. 657) (L.D. 1673)  
(C. "A" S-428)

TABLED - March 24, 2014 by Representative JONES of Freedom.

**PENDING - PASSAGE TO BE ENACTED.**

Subsequently, Representative JONES of Freedom moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. You've heard this before but I will be brief, just to highlight some fundamental flaws of this legislation. LD 1673 seeks to transfer all Natural Resources Protection Act permitting authority related to timber harvesting activities from the Department of Environmental Protection to the Maine Forest Service. This legislation, while its intent is good, is flawed in three substantial ways. First, this bill makes the Maine Forest Service responsible for NRPA permitting on an additional 5 to 7 million acres of forestland in Maine's organized towns. Unlike forestland in the unorganized territories, forestland in the organized towns is most often owned by small landowners. While this bill adds roughly 50 percent more forestland for forestry personnel to supervise, in the organized towns, woodlots are typically smaller, so the number of harvests needing supervision will likely increase by more than 50 percent. Secondly, Mr. Speaker, NRPA is a Title 38 statute. Typically, changes to this statute are handled by the Environment and Natural Resources Committee. I believe, Mr. Speaker, that committee is much better poised to judge whether the Maine Forest Service is equipped to handle these responsibilities. Unfortunately, that committee has not reviewed this legislation.

Third, Mr. Speaker, this bill provides no additional staff or financial resources to the Maine Forest Service, so it is unclear whether they have the staff or resources to take on these additional responsibilities. Men and Women of the House, since this bill hasn't been properly vetted by the committee of jurisdiction and the additional resources for its implementation haven't been identified, I suggest to the House that this legislation isn't ready for passage, and I urge its Indefinite Postponement. Thank you, Mr. Speaker.

Representative **McCABE** of Skowhegan **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 569**

**YEA** - Beaudoin, Beavers, Boland, Bolduc, Briggs, Brooks, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Dickerson, Evangelos, Gilbert, Goode, Harlow, Hayes, Jones, Jorgensen, Kaenrath, Kent, Kruger, Kusiak, Lajoie, Libby N, Mason, McGowan, Monaghan-Derrig, Moonen, Plante, Rochelo, Rotundo, Russell, Rykerson, Saucier, Schneck, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Werts.

**NAY** - Ayotte, Beaulieu, Beck, Bennett, Berry, Black, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Clark, Cotta, Crafts, Cray, Davis, Dill, Doak, Dorney, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gillway, Graham, Grant, Guerin, Hamann, Hobbins, Hubbell, Johnson D, Johnson P, Keschl, Kinney, Knight, Kornfield, Kumiega, Libby A, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mastraccio, McCabe, McClellan, McElwee, McLean, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peoples, Peterson, Pouliot, Priest, Rankin, Reed, Sanborn, Sanderson, Saxton, Shaw, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

**ABSENT** - Crockett, Devin, Dion, Harvell, Herbig, Hickman, Jackson, Noon, Peavey Haskell, Powers, Pringle.

Yes, 46; No, 94; Absent, 11; Excused, 0.

46 having voted in the affirmative and 94 voted in the negative, with 11 being absent, and accordingly the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers **FAILED.**

Subsequently, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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Bill "An Act To Allow for the Equalization of Truck Weights between Maine and Canada for Limited Use at the Border Crossings"

(H.P. 769) (L.D. 1076)

- In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642)** on March 4, 2014.

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642) AS AMENDED BY SENATE AMENDMENT "B" (S-444)** thereto in **NON-CONCURRENCE.**

TABLED - March 25, 2014 (Till Later Today) by Representative **McCABE** of Skowhegan.

**PENDING - FURTHER CONSIDERATION.**

Subsequently, the House voted to **RECEDE AND CONCUR.**



SENATE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (S-420)** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Retain Call Centers in Maine"

(S.P. 676) (L.D. 1710)

- In Senate, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - March 25, 2014 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - Motion of same Representative to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Mastraccio.

Representative **MASTRACCIO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in favor of the pending motion. LD 1710 is a bill that supports Maine workers, Maine taxpayers and Maine's economy. Thousands of Mainers work in call centers. We've seen companies shut them down suddenly and relocate overseas. This type of offshoring of jobs hurts Maine workers and their communities. This bill would provide transparency that consumers and taxpayers want and need. Information about the offshoring of call centers would be made public so consumers could decide whether they want to support companies that send Maine jobs overseas.

The information would also help the state track the impact of offshoring on Maine's economy and make sure that taxpayer dollars aren't going to companies when they send jobs overseas. Under LD 1710, employers that relocate a call center from Maine to a foreign country would be ineligible for state subsidies like tax benefits, grants and loan guarantees for five years. It's a commonsense approach to make sure taxpayer dollars don't go to businesses that aren't invested in Maine.

Another provision in this bill makes sure that state government does its part. It requires that call center work for a state agency actually takes place in our state – not in Ireland, not in Asia or Latin America. It keeps this work here where it belongs. Thank you, Men and Women of the House. I hope you will join me in supporting Maine workers and communities and follow my light.

Representative **BERRY** of Bowdoinham **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended** 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 Scarborough, Representative Volk.

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. A 2012 headline in the *Bangor Daily News* read, "Despite recent closings, Maine's call center jobs remain steady." In that story, a spokesperson from Carbonite, a Lewiston employer since 2011, said, "Maine has a history cultivating strong call centers across a range of industries. We were able to leverage this talent as we built our own team." Carbonite selected Maine after a 15 state site location search, moving those jobs onshore from India. Some of the other companies employing Mainers in call centers include Barclaycard, Athena Health, Argo Marketing and Ameridial, which, by the way, currently employs about 90 people in Fort Kent. I think those people in Fort Kent would probably like to keep their jobs.

Imposing penalties and clawback provisions envisioned in this bill asks a company, regardless of whether it is a call center or another type of employer, for a guarantee that they will never leave the State of Maine. But what company in Maine or anywhere, can make that kind of guarantee? Not one.

Punishing businesses of any type for factors beyond their control, such as diminishing market share or global competition, makes a bad situation worse. Contrary to its title, LD 1710, which claims to retain call centers, will do the exact opposite. In fact, the call centers we already located here may very well decide to leave before this bill goes into effect. Folks, this is a job-killing bill, make no mistake. For the life of me, I cannot imagine who would want to be on the record voting for a job-killing bill like this.

As you consider this bill, ask yourself this question: Would these companies have located here if LD 1710 had been law at the time? Of course not. What about those businesses looking at Maine as we speak? What message does this bill send to those companies considering investment in Maine? Do you really think they will want to be in Maine so badly that they will be willing to risk a clawback penalty three, four or five years down the road? Of course not. What company would? Additionally, what industry might be targeted next? Why don't we just post a sign at the border that says "Maine Closed to Business"?

Bills like this depress me. They send a dangerous message and I'm getting really tired of it. A bi-partisan majority of the committee agreed that LD 1710 would put Maine at a competitive disadvantage. Instead of giving business another reason to go elsewhere, we should instead be focusing our efforts on making Maine more competitive so that companies look at Maine as a viable option, the way that Carbonite did, the way that Athena Health did, the way that all these other companies that operate call centers in Maine did, not a toxic risk. Please vote with the bipartisan majority of the committee and oppose the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I heard the testimony on this bill in committee. I want to make sure everybody who is going to vote for this today understands what they're voting for. Section 3, Penalty. "An employer who fails to notify the commissioner of the relocation of a call center at least 120 days before the relocation may be assessed a fine of \$10,000 for each day the employer fails to notify the commissioner, except that the commissioner may reduce the amount for just cause shown." I urge you to vote no on this silly piece of legislation. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Our limited tax dollars should not be going to help any company moving Maine based call center jobs overseas. The bill enhances transparency. It allows us to know when companies are shipping jobs overseas and consumers to decide whether they want to work with them. In this state, you know that limited dollars are being spent wisely. The ultimate goal is to encourage the retention of the call centers here in Maine and if they do leave, the bill will ensure that affected workers will have a notice. I ask you to follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Call centers employ thousands of Mainers. In recent years, many companies have closed down or downsized their call centers, leaving many workers out of a job, hurting Maine communities and hurting the economy. A lot of those same companies decide to transfer their operations overseas where they don't have to pay their workers a living wage. At the same time, there is nothing to require those companies to make those moves public.

This bill will help retain jobs in Maine. Most Americans are in favor of keeping jobs in the United States. One in four American jobs is vulnerable to being outsourced to China, India or Latin America. Off shoring jobs hurts Maine's communities, hurts Maine's workers and hurts Maine's small business. This issue does not just apply to Maine but to the rest of the country. Dozens of states have already introduced and passed similar legislation.

This bill would let consumers know which companies send Maine jobs overseas by making off shoring information public. It would let the state accurately track off shoring's impact on Maine's economy and it would ensure that Maine's tax dollars aren't going to support companies that take jobs away from Mainers. This bill also requires that call center work for executive branch agencies of the state be performed in the State of Maine. This bill would help businesses that stay in Maine, their workers and the state of the economy. Please follow my light and vote in favor of keeping jobs in our state.

Representative **ESPLING** of New Gloucester **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 Old Orchard Beach, Representative MacDonald.

Representative **MacDONALD**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose her question.

Representative **MacDONALD**: Can anybody on the committee tell me why it's just call centers and not mills and hotels and everything else that Maine has to offer and why it's just call centers?

The **SPEAKER**: The Representative from Old Orchard Beach, Representative MacDonald, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. In regards to the question that was asked, there is a provision already in Maine law that requires a notification when a mill is being closed, so I think this sort of addresses our modernization here in the State of Maine as we move to more of a technical type of workforce.

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

**ROLL CALL NO. 570**

**YEA** - Beaudoin, Beavers, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Dickerson, Dill, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hobbins, Hubbell, Jones, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Kusiak, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Peoples, Peterson, Plante, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier,

Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Mr. Speaker.

**NAY** - Ayotte, Beaulieu, Beck, Bennett, Black, Campbell R, Casavant, Chase, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Dupray, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvall, Hayes, Johnson D, Johnson P, Kaenrath, Keschl, Kinney, Knight, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Nelson, Newendyke, Nutting, Parry, Pease, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood.

**ABSENT** - Clark, Crockett, Devin, Dion, Herbig, Hickman, Jackson, Noon, Peavey Haskell, Powers.

Yes, 78; No, 63; Absent, 10; Excused, 0.

78 having voted in the affirmative and 63 voted in the negative, with 10 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-420)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-420)** in **NON-CONCURRENCE** and sent for concurrence.

Resolve, To Review and Make Recommendations on Challenges, Gaps and Inefficiencies in Maine's Emergency Crisis Hotline and "Warm Line" Services (EMERGENCY)

(H.P. 1165) (L.D. 1594)

(C. "A" H-683)

**TABLED** - March 24, 2014 (Till Later Today) by Representative McCABE of Skowhegan.

**PENDING - FINAL PASSAGE**. (Roll Call Ordered)

Subsequently, on motion of Representative DORNEY of Norridgewock, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-683)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-745) to Committee Amendment "A" (H-683)** which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Norridgewock, Representative Dorney.

Representative **DORNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This amendment just takes the emergency measure off of this bill. I think that this should not be a partisan issue, and I'm hoping that when people understand what this bill might do, that they may reconsider their vote on this bill. So this amendment just no longer makes it an emergency. Thank you very much.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-745) to Committee Amendment "A" (H-683)**.

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 Adoption of House Amendment "A" (H-745) to Committee Amendment "A" (H-683). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 571**

YEA - Beaudoin, Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Dickerson, Dill, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiaga, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Chase, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winsor, Wood.

ABSENT - Boland, Clark, Crockett, Devin, Dion, Herbig, Hickman, Jackson, Noon, Peavey Haskell, Powers.

Yes, 87; No, 53; Absent, 11; Excused, 0.

87 having voted in the affirmative and 53 voted in the negative, with 11 being absent, and accordingly **House Amendment "A" (H-745) to Committee Amendment "A" (H-683) was ADOPTED.**

Subsequently, **Committee Amendment "A" (H-683) as Amended by House Amendment "A" (H-745) thereto was ADOPTED.**

Subsequently, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-683) as Amended by House Amendment "A" (H-745) thereto in NON-CONCURRENCE** and sent for concurrence.

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

**BILLS HELD**

Bill "An Act Regarding Bad Faith Assertions of Patent Infringement"

(S.P. 654) (L.D. 1660)

- In Senate, Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-442).**

- In House, Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-443) in NON-CONCURRENCE.**

**HELD** at the Request of Representative **PRIEST** of Brunswick.

Subsequently, Representative **PRIEST** of Brunswick moved that the House **RECONSIDER** its action whereby Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (S-443).**

On further motion of the same Representative, **TABLED** pending his motion to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (S-443)** and later today assigned.

Pursuant to his authority under House Rule 201.1(I), the Chair made the following change in an appointment to a Committee of the 126th Maine Legislature:

The appointment of Representative **TURNER** of Burlington to the Joint Standing Committee on **VETERANS AND LEGAL AFFAIRS** was rescinded.

Representative **JOHNSON** of Eddington was appointed to the Joint Standing Committee on **VETERANS AND LEGAL AFFAIRS**, replacing Representative **TURNER** of Burlington.

The House recessed until 6:00 p.m.

(After Recess)

The House was called to order by the Speaker.

The following item was taken up out of order by unanimous consent:

**UNFINISHED BUSINESS**

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

An Act To Establish the Criminal Law Revision Commission (EMERGENCY)

(S.P. 700) (L.D. 1765)

(C. "A" S-426)

**TABLED** - March 21, 2014 (Till Later Today) by Representative **BERRY** of Bowdoinham.

**PENDING - PASSAGE TO BE ENACTED.** (Roll Call Ordered)

Subsequently, on motion of Representative **DION** of Portland, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED.**

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-426) was ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-741) to Committee Amendment "A" (S-426)** which was **READ** by the Clerk.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-741) to Committee Amendment "A" (S-426).**

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 Adoption of House Amendment "A" (H-741) to Committee Amendment "A" (S-426). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 572**

YEA - Beavers, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Hayes, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Peoples, Plante, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Chase, Clark, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beck, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle, Willette.

Yes, 82; No, 52; Absent, 17; Excused, 0.

82 having voted in the affirmative and 52 voted in the negative, with 17 being absent, and accordingly **House Amendment "A" (H-741) to Committee Amendment "A" (S-426) was ADOPTED.**

Subsequently, **Committee Amendment "A" (S-426) as Amended by House Amendment "A" (H-741) thereto was ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-426) as Amended by House Amendment "A" (H-741) thereto in NON-CONCURRENCE** and sent for concurrence.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "B" (H-738)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Protect Maine's Scenic Character"

(H.P. 812) (L.D. 1147)

Which was **TABLED** by Representative HOBBS of Saco pending **ACCEPTANCE** of either Report.

Subsequently, Representative HOBBS of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE 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: 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. 573**

YEA - Beaulieu, Berry, Bolduc, Brooks, Campbell J, Carey, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dill, Dion, Dorney, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Harvell,

Hobbs, Hubbell, Jorgensen, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Peoples, Plante, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Weaver, Welsh, Werts, Mr. Speaker.

NAY - Ayotte, Beavers, Bennett, Black, Briggs, Casavant, Chase, Clark, Cotta, Crafts, Cray, Davis, Dickerson, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Hayes, Johnson D, Johnson P, Jones, Kaenrath, Kent, Keschl, Kinney, Kusiak, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Morrison, Nadeau A, Nadeau C, Newendyke, Nutting, Parry, Pease, Peterson, Pouliot, Reed, Sanderson, Short, Sirocki, Timberlake, Turner, Tyler, Verow, Villa, Volk, Wallace, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beck, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle, Willette.

Yes, 70; No, 64; Absent, 17; Excused, 0.

70 having voted in the affirmative and 64 voted in the negative, with 17 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (H-601)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Wind Power Siting in the Unorganized Territory"

(H.P. 947) (L.D. 1323)

**TABLED** - February 13, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING - ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative HOBBS of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE 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 Buckfield, Representative Hayes.

Representative HAYES: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. This is one of those interesting situations where when this bill was brought forward initially, it's still, from my perspective, the best path to get to where I think we need to be, which is basically fixing something that we did in 2008. We apparently did it consciously, although I'm not sure all of us were conscious at the time, of this particular detail of the expedited wind act. What 1323 does is seek to restore access to process to Mainers who live in a portion of the unorganized territory. We deal with industrial wind consistently across the State of Maine, with the exception of approximately 3 million acres in the unorganized territory. People who live in those 3 million acres do not have access to a two-pronged

process regarding industrial wind. They do not have access to the planning component of it, to the zoning part of this. All the rest of us do. What this bill would do, if it were enacted, would be to restore that access to process so that, in fact, we treat all of our citizens the same. The only difference for people who live in the UT is that they don't have a local zoning board. They have LUPC, the Land Use Planning Commission. We spent quite a bit of time revamping, reorganizing and recharging that group that does the prospective planning in the unorganized territory, and if we were to pass this bill, defeat the current motion and pass the other motion, then we would be able to restore access to that planning process, that zoning process, to those folks who live in those 3 million acres. I'm standing on this because I would prefer that you not vote for the pending motion, so we have an opportunity to look at an Ought to Pass motion as amended. Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. I rise in support of the pending motion. Wind power is a clean source of energy generation that significantly reduces the emissions that harm our environment and contribute to climate change. Further, it provides economic benefits to Maine, to our businesses, to our workers and ultimately, to our ratepayers. There has been a continued attempt to alter the wind power act and that's out of step with the energy landscape that we deal with right now in Maine. All energy sources, even renewable ones, have impacts, and sometimes some of those impacts are negative. But the choice is ours to make – do we accept some of those impacts inherent in wind power or do we suffer the greater impacts from less environmentally friendly alternatives. When the Maine Wind Energy Act was created, one of the principle purposes of the Act was to facilitate development in regions of the state that were less likely to have broad landscape conflicts and to guide development away from the core parts of the North Woods. This bill would significantly undermine that principle. It threatens both the efficient economic development of renewable energy in Maine and the essential protections of Maine's environments that were created with the Maine Wind Act. Do we need permitting laws? Absolutely and we have them. In fact, we modified them in the first session of the 126th Legislature. Those permitting laws should and do provide adequate guidance to ensure the proper balance between state goals of increasing renewable energy and protecting our landscape. LD 1323 would radically change the existing application and development process for wind projects. It changes the rules in the middle of the game. It pushes us back to the multi-agency regulatory process review that a previous legislature specifically and purposefully amended. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. Good policy withstands good process. Good policy withstands good process. Good process protects the minority, whoever is in the minority. This bill is not anti-wind. I am not a wind opponent. I am a good process proponent. This bill simply supports good process uniformly across the state with no deficit, if you live in the unorganized territory. 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. 574

YEA - Berry, Brooks, Campbell J, Carey, Chipman, Cooper, Daughtry, DeChant, Devin, Dion, Dorney, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hobbins, Hubbell, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Longstaff, Luchini, MacDonald W, Marks, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Peoples, Plante, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stanley, Stuckey, Tipping-Spitz, Treat, Welsh, Mr. Speaker.

NAY - Ayotte, Beaulieu, Beavers, Bennett, Black, Bolduc, Briggs, Casavant, Chapman, Chase, Chenette, Clark, Cotta, Crafts, Cray, Davis, Dickerson, Dill, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harlow, Harvell, Hayes, Johnson D, Johnson P, Jones, Kaenrath, Keschl, Kinney, Knight, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, MacDonald S, Maker, Malaby, Marean, Mason, McClellan, McElwee, Morrison, Nadeau A, Nadeau C, Newendyke, Nutting, Parry, Pease, Peterson, Pouliot, Reed, Sanderson, Short, Sirocki, Theriault, Timberlake, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Werts, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beck, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle, Willette.

Yes, 56; No, 78; Absent, 17; Excused, 0.

56 having voted in the affirmative and 78 voted in the negative, with 17 being absent, and accordingly the Majority **Ought Not to Pass Report was NOT ACCEPTED.**

Subsequently, on motion of Representative HOBBS of Saco, the Minority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-601) was READ** by the Clerk and **ADOPTED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-601)** and sent for concurrence.

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HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-726)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Expand Benefits from Maine's Wind Resource"

(H.P. 1282) (L.D. 1791)

TABLED - March 25, 2014 (Till Later Today) by Representative HOBBS of Saco.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative HOBBS of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass Report.**

Representative FREDETTE 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 Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, this bill is really simple and I stand to speak against this motion. Essentially, all the bill does is expand economic opportunities, lower electrical prices and identify some tangible

benefits. Would it be possible for the Clerk to read the report, please?

The same Representative **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 Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill simply says that two of the goals added to the wind project in the state should be jobs for Mainers, increased manufacturing and lower electrical rates, not merely just megawatt goals anymore which haven't been met, but that there should be something in wind for the people of Maine, in terms of jobs or lower rates. How anyone can oppose this is beyond me.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Tipping-Spitz.

Representative **TIPPING-SPITZ**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I voted against this bill in committee because I don't think the year before we reach our first goal we should be moving the goalposts. I think the wind industry has brought a lot of economic development. I think that's definitely part of the process when we look at permitting. But I don't think, at the last minute, right before we've reached the point where we should look back and evaluate this law, we should change the goals that were set forth in 2008 and that's why I'm going to be supporting the motion on the floor.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of the pending motion, with due respect to my colleagues on the committee who are on the opposite report. We have been able to demonstrate that there have been significant jobs in this state. There has been significant economic growth in this particular industry. We've heard a few times, this session, the phrase "Why not these jobs and why not now?" We're already quantifying that. We've had significant numbers of people come in and talk about the jobs that they actually have, and not only that, we've heard from business owners in the surrounding communities about the economic growth that they've been able to experience, particularly as these turbines are being built. We do have a real issue with climate change. We have some of the highest asthma rates in the country, we have some of the highest cancer rates in the country, and part of that is that the Midwest and the lower Mid-Atlantic has a significant amount of coal in the air. We are already seeing expanded benefits from wind as a resource, in terms of our health, in terms of a reduction in climate change, in terms of a reduction in carbon output, but more importantly, in terms of economic growth. So I hope that folks will move Ought Not to Pass on this and follow my light.

The **SPEAKER**: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. After that, I did intend to speak again. If we've met these goals, then let's just declare victory and go home and say, "We met them, let's put them in there." But it's not even just that, okay? It doesn't say you have to meet these goals. After it was amended, it merely said you had to aspire to meet these goals. Are we now saying that we're not even willing to aspire for Maine jobs and lower electrical rates? Can't we just say, "We're going to try?"

The **SPEAKER**: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: That's a tough act to follow, Mr. Speaker, and it is an act. Listen, what this bill essentially is saying and I agree with the Representative from Farmington, when encouraging the development of wind energy, the state shall aspire and that we put in by a Representative on the other side of aisle as part of a compromise, and I believe that that verbiage is a compromise, it's to expand economic opportunities within the state, including an increased number of jobs in manufacturing – an increased number of jobs in manufacturing – construction and development of wind energy projects, and, this is going to benefit residents of the State of Maine, lower electricity prices for the state's residential, commercial and industrial consumers. The Representative who spoke about the decrease in CO2, spot on. But I think some of that is natural gas, some of that is a decline in production, in manufacturing, and I'm sure that the renewables have added some. This, again, I don't see this as a hindrance to wind. I see it as a benefit to the citizens of the State of Maine. We're the ones that are putting them up, we're the ones that are strewing them across our mountainsides, and we're really reaping a minimal amount of rewards for the investment that's being made. So I think it's a good compromise and I don't think it's unreasonable. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose her question.

Representative **GRAHAM**: Will this bill cause wind development to significantly slow down or stop in any areas?

The **SPEAKER**: The Representative from North Yarmouth, Representative Graham, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Saco, Representative Hobbins.

Representative **HOBBSINS**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. That is a very good question and that question was not planted. You know, let's be really intellectually honest about this debate, okay? We can hide behind all of these issues and talk about jobs and we can talk about that. The bottom line, this is an onslaught, an onslaught to weaken and to slow down the development of wind. A renewable source that, quite frankly, if you see the polling, talk to someone in your district, 81 percent of the people in the State of Maine believe in renewable energy and they believe in renewable land-based wind and ocean-based wind. Now, I understand the situation about the zoning. We have heard it all and we'll hear it again with another bill which I'm not going to talk about now because it's against the rules, but that will be discussed at another time. But I can tell you, right now, is if you think this bill was a sincere effort just to include jobs and economic influence in all of that stuff, look at this. Our committee members, they just won the best actor and the best supporting actor award and they are very good at it, quite frankly, because you know something? They believe what they say. This is not...

The **SPEAKER**: The Chair would remind the Representative to not disparage the motives or interpretation or anything else of the fellow members of this House.

The Chair reminded Representative **HOBBSINS** of Saco that it was inappropriate to question the motives of other members of the House.

Representative **HOBBSINS**: I agree and I apologize if he took it that way, but I think you know me better than that, sitting next to me, that I wouldn't do that to you.

The **SPEAKER**: All comments will be directed through the Chair.



The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell, and inquires as to why the Representative rises.

Representative **HARVELL**: To answer the question.

The SPEAKER: Will the Representative please defer? The Representative from Saco, Representative Hobbins, was in the middle of remarks. The Representative from Saco may proceed.

Representative **HOBBINS**: I'm getting to the answer of the question. The answer to the question is when you put these roadblocks up and you make it more difficult for investors to want to comply with the Wind Act and want to comply with law that's in effect, bills that take away the stability in the integrity of a certain process and weaken it, you do not get investors that are going to go forward and make long-term investments, you do not get financing for projects. The problem with these bills is that it takes away and erodes a process that has essentially had vetting by many sources – the environmental community, the business community. We have heard testimony in our committees from the major, major employers for the State of Maine about the renewable energy assets that we have and the fact that prudent placement of wind in Maine is good for Maine's economy. In 10 years, there has been \$2 billion worth of economic stimulation by the development of wind and that's not counting the research that's going on presently and the project that could be involved with ocean wind. It's really, really important not to act emotionally but to try to find a delicate balance between the environment and the economic value of this. Interestingly enough, the task force that was created in 2007 that led to the Wind Act in 2008, but which, by the way, was a unanimous report of the committee that I served on at the time, the Energy and Utilities Committee, as it was called then, and this whole Legislature, after many floor debates and much, much good work that was done with amendments on the floor of this body at that particular time. But to basically get involved in a situation where we are looking to basically take what has worked fairly well, it has. Should there be changes? There should be changes, but those changes should not be so drastic to take away some of the momentum that we have to inject capital in our economy, and I can tell you it's a very delicate balance. Did we have it right in 2008? I think we had the principles right. Should we look to see whether or not those values should be changed? We did, in the last session, with the bill that was sponsored by the gentle lady from my committee, Representative Beavers, which I think most of us supported at that particular time. But this bill, the intention is to slow up wind. That's the intention of the bill. I'm not talking about the intention of my colleagues, but obviously it's the intention of the overall spirit of the bills that have been presented. It will slow up the development of wind and possibly compromise the integrity of the fiscal importance of the financing for projects like this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. I would just ask you to consider this. Wind energy generators or developers of wind energy have no control, zero control over whether production and manufacturing facilities come to this state, they are wind-manufacturing facilities. They are not here now. Further, I would tell you that the DEP told our committee that megawatt goals that are currently in the Wind Energy Act are part of the regulatory process. Then I would pose the question, how would we measure these goals that are proposed in this legislation in the regulatory process?

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'd like to address the good Representative from Saco's suggestion that the purpose of this legislation is to slow up wind development and presents an onslaught on wind development in general. Mr. Speaker, Men and Women of the House, Maine sadly has become a resource extraction state. We've cut our timber, shipped the saw logs to Canada to be milled and buy the lumber back. We bottle our water from pristine springs and get \$2 a bottle in Logan Airport, with very little, if any, benefits to the citizens of the State of Maine. We educate our students at the public expense and send them out of state to find jobs, and we take our mountaintops and build 120-meter towers on top of them and ship the power out of state to states who will not even allow wind development at the industrial scale in their own states, and yet we pay some of the highest electrical rates in the country. Mr. Speaker, Men and Women of the House, given the fact that we are sacrificing, yes, indeed, a significant part of our environment, it is only reasonable to expect that this development returned to the citizens of Maine the promise of decent employment and reduction in the fees we pay for our electricity. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Mr. Speaker. Mr. Speaker, Colleagues of the House. This bill is merely a smokescreen to regulate wind energy more. It's clean. It's renewable. It's for the public good. We do not have to put our hopes in a bill for the public good. It definitely does create jobs in Maine. We do not need to legislate hopes. I may decide to have a legislative act to maybe get some more Christmas presents next year, but that's not what we're here for. We're here for the public good. I appreciate the drama. I love the drama. It's waking me up. I would also say that wind is not a resource that we cannot afford. We have plenty of wind here and there's plenty of wind right in this chamber. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell, having spoken twice, now requests unanimous consent to address the House a third time. Is there objection? The Chair hears no objection. The Representative may proceed.

Representative **HARVELL**: Actually, this is to answer the question posed by the good Representative from North Yarmouth as to whether this would slow wind into the state. This merely says aspire. It's not a mandate. It doesn't stop anyone. It just merely says one of the goals should be to aspire to jobs and lower electrical rates. Everybody already seems to already agree that we've created jobs. Let's just chalk that one up as a victory and move on. But to even ask if whether electrical rates can be measured, how would we measure this? It's a lower electrical rate. How hard is it to measure?

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It's rather appropriate we're having this debate tonight because the wind is whirling around us pretty heavily. Look, we have a great committee in UE and T and most of the work that we do is in a bipartisan manner. I don't like when we impugn each other's intentions. I don't think that's an appropriate way to have a debate on a bill that I would hope that when my bills comes forward that I would have the respect of not having my integrity impugned. So I certainly don't want to do that to my colleagues on the other side of the aisle. We may disagree on some of the perspectives of this issue, but I do think we need to keep it to the merits of the bill. You know, one of the things, the fundamental

reasons that we have the Wind Energy Act in the first place is that there was a whole lot of unpredictability in the marketplace well before. Now, it was unpredictable for the wind power, the wind developers, and that's where most of the discussions sort of center. But it was also unpredictable for communities who didn't know if, all of the sudden, there was going to be an application filed. It was unpredictable for folks who were environmentalists and wanted to make sure that the ecological side of things was considered in wind siting. So we've done a lot of work to be able to develop a rational plan and some of that does include goals. As the good Representative from Orono pointed out, one of the first measurements of those goals gets looked at very soon and I think that, right now, while I understand the intentions of the Representative from Farmington, we do have a direction that we're going, we do have an opportunity to review these very soon, and I'm fearful. This set of laws has not been on the books for a very long period of time. My fear is that we are going to short circuit that benchmarking process and I think that, at the very least, we should make sure that we get to that and evaluate at that time. I certainly understand and I'm certainly willing to work with my friends across the aisle, at that time, to look at how are things working, are they working or are they not. The other thing to consider, you know, when we're talking about job creation, Northern Maine Community College in Aroostook County exists because of the wind development. We actually have a while educational program in Aroostook County that has very high enrollment, right now, because we are looking at wind power, because students are looking at that as an industry that's viable, an industry where they can actually stay in Maine and contribute to our economy as opposed to most of my generation which either leaves or leaves and comes back and then leaves again which is kind of sad. So I would hope that we would support the pending motion now and, you know, I'm certainly willing to continue looking at these issues, but I'd like to give what we have and the goals that we have on the books, right now, an opportunity to come to fruition and at the time when we already predetermined that we were going to look at them to do that at that time. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping-Spitz.

Representative TIPPING-SPITZ: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I apologize for rising a second time and I think it's the first time I've had to make that apology. I don't think this debate is really a great use of our time right now. I think, in the language of this Act already, it says, "The Legislature further finds that development of the State's wind energy resources should be undertaken in a manner that ensures significant tangible benefits to the people of the State, including, but not limited to, residents of communities that host wind energy facilities...." It already mentions "cost-effective" in the paragraphs right before that. We're not debating about whether or not this should be in the law. We're debating about whether this should be added again to the goal section of the law. As I've said, we shouldn't move the goalposts a matter of months before we come upon that goal and we can actually do a real evaluative process here. So thank you very much.

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. 575

YEA - Beck, Berry, Bolduc, Brooks, Campbell J, Carey, Casavant, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dill, Dion, Dorney, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hobbins, Hubbell,

Jorgensen, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Nadeau C, Peoples, Peterson, Plante, Priest, Rankin, Roch elo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Welsh, Werts, Mr. Speaker.

NAY - Ayotte, Beaulieu, Beavers, Bennett, Black, Briggs, Chapman, Chase, Clark, Cotta, Crafts, Cray, Davis, Dickerson, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harlow, Harvell, Hayes, Johnson D, Johnson P, Jones, Kaenrath, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McCiellan, McElwee, Morrison, Nadeau A, Newendyke, Nutting, Parry, Pease, Pouliot, Reed, Sanderson, Short, Sirocki, Timplerlake, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

Yes, 69; No, 67; Absent, 15; Excused, 0.

69 having voted in the affirmative and 67 voted in the negative, with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-692)** - Minority (6) **Ought to Pass as Amended by Committee Amendment "B" (H-693)** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Leverage Expert, State-based Resources for Emergent Intervention and Long-term Comprehensive Resource Protection of Lakes" (EMERGENCY)

(H.P. 1198) (L.D. 1626)

TABLED - March 19, 2014 (Till Later Today) by Representative SHAW of Standish.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-692)** was **READ** by the Clerk.

Representative SHAW of Standish **PRESENTED House Amendment "C" (H-750) to Committee Amendment "A" (H-692)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative SHAW: Thank you very much, Mr. Speaker. Mr. Speaker, Men and Women of the House. Despite the long name of this bill, it's actually basically the milfoil bill, and it's a very important topic for Maine because it's tied directly with tourism. A little background on the milfoil issue. About 13 or 15 years ago, the Legislature enacted a milfoil sticker that's affixed to any boat that travels on inland waters of the state. The cost is \$10. The money was split between Inland Fisheries and Wildlife, the Lake and River Protection Fund, and, over at the DEP, basically the Milfoil Fund. DEP kind of has the feet on the ground. They're the ones that distribute the money to organizations that deal with education, prevention and eradication of milfoil. What this House Amendment does is it changes the split from 60/40 to 80/20, 80 percent of the money going to the DEP's program. They're kind of the "feet on the ground" program. The IF and W side is mostly used for enforcement. To make up the difference on the IF and W side,



there's just a technical fix for that for the next couple of years and we'll have to figure out the rest of the funding at a later time. This takes away the increase in fees that the bill proposed, so there will be no additional fee increase and the 20 percent additional money that's going to the DEP program will be dedicated to eradication, so very important. I believe there was around \$2.3 billion on lake related uses and activities, which create \$3.5 billion total economic activity across Maine, \$1.8 billion in annual income for Maine's citizens, and it sustains 52,000 jobs. So it's a very important issue for our state. I hope that you will vote with me to adopt the House Amendment. As you'll probably hear shortly, there is consensus among all the committee members on this House Amendment. With that, because our term in winding down and I have the microphone on, I'd like to thank everybody in the Legislature for their hard work this session, but I'd especially like to make note of all my fellow committee members on Inland Fisheries and Wildlife. We had a couple, I think, very good years. Most of our reports were unanimous and I would just like to thank everybody for helping find consensus, and I think we did a lot of good work and this is certainly one of those bills. Thank you very much.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "C" (H-750) to Committee Amendment "A" (H-692)**.

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 Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Maine has over 3,400 lakes and ponds that bring in \$3.4 billion in revenue each year. They employ over 52,000 of our friends and neighbors and are enjoyed by over half a million people every year. Maine lakes and ponds are a huge supporter of the economy. Without them, we'd have less economy and less economic activity, fewer jobs and less funding for countless services. There is an unfortunate reality, however, that the natural beauty of Maine lakes and ponds are being threatened. Invasive species, such as milfoil, have the potential to destroy the habitat, kill off native plant life and animal population, and to diminish the quality of Maine lakes and ponds. With that potential comes the possibility of lower property taxes, less tourist activity and fewer jobs. The impact on Maine lakes and ponds could have catastrophic results. We are lucky that there are so many organizations, such as the Maine Lakes Society, the Belgrade Regional Conservation Alliance and the China Regional Lake Alliance here in this area, and other organizations in other areas, committed to protect Maine lakes and ponds. These organizations and the Maine Department of Environmental Protection spend millions of dollars each year on their ongoing battle to the fight of milfoil and other invasive species. However, these organizations cannot do all the work themselves. We need to take responsibility and support their efforts and preserve one of our most valuable natural resources. I am supporting this because it is important to protect our lakes and ponds for our wildlife, for our children, and for our economy and for the future of Maine. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker. Good evening, Ladies and Gentlemen of the House. LD 1626 is actually a bill I sponsored, but as I think many of you know, the reality of it is it came from my constituents and from your constituents. Before we got to tonight and I really thought I was going to have to argue this point, I had written a great speech and I was going to tell you that milfoil is really bad, I mean really,

really bad. I was going to compare it to a zombie apocalypses and I was going to make you all zombie fighters. We were all going to take this down and win, but I don't need to do that tonight. In all seriousness, the reason I don't have to do that tonight is because good people came together in this body and worked this thing through. I'm here to tell you that people worked hard on this, they were very respectful, and the people I'm talking about are our constituents. Most of the people on the IF and W Committee, the Chief Executive, many of you folks all came together to work on this bill, good people, too many to list by name, and I just want to thank them all. They know who they are. This bill before you is a good bill, I think it's well tuned, and it actually seeks to solve a problem which sometimes I wonder how often we do that. I think this bill actually will help to solve a problem, so I'll cut my long speech short and just simply ask you to endorse this good work and endorse LD 1626 as amended. Thank you, Mr. Speaker.

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

Representative **VILLA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in favor of the motion. Maine's lakes and waterways are threatened by invasive aquatic plants. Over the last decade, organizations like the Lakes Environmental Association, have marshaled thousands of volunteer hours and hundreds of thousands of dollars of their own funding to remove hundreds of acres of invasive aquatic plants. Without these organizations, our lakes and waterways will eventually succumb to invasive plants. This species is not native to our state and it is very difficult to control once it becomes fully established. Milfoil spreads rapidly and displaces beneficial native aquatic habitats. It makes swimming and fishing difficult, and it devalues waterfront property. Currently, the State of Florida spends \$20 million annually to eradicate invasive aquatic plants. It's time for us to recognize and help fund the important work of these organizations and take a pro-active approach in fighting these invasive species. With the passage of this bill, we can help fund these organizations who are working so diligently to protect Maine's lakes and waterways. I support the pending motion because these organizations, who are committed to Maine's clean lakes and waterways, desperately need funding. I humbly ask that you follow my light and adopt House Amendment C. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Thank you very much, Mr. Speaker. I'm pleased to stand tonight and urge everyone to support this motion. I was here in the other body when the original bill was passed to put the \$10 sticker on. In the words of some people that worked on this, the education part of it has been won. At that time, there was no milfoil in any lake in the State of Maine. Now, there's milfoil in 29 lakes in the State of Maine and it's spreading. This certainly will not solve the problem, but it's a darn good start and it will help. I want to praise the chair of the committee for his work and for the whole committee for bringing this together, and I urge everyone to follow my light on this. Thank you very much, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Limington, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you. I am voting in favor of the pending motion. Having had the opportunity to navigate many waters, including inland waters that are navigable in fact, milfoil has got to be the most invasive weed I have ever encountered that will hinder a navigable channel and make it unnavigable. This is a problem that the State of Maine

must get on and remain on top of and try to eradicate it or we will lose control of our inland waters. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "C" (H-750) to Committee Amendment "A" (H-692). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 576**

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Harlow, Harvell, Hayes, Hobbins, Hubbell, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Newendyke, Nutting, Parry, Pease, Peoples, Peterson, Plante, Pouliot, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

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 **House Amendment "C" (H-750) to Committee Amendment "A" (H-692) was ADOPTED.**

Subsequently, **Committee Amendment "A" (H-692) as Amended by House Amendment "C" (H-750) thereto was ADOPTED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-692) as Amended by House Amendment "C" (H-750)** thereto and sent for concurrence.

**CONSENT CALENDAR**

**First Day**

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

(S.P. 660) (L.D. 1665) Bill "An Act To Clarify the Confidentiality of Wood Processor Report Information" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-452)**

(H.P. 1228) (L.D. 1718) Bill "An Act To Improve the Job Creation Through Educational Opportunity Program" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-746)**

(H.P. 1241) (L.D. 1733) Bill "An Act Regarding the Registration of Motor Vehicles of Deployed Members of the National Guard or Reserves of the United States Armed Forces"

Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-747)**

(H.P. 1253) (L.D. 1746) Bill "An Act To Facilitate Informed Planning for Higher Education and Careers" Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTJRE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-743)**

(H.P. 1293) (L.D. 1801) Bill "An Act To Eliminate Inactive Boards and Commissions" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-742)**

(H.P. 1294) (L.D. 1803) Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2014-15" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-748)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

(S.P. 729) (L.D. 1819) Resolve, To Create the Task Force To End Student Hunger in Maine Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-454)**

On motion of Representative FREDETTE of Newport, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ.**

The same Representative **REQUESTED** a roll call on **ACCEPTANCE of the Unanimous Ought to Pass as Amended Report.**

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 Acceptance of the Unanimous Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 577**

YEA - Beaulieu, Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Hayes, Hobbins, Hubbell, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McClellan, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Peoples, Peterson, Plante, Pouliot, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Weaver, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Bennett, Black, Chase, Clark, Cotta, Crafts, Cray, Davis, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson D, Keschl, Kinney, Knight, Libby A, Lockman, Long, Malaby, Marean, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

Yes, 92; No, 44; Absent, 15; Excused, 0.

92 having voted in the affirmative and 44 voted in the negative, with 15 being absent, and accordingly the **Unanimous Ought to Pass as Amended Report** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-454)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-454)** in concurrence.

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**SENATE PAPERS**

Bill "An Act To Clarify Outcome-based Forestry"

(S.P. 746) (L.D. 1847)

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

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

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility"

(S.P. 724) (L.D. 1810)

Signed:

Senators:

GERZOFSKY of Cumberland  
DUTREMBLE of York

Representatives:

DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
LONG of Sherman  
MARKS of Pittston  
PLANTE of Berwick  
TYLER of Windham  
WILSON of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-455)** on same Bill.

Signed:

Senator:

PLUMMER of Cumberland

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

On motion of Representative DION of Portland, the Majority **Ought Not to Pass Report** was **ACCEPTED** in concurrence.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, Directing a Study of Social Media Privacy in School and in the Workplace (EMERGENCY)

(H.P. 838) (L.D. 1194)

(C. "A" H-640)

**FINALLY PASSED** in the House on March 11, 2014.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-640) AS AMENDED BY SENATE AMENDMENT "A" (S-447)** thereto in **NON-CONCURRENCE**.

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

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The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-730)** - Minority (1) **Ought to Pass as Amended by Committee Amendment "B" (H-731)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun"

(H.P. 183) (L.D. 222)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **ACCEPTANCE** of either Report.

Subsequently, on motion of Representative BERRY of Bowdoinham, the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-730)** was **READ** by the Clerk.

Representative SHAW of Standish **PRESENTED House Amendment "A" (H-739)** to **Committee Amendment "A" (H-730)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you very much, Mr. Speaker. Just kind of a technical fix to the concealed carry permit process in regards to the handgun safety course. Currently, you do have to take the course and if your permit lapses by more than 60 days, you would in fact have to take the course again. It simply removes the duplicate course requirements so that you still have to take the course, but much like a hunter's safety course, once you've taken it, it's good forever. Thank you very much.

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

Representative **DION**: Mr. Speaker, I just want to inform the members of the House that Representative Shaw did discuss this amendment with the chair, and we welcomed it because it was consistent with the spirit and intent of 222 as the committee worked on it.

Subsequently, **House Amendment "A" (H-739)** to **Committee Amendment "A" (H-730)** was **ADOPTED**.

Representative LIBBY of Waterboro **PRESENTED House Amendment "B" (H-752)** to **Committee Amendment "A" (H-730)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Waterboro, Representative Libby.

Representative **LIBBY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This amendment will add a constitutional carry provision to the current motion. Constitutional carry is not about who carries. Constitutional carry is not about if you can carry. Constitutional carry is about how it's carried. If you're walking down the streets on a beautiful spring day, like today, and you decide not to wear a jacket, you can wear your gun on your hip and you are a law-abiding citizen. However, if it's a nice windy day, like it is today, and you want to put that jacket on, guess what? You are now a criminal because you put a jacket on. Because you put a jacket on, you are now in

violation of the law. To put it in perspective, someone, a victim of a threat, a victim of a threat today has to make a decision whether they protect themselves or protect their family. That decision is whether they carry the gun in their safe or their purse. The decision to make without the permit process will make them a criminal. This does not make sense. This clarifies our Article I, Section 16, the right to keep and bear arms should never be questioned. The state police are in favor of constitutional carry. I say we support constitutional carry, and please vote with my light and support this amendment, and I would like to ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-752) to Committee Amendment "A" (H-730)**.

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 Pittston, Representative Marks.

Representative **MARKS**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. LD 222 was crafted with the help of the NRA, SAM, many parties, Republicans and Democrats. I promised, last year after that vote, I promised that I would fix the broken permit system. That's what LD 222 does. I appreciate the work from the Representative from Waldoboro and I don't disagree with him on a lot of things, but I promised to fix the permit system. A couple of things. I'm not sure that the state police are good with what you said, but under this bill, under his proposal, you're going to self-police yourself. Do you know if you're a prohibited person? Do you know if you've got a felony conviction? Do you know if you've got a DV or domestic violence case that would prohibit you? Do you know that? Because if you're wrong, you're in violation. Do you know if you've been blue papered or if you've been adjudicated by a court to be mentally ill? Do you know that? If you don't, you're in trouble. Please follow my light.

The **SPEAKER**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It seems like we went through this at the beginning of session and now it's back again. We're going to slide through real fast, I guess, at the end of session. As I said before, at the beginning of session, I have a permit to carry in Maine, in New Hampshire. And Vermont, nobody needs a permit. Vermont is one of the safest states in the Union to live. I renewed my permit this past year and waited almost six months for the state police to get around just to renew it. My New Hampshire permit, bingo. They sent me a notice, I sent them a check and I get my permit. This thing is just going to make it even worse to get a permit. I support Representative Libby's amendment and ask you to follow his light. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **FREDETTE**: Mr. Speaker, I'd like to ask whether anybody in the body knows if, in the Maine Constitution, there's any provisions in regards to the right of the citizens to keep and bear arms.

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Waterboro, Representative Libby.

Representative **LIBBY**: Yes, Mr. Speaker, and Ladies and Gentlemen. I do believe it's Article I, Section 16 of our Maine

Constitution that we all swore an oath to uphold. Article I, Section 16. Thank you.

Representative **McCABE** of Skowhegan moved that **House Amendment "B" (H-752) to Committee Amendment "A" (H-730) be INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm having a little déjà vu. We went through this discussion last year. I supported constitutional carry. I support an amended version of constitutional carry, but the amendment before us goes too far. It actually goes too far. It actually wipes out a lot of bipartisan work of a 12-1 Committee Report that was before us and accepted by this body, so this amendment actually goes even further. This amendment goes further to say a person may shoot from a motor vehicle or motorboat while in or on a trailer while that vehicle is being hauled by a motor vehicle and so on. Thank you, Mr. Speaker.

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

Representative **BERRY**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **BERRY**: Thank you, Mr. Speaker. The amendment that is currently before us is in conflict with the amendment that we, just moments ago, put onto this bill, and I rise to ask if that was the intent of the Representative from Waterboro that we be in conflict or the Representative from Standish, that these amendments conflict with one another. We cannot do both amendments.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Mr. Speaker, Point of Order. I would disagree with the Representative's assertion that there's a conflict and that there be a ruling on whether or not there is in fact a conflict.

Representative **FREDETTE** of Newport asked the Chair to **RULE** if **House Amendment "A" (H-739)** and **House Amendment "B" (H-752)** were in conflict.

The **SPEAKER**: The Chair would rule that the amendment before us is in conflict with the amendment that was just attached. Representative Shaw's House Amendment "A," rather Representative Libby's House Amendment "B" strikes out Sections 1 through 12 and replaces it with the language in his House Amendment "B." If both are adopted, the bill would be unengrossable. So they are in conflict.

Subsequently, the Chair **RULED** that **House Amendment "A" (H-739)** and **House Amendment "B" (H-752)** were in conflict.

The **SPEAKER**: The Chair recognizes the Representative from Waterboro, Representative Libby.

Representative **LIBBY**: Mr. Speaker, I would object. The idea or the intent of this legislation is not removing the permitting process; therefore, it doesn't matter how you change the permitting process. There will not be a conflict if you're not removing said permitting process. You're just following the Constitution and saying you're not questioned to get that permit, and the reason I rose the first time, I was going to request a roll call on the Indefinite Postponement.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-752) to Committee Amendment "A" (H-730)**.

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 Newport, Representative Fredette.

Representative **FREDETTE**: I would ask the Speaker if he would clarify what the roll call is for.

The SPEAKER: The roll call being requested is on Indefinite Postponement of House Amendment "B," the House Amendment that Representative Libby has put forward.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Mr. Speaker, could you maybe explain your decision that the amendment was in conflict? I assumed then it wasn't rightfully before the body and we would not vote on it, so it's unclear to me what the Ruling of the Chair means.

The SPEAKER: The Chair would remind of the ruling, that the two amendments are in conflict with one another. Both amendments are properly before the body. The Chair would remind members that if we do adopt both, if we do adopt Representative Libby's House Amendment "B," we would need to reconsider our actions whereby we have adopted House Amendment "A," Representative Shaw's House Amendment "A."

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. If I may just make sure I understand the Point of Order and the process, your ruling is that Amendment "A" and Amendment "B" are in conflict and, therefore, if we chose, as a body, to want to proceed with the debate on Committee Amendment "B," we would vote against the amendment. If we want to proceed with the ongoing debate of Committee Amendment "B," we would want to vote against the motion on the floor. Is that correct?

The SPEAKER: The pending motion is Indefinite Postponement of House Amendment "B." If you are in support of Indefinite Postponement, you will vote yay. If you are against Indefinite Postponement of House Amendment "B," you would vote no.

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

Representative **BROOKS**: Mr. Speaker, may I pose a question to the Chair?

The SPEAKER: The Representative may pose his question.

Representative **BROOKS**: Mr. Speaker, if one of the two amendments is in conflict with the other, then I suggest to you that they are not properly before the body and shouldn't be recognized.

The SPEAKER: Again, the Chair would remind the body that both House Amendments are properly before the body. The issue is if House Amendment "B" is adopted, the bill would be unengrossable. We would need to reconsider our actions whereby we adopted House Amendment "A." Both amendments are currently before the body.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you very much, Mr. Speaker. If you look in the House Amendment before us, right now, in Section 9, 2003, "Optional permits to carry concealed handguns," it basically keeps the exact same language that's in current law but only adds the words "an optional permit to carry." So I don't believe they'd be in conflict. People of the state would still be allowed to get a license to carry a concealed handgun, even if both passed. The reason that they would do that is for reciprocity with other states. If you don't have a license to carry a concealed permit in Maine, you wouldn't be able to go to any other state where we have current reciprocity. So if you look at the one word, "an optional permit to carry concealed handguns" was

added into current law and I believe that's what Representative Libby's amendment would do. It would make the permit system optional as opposed to mandatory. So I believe both would work fine together. People could still apply for the concealed carry permit. They would be required to take the training course, or if they wanted just to stay in the State of Maine, they could use Representative Libby's option and not be able to go out of state with it.

The SPEAKER: The Chair again would remind members of the ruling, that House Amendment "A" amended Section 4. House Amendment "B" strikes out Sections 1 through 12, which includes Section 4.

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

Representative **BROOKS**: Thank you, Mr. Speaker. With all due respect, Mr. Speaker, if this amendment is in conflict with an amendment that was previously approved by the body, I think that the second amendment, "B," should be ruled by you out of order and not able to introduce it. I believe it's not properly before the body.

The SPEAKER: It is properly before the body. The motion has been put forward to Infinitely Postpone, along with all its accompanying papers. It is a proper motion. A roll call is in order on that motion.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Mr. Speaker, may I pose a question through the Chair to the good Representative from Waterboro and the good Representative from Standish?

The SPEAKER: The Representative may pose his question.

Representative **JONES**: It appears that the Minority Report on this committee is substantially similar to the amendment before the House today and I would ask either of those gentlemen to see if there are enough differences for us to be in this procedural morass.

The SPEAKER: The Representative from Freedom, Representative Jones, has posed a question through the Chair to the Representative from Waterboro, Representative Libby, and the Representative from Standish, Representative Shaw. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. In regards to the question, I think it is germane. There is a question here certainly of legislative intent and while there can be an interpretation of the statute, clearly the debate on the floor, particularly from the author of Committee Amendment "A" who has indicated that it is not, his interpretation that his amendment is in conflict with the Amendment "B," clearly the intent of the author of the amendment is relevant to interpretation of the statute, particularly in the court of law. So I would suggest that therefore they're not in conflict because the Legislature's intent is a key element to that analysis.

The SPEAKER: I think the intent is clear, but both House Amendments cannot amend the same section of law. One amends the section; one strikes the entire section out. So I think the intent is becoming clear, but the fact remains when you strike out sections of the bill, they are no longer relevant, even if they're priorly adopted.

The Chair recognizes the Representative from Berwick, Representative Plante.

Representative **PLANTE**: Thank you, Mr. Speaker. Your ruling is I believe to be correct and I look forward to the vote on the Indefinite Postponement, but the fact remains here, if you don't want to have a permit carry system in the state but you want to be able to carry across other states, thusly having your

reciprocity, essentially, this amendment is to have your cake and eat it too. Right now, the system is set up so that you're basically paying for your permit and through the process, paying for what it costs to make it work. How much to the people in the state who don't want to have a gun or at least a permit to carry concealed or not, you're going to have to subsidize this program if we essentially eliminate it, but have it only just in case you want to be able to carry concealed and have reciprocity with other states. I don't believe that's the right way to go. I think that's counterintuitive to what the program is looking to or should be right now. So I don't understand why we would do that. It really just doesn't make sense.

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

Representative **BROOKS**: Mr. Speaker, I would request through the Chair that we restrict ourselves to the motion on the floor which I believe is Indefinite Postponement.

The SPEAKER: The Chair would answer in the affirmative. The pending motion is shall the House Indefinitely Postpone, along with all its accompanying papers, House Amendment "B."

Representative FREDETTE of Newport moved that the Bill be **TABLED** until later in today's session pending **ADOPTION of House Amendment "B" (H-753) to Committee Amendment "A" (H-730)**.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending **ADOPTION of House Amendment "B" (H-753) to Committee Amendment "A" (H-730)**.

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 to Table until later in today's session pending Adoption of House Amendment "B" (H-753) to Committee Amendment "A" (H-730). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 578**

YEA - Ayotte, Beaulieu, Bennett, Black, Campbell J, Chase, Clark, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harlow, Harvell, Hayes, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pouliot, Reed, Sanderson, Shaw, Short, Sirocki, Stanley, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

NAY - Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Carey, Casavant, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Pease, Peoples, Peterson, Plante, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Mr. Speaker.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, Johnson D, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

Yes, 58; No, 77; Absent, 16; Excused, 0.

58 having voted in the affirmative and 77 voted in the negative, with 16 being absent, and accordingly the motion to **TABLE** until later in today's session pending **ADOPTION of**

**House Amendment "B" (H-753) to Committee Amendment "A" (H-730) FAILED.**

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Indefinite Postponement of House Amendment "B" (H-752) to Committee Amendment "A" (H-730). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 579**

YEA - Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Carey, Casavant, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Pease, Peoples, Plante, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell J, Chase, Clark, Cotta, Crafts, Cray, Davis, Dill, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hayes, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Peterson, Pouliot, Reed, Sanderson, Shaw, Short, Sirocki, Stanley, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, Johnson D, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

Yes, 76; No, 59; Absent, 16; Excused, 0.

76 having voted in the affirmative and 59 voted in the negative, with 16 being absent, and accordingly **House Amendment "B" (H-752) to Committee Amendment "A" (H-730) was INDEFINITELY POSTPONED.**

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-730) as Amended by House Amendment "A" (H-739)** thereto.

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 Adoption of Committee Amendment "A" (H-730) as Amended by House Amendment "A" (H-739) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 580**

YEA - Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Carey, Casavant, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Hayes, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Peoples, Peterson, Plante, Pouliot, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell J, Chase, Clark, Cotta, Crafts, Cray, Davis, Dill, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long,

MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Boland, Campbell R, Cassidy, Crockett, Hamann, Herbig, Hickman, Jackson, Johnson D, McLean, Nelson, Noon, Peavey Haskell, Powers, Pringle.

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 **Committee Amendment "A" (H-730) as Amended by House Amendment "A" (H-739)** thereto was **ADOPTED**.

Representative FREDETTE of Newport **OBJECTED** to suspending the rules in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Subsequently, the Bill was assigned for **SECOND READING** Thursday, March 27, 2014.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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On motion of Representative McCABE of Skowhegan, the House adjourned at 8:21 p.m., until 9:00 a.m., Thursday, March 27, 2014 in honor and lasting tribute to Donald C. Kimball, of Skowhegan.