

MAINE STATE LEGISLATURE

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

Volume III

First Special Session

April 1, 2008 - April 18, 2008

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House Legislative Sentiments
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Pages 1358-2163

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
 FIRST SPECIAL SESSION
 13th Legislative Day
 Friday, April 18, 2008

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

Prayer by Honorable John L. Tuttle, Jr., Sanford.

National Anthem by Honorable Seth A. Berry.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 544)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
 COMMITTEE ON JUDICIARY**

April 17, 2008

The Honorable Beth Edmonds, President of the Senate

The Honorable Glenn Cummings, Speaker of the House

123rd Maine Legislature

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

We are pleased to report that all business which was placed before the Joint Standing Committee on Judiciary during the Second Regular and First Special Sessions of the 123rd Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers	43
Unanimous Reports	37
Ought to Pass	4
Ought to Pass as Amended	19
Ought Not to Pass	14
Divided Reports	3
Taken from Committee Pursuant to Jt. Rule 309	2
Committee Bills & Papers	1
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Gubernatorial Nominations	6

Respectfully submitted,

S/Barry J. Hobbins

Senate Chair

S/Deborah L. Simpson

House Chair

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative ADAMS of Portland, the following Joint Resolution: (H.P. 1687) (Cosponsored by Senator BOWMAN of York and Representatives: BRAUTIGAM of Falmouth, Speaker CUMMINGS of Portland, HARLOW of Portland, HASKELL of Portland, HINCK of Portland, MARLEY of Portland, RAND of Portland, WHEELER of Kittery)

**JOINT RESOLUTION COMMEMORATING THE 75TH
 ANNIVERSARY
 OF THE COMMISSIONING OF THE DECORATED WORLD
 WAR II
 CRUISER USS PORTLAND**

WHEREAS, this year marks the 75th anniversary of the commissioning of the cruiser USS Portland, one of 2 vessels to bear the name of a Maine city in battle in World War II; and

WHEREAS, the cruiser USS Portland earned 16 Battle Stars from 1942 to 1945 in World War II, serving from the attack on Pearl Harbor in December 1941 to the Japanese surrender in September 1945 and ranking as one of the most decorated ships of the entire war; and

WHEREAS, the USS Portland was commissioned at the Boston Navy Yard on February 23, 1933 and sailed on her shakedown cruise to South America in April 1933; and

WHEREAS, the USS Portland was diverted from that cruise to search the North Atlantic for the downed United States Navy airship the USS Akron, and in 1937 searched the Northwest Pacific for the lost American aviator Amelia Earhart, actions symbolic of the scores of search and rescue missions the ship undertook in its career; and

WHEREAS, President Franklin D. Roosevelt chose the USS Portland as his flagship and lead gunboat in the 1930s on expeditions to South America, Panama and Alaska; and

WHEREAS, the USS Portland was the first United States vessel to intercept and decode the Japanese orders to attack Pearl Harbor on December 7, 1941 and initiated the first warning; and

WHEREAS, the USS Portland participated in almost every major naval activity in the Pacific Theater in World War II, including the Battle of the Coral Sea in 1942, the Battle of Midway in 1942, the Guadalcanal Campaign in 1942 and 1943, the battle for the Marshall Islands in 1944 and the battles at Leyte Gulf and Luzon in 1944 to 1945, the world's largest sea battle; and the USS Portland took the surrender of Japanese forces at Truk Atoll on September 2, 1945; and

WHEREAS, the USS Portland was known as the "Sweet Pea," defeating 2 Japanese Imperial battleships in close combat and saving hundreds of American sailors in search and rescue missions during 12 years of dedicated service in peace and war, and is recorded as one of the greatest American fighting ships; and

WHEREAS, the USS Portland was decommissioned in 1946; and

WHEREAS, the mainmast and navigation shield of the USS Portland today stand facing the sea atop the Eastern Promenade in the City of Portland, marking as well the United States-Russian North Atlantic Convoy Memorial, symbolizing Maine's history and heritage of "they that go down to the sea in ships, that do business in great waters"; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to commemorate the 75th Anniversary of the commissioning of the USS Portland, and to honor the memory of her service and the hundreds of sailors and officers who served their country upon her in war and peace.

READ and ADOPTED.

Sent for concurrence.

**ENACTORS
 Resolves**

Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error

(H.P. 1410) (L.D. 2026)

(S. "A" S-677 to C. "A" H-702)

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

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

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Prevent and Treat Cancer in Maine by Providing a Source of Funding for a Comprehensive Cancer Prevention Program"

(H.P. 1484) (L.D. 2098)

Signed:

Senators:

ROTUNDO of Androscoggin
MARTIN of Aroostook
TURNER of Cumberland

Representatives:

FISCHER of Presque Isle
CRAVEN of Lewiston
MILLS of Farmington
CAIN of Orono
VALENTINO of Saco
WEBSTER of Freeport
MILLETT of Waterford
FLOOD of Winthrop
GILES of Belfast

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1047)** on same Bill.

Signed:

Representative:

ROBINSON of Raymond

READ.

On motion of Representative PINGREE of North Haven, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

ENACTORS
Emergency Measure

An Act To Amend the Maine Certificate of Need Act of 2002

(H.P. 1659) (L.D. 2301)

(H. "A" H-960; S. "A" S-661)

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. 113 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

An Act To Expedite the Maintenance and Repair of Maine's Transportation Network

(S.P. 932) (L.D. 2324)

(H. "A" H-1040)

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

Representative MARLEY of Portland **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

Representative THOMAS: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have a grandson that turned 11 last week, and we voted to borrow \$160 million to fix our bridges. Those were \$15 million bonds over four years. So that grandson, that turned 11 last week, will be 30 when we get these bridge bonds paid off. This is a bill to borrow another \$50 million, and I will not stand up here and say that we don't need to spend it, we do, but this is not the right way to fix our roads. We ought to come in here in January and February, and we ought to sit down and set priorities and roads ought to be somewhere near the top of what we do, not the last thing that we do as an afterthought and borrow the money without people's permission. This will end up going on the TransCap, which is a revenue bonding mechanism where the voters don't have to approve. I think revenue bonds are unconstitutional; there are others who will say that they are not. But no matter how you feel about it, we are going to borrow \$210 million without voter approval for a good reason, for a good cause, but is this the right way to run a railroad?

I know a lot of people who have gotten in credit card debt, got in over their heads in debt, and they didn't do it on purpose and a lot of them did it buying things that they needed, but they did it because they didn't set priorities. We are not setting priorities, and I wonder how many people in this building know what we really owe. I went down to the second floor last night to find out what we owe in GARVEE bonds; nobody knows. I think it is around \$90 million, but nobody knows. What do we owe in school construction bonds, in unfunded state liability, in unfunded health insurance, in governmental facilities bonds, and when you add up what we owe, it is scary. If we were an individual, we would be in trouble. I hope that you will think about that, and I hope that what I would like to do is I would like to vote this down, I would like for the 124th to come in here early, set some priorities. We can't borrow all the money to fix our roads, and if we borrow to the limit and the Federal Government comes up with a plan to fix roads with a state match, will we be able to fix it? If we have another disaster like we had with the Waldo-Hancock Bridge, will we be in a position where we can borrow the money? Maybe, I hope so; I am not sure, so think about it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Fletcher.

Representative FLETCHER: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We absolutely need to fix our roads and bridges. We absolutely need to develop the priority process where we are consistently investing in the infrastructure. I voted for the bridge bond, because I didn't see any other option at that point in time, plus it had a certain amount of consideration and due diligence to look at it to understand the consequences.

What bothers me about this particular initiative, maybe I have been asleep at the switch, but I didn't even know it was on the track until yesterday morning when I saw people running around getting the document put together. Maybe it is the greatest thing we could ever do, but who has looked at it? Have we understood the consequences? All of the sudden, \$13 million is going to appear that we can use to borrow another \$50 million. Maybe we are growing the mushrooms, I don't know. But I am very uncomfortable with the last minute, here we go borrowing \$50

million, and we are hoping we are going to be able to get to shifting in funding for the State Police that is going to pay for it. We are hoping everything is going to work out in a responsible manner, so we have not created another structural gap hole that we are all, hopefully, a lot of us are going to have to deal with in January. I think if this is such a critical item, we should maybe work another day. Maybe we should go out to the people in the State of Maine and say, we want to borrow some more money and live up to the Constitution and ask for their permission. I don't think there is any question that they would approve it.

What concerns me is, less than 14 months ago when we were deciding on bonding, there were a lot of us that wanted to go to \$200 million. The thing I heard back from the Department of Transportation is we can get by with \$100 million, I think we actually went out for \$110 million. Now, in a period of one week, we have just decided we are going to borrow \$210 million. Maybe that was rounding error, maybe somebody didn't think ahead, but I am very uncomfortable borrowing another \$50 million in the last 24 hours of the session, when theoretically, we aren't even here. Where was the planning? If this was such a great idea, how come we weren't at least talking about it on Monday rather than on Thursday? We have to fix our roads and bridges; we have to make the priority investments; we have to stop trying to do everything for everybody and do it. Let's get to our priorities. But I think we have just found another way to borrow money without asking the people of the State of Maine, do they want to obligate themselves and their children to pay for it.

I wish I could support this, but unfortunately, I cannot in good faith. I think we are making a mistake, I think we are establishing a precedent, I think we are opening up another credit card with no real plan that has a reasonable probability of success to pay it back, and I thank you for your consideration. Thank you, Mr. Speaker.

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

Representative **BROWNE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I agree with everything that has been said by the two speakers before me: We are increasing borrowing, we have a plan here with no public hearing, and definitely we are increasing the debt. But the bottom line is, as far as I am concerned, our roads and infrastructure needs improvement.

We have tried a number of ways of getting a sustainable revenue. This money is available, this startup \$5 million is available through the \$13 million we had from the bridge bill which was voted on. This money will be dedicated for roads reconstruction; not paving, not overlaying. We know, of course, any construction project there is a multiplier effect as far as the number of jobs. According to people that know a lot more than I do, the debt service to revenue ratio is still within an acceptable range, something that is not out of line with other standards. We are making the General Fund a small pool for funding more of the State Police. It goes along with the statute that we enacted in the last session, it is going to bring it up to or down, whichever way you are looking at it, 51 percent from the General Fund and 49 percent from the Highway Fund. This is going to be of immediate; you will be able to use it in the very near future. There is going to be an interest cost, but with the way prices are escalating on materials, some of the interest would be offset or would be partially neutralized by this escalating cost.

Again, I realize everybody is going to have to search, see which way you want to go, but as far as I am concerned and I have been wavering. I went to bed last night thinking one way and woke up this morning thinking another, so again, it is up to you,

but I think our roads and bridges need support. We have done things a lot worse in this session and this is something that, I think if you go to your community members, the roads are the most obvious things that really need to improve. Again, I would ask for your support.

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

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I appreciate all the points that were made today. I am going to try to address a number of them about why we need to start hoping that our roads and bridges get better and do something about it; we need to stop getting into debt. Well, this would do something to fix our roads and bridges and our grandchildren, in 30 years, will be driving on safer roads and bridges. If we don't do this now, they will be paying millions of dollars more to fix those same roads and bridges. I have two children, 14 and 9, and when my grandchildren are older, I hope that the infrastructure is safe.

We did try to address the debt issue, and unlike the General Fund, the Highway Fund, last session, this body and the other body put statutory language in to create debt caps. So for a general obligation bond, it is no more than 10 percent debt to ratio with 10 years terms, and on GARVEE, it is 15 percent federal debt ratio to revenues with 15 year terms. We have put that into statutory language because we think it is important to fix our infrastructure, but also be fiscally responsible.

Additionally, where the Turnpike Authority actually has 25 percent debt to revenue ratios and the state has been as high as 13 percent, the Highway Fund, currently, is at 6 percent. I think we have done a very good job with the debt to ratio piece in the Highway Fund, and that is what I have, we have before us as far as control over the debt policy of this state, in this bill before you. What we have not done a good job about and it has become and I will say it, partisan is often at the bonding piece. You can talk about priorities, but we have not put the money in the roads and bridges. I am amazed, every one of you. I tell people I think I get complaints more than leadership does from every one of you about roads and bridges. I heard from all of your constituents. This is what people want. We can complain about the process, and I agree, I don't like the process, but this is not new. What we are doing here is in 1790's intent language that we would go to, 51 percent General Fund for State Police and 49 percent Highway Fund. That would reduce the need for General Obligation Bonds in the future. This is structurally changing how we are going to refund our road and bridge infrastructure, and I think this is a very good policy, I agree it is not great process, but ultimately, I think constituents really care about—I will use train analogies because I am a big train guy, but I am going to use a road analogy—this is where the rubber hits the road. I hope you support Enactment. Thank you.

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

Representative **MILLS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This bill of course is very late being filed and is fresh on our desks, as is the Amendment (H-1040). Let me be clear: I believe the Fiscal Note is self-explanatory. It says the bill provides the beginning of fiscal year '09-'10 the allocation of Department of Public Safety, State Police costs will change, as the previous gentleman noted, from 40 percent General Fund to 51 percent General Fund. It takes \$5,319,304 from the General Fund, beginning in the next fiscal year, 2010. Now it takes it for all kinds of laudable purposes. I don't disagree that we need to fix roads and bridges, but make no mistake about it, what you are voting on is a measure that removes \$5.3 million per year from the General Fund.

We just voted on a 12-1 Report from Appropriations on a bill by the good Representative Strang Burgess regarding the Maine Cancer Fund. That bill had a price tag of more than \$4 million. We could not pass that because we could not fund it. I hate to suggest that in years hence, we will not only not be able to fund that, but not be able to fund many other good programs that provide preventative health care for our citizens, that provide education for our children, that provide home based care for the elderly and vital services for all of our citizens.

I absolutely agree with the previous speakers that we do need good roads; we desperately need road improvements and bridges, bridge repairs. I travel every day over a bridge in Norridgewock that is one of the oldest ones in the state that is crumbling. Every time I drive over it, I shiver with fear and make sure there is no truck on the bridge. But there has to be a better way than borrowing back and forth, borrowing back and forth, and essentially, I believe, that that is what this bill amounts to.

I read the OPEGA report about the formula and the percentages that ought to be allocated for the State Police, the Public Safety, versus what is going on now, and I understand that formula has shifted back and forth for many, many years. But there has to be a better way than to simply suggest, in these times, these desperate times, when we are looking at a structural gap in the General Fund of \$430 million, shortly—\$430 million, most of it driven by a lack of revenues. I just suggest that this is the wrong time to take from the General Fund, even for a very laudable purpose such as this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I haven't supported all of the borrowing that this body has taken on, but for one of the very few times, this focused effort to improve our infrastructure, to me, is one of the most important needs that we have. My people and your people have called and begged for help. They have had a hard time staying on the road, they have had repairs to their car, and I am sure there have been accidents attributed to the conditions.

I, along with other legislators in our district, brought the good commissioner and one of his top engineers out on what I call the caravan of stars. Someone said to me, was that because they saw stars? It probably was with the potholes. We enjoyed quite a thorough trip around the district. There was road after road after road that did not need shim and overlay; it needs dirt construction, reconstruction. We are talking digging down folks, really digging, going deep. It is the only way to bring back and restore some true infrastructure that will support our future needs. Along the good trip, the good commissioner and his engineer couldn't say to me, gee Sue; you don't need anything out here. They just nodded. The problem is there are no funds to come back out and address these. This just isn't in my district. My district actually been very lucky, we have the brand-new bypass, we have two bridges that are presently scheduled, actually one of them the work has started already by the good Maine Turnpike Association. But I am not thinking about just Gray or not Yarmouth or Pownal, I am thinking about Maine, I am thinking about the economy, the future, the growth. How do you get there from here without a safe road to travel on?

Mr. Speaker, there is never a good time to borrow for this particular need. I have sat here for six years and said no. I may not come back, I hope I do. I can't say no to the fundamental needs. This is like taking care of your family. We have let it go. We have taken care of everything else, we have watched out for the backyard and the trees, we have taken care of our food and some of our other needs, but we have not taken care of this one.

It is time, I believe, to move forward. Thank you very much, Mr. Speaker.

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

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

The SPEAKER: The Representative may pose his question.

Representative **MacDONALD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I wonder if anyone knows whether the expenditure of the funds that are proposed here would result in federal matching money.

The SPEAKER: The Representative from Boothbay, Representative MacDonald has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In this case, the answer is no. These are revenue bonds. The statutory language change would become, part of that would be used for the revenue stream that would pay back the revenue bonds.

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

Representative **MAZUREK**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just to comment, obviously, there is no good time to borrow. We all know that, nobody likes to borrow money. But if we don't give money now to fix these roads and bridges, we are making a big, terrible mistake. The good Representative from Ripley mentioned that his grandchild is 11 years old, and when he turns 30, he will be paying for these bridges. That is good, because he will turn 30. Without fixing the bridges, we don't know whether these people will ever get to that ripe old age of 30. Are we willing to risk and play Russian roulette with our children and grandchildren? I am saying no. We borrow this money and we think all of the sudden these bridges magically appear. Well, they don't, people have to put them up—Maine people. It is a great injection of money into a sorely needed economy right now in the State of Maine. These people, who build these bridges and roads, will spend money in clothing stores; they will spend money in automobiles, new car dealerships; they will spend money in the towns they live in.

We talk about a basic economic tool that is the road, one of the building blocks of economics, and I believe education, but roads and our transportation infrastructure are so vitally important. Not only does a good road system transport goods and freight, but it transports people and ideas. I agree with you: yeah, nobody likes to borrow money; it is a tough way to go. But if we don't do it now, we are just throwing the burden and we are shirking our responsibilities and we are saying to our children and our grandchildren, we didn't have enough guts to fix the roads and bridges because we were afraid to borrow, but we are going to let you people make that decision. You are the ones who are going to drive over these rickety bridges, you are the ones who are going to drive on these death defying roads. Is that really fair? I think not.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Carey.

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

The SPEAKER: The Representative may pose his question.

Representative **CAREY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would like to ask anybody who may choose to answer it, why is it that this bill came out in the last week and this wasn't something that we were working with all session?

The SPEAKER: The Representative from Lewiston, Representative Carey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the question. This bill did come out within the last few days, but this isn't something that this committee has been talking about for the last number of years, to be honest. The OPEGA report came out last year. There was actually, one of the things that brought us to this piece is—when you ask these questions, it starts all these memories and recollections—last session, we actually put together a working group that we hoped would be funded to look at State Police funding and that group was never able to get together and the funding piece fell apart, so we weren't able to get to it. It was going to have members of Criminal Justice, Appropriations, and Transportation to look at the inner dynamics. That group came together more in an informal way, but the 51:49 percent ratio piece is something that has been moving forward and, as I said, was in the intent language in LD 1790 last session so the need has been there. I think people have gotten to the point where, this last week, said need to do something. I have seen the papers over the last month; almost every front page has had roads around the state that are truly crumbling.

One of my good seatmates, the Representative from Wiscasset, Representative Rines, has asked me a very good question. He said, how many miles of roads are we doing now versus five years ago? I am actually answering questions that haven't been asked here. An answer is we are doing 30 percent fewer roads for 30 percent more money and that is why this need is before us. That is why I was saying about our grandchildren: if you don't do it now, we had a big fiasco a couple of years ago about bonding. We are currently rebuilding those roads and bridges that we did not do two years ago over the bonding piece, similar debate, and the reason why it is costing us \$10 million more for the exact same roads and bridges, and they are in worse shape, is because we waited. Inflationary cost in construction is phenomenal. There is a world demand out there for petroleum; we all know the increase in petroleum products, as well as for concrete, metals, and other infrastructure pieces. India is actually, right now, building an entire countrywide highway system, as is China. They are on the same world market fighting for the same natural resources we are, and these costs are only going to continue to go up. I really believe this is a very good bill and I hope you will support it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Pilon.

Representative **PILON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Maine's economy is driven by tourism. Forty-two million people visited Maine last year and because of the energy crisis that we have, gas prices at \$3.39 a gallon, I think Maine will even be more of a destination this year. People from the New England region will make Maine a destination because it is so close. People from New England, like Massachusetts, Connecticut, Rhode Island, and New York can just get in the car, drive to Maine and spend the weekend. We will see a lot of campers coming to Maine. I believe that we need to keep our infrastructure in good repair. It is not only the primary roads, it is the secondary roads. Just driving around the Biddeford, Saco, Old Orchard Beach, Scarborough area, our secondary roads are in very bad disrepair, and we need to support and keep our secondary roads and primary roads up to par so that people from away will continue to come to Maine. Tourism drives Maine. Research and development drives Maine. If we are not competitive, people won't come to Maine. Please

support this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Fletcher.

Representative **FLETCHER**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We share a great deal in common: Everybody wants to fix the roads, everybody knows we have to make it a priority, everybody knows we have to have a plan.

There was a person I knew that wasn't the most organized person, but he had a saying: one of the things about being disorganized is you are always making exciting discoveries. It seems like we just made an exciting discovery within the last 24 hours. We were not investing enough in our roads to keep them up to the standard we want, we hadn't thought of it as a priority until the last 24 hours, and in the last 24 hours, we happened to find \$13 million, which we thought we were going to need to repair our bridges, which now we figure out we can spare that to do some reconstruction on the roads, which we didn't think we were going to have to do 24 hours ago. Now I am being a little bit facetious I know, but that is what bothers me about this. If we had been talking about this in January, February, March or even the beginning of April, I would say we have identified the goal, we have a plan to do it, and we have a strategy that is going to achieve it in a responsible manner. This sounds a little bit like being disorganized and we made an exciting discovery. The exciting discovery was that we raised the fees for licenses, plates, and title fee to generate \$15 million or \$16 million; started that in September, but really don't need it until July of the following year, so we have a good chunk of money that we can do some other things with. It is the right goal. It is the right thing to fix our highways and our bridges. I am concerned that we are taking a step that is not by design, if it is great, but was more by expediency because it happened to be there, we will grab it and think we have a strategy to get us back on track.

Everybody agrees on the importance of our roads and bridges; that is not the debate. My concern is are we doing this in a responsible manner, in a sustainable manner, and are really getting to the longer-term strategy of placing a priority on our roads and bridges and appropriately financing those ongoing. I am concerned this will be just another one, we did something; everything is okay until we make another exciting discovery. If we had a chance to put a long-term strategy together and I hope whoever comes back in January can keep the notes, so if we have a bonding capacity of \$200 million or whatever that works out to be, I hope everybody keeps their notes and says our roads and bridges are priority one. The first dollar up to what we need, which is about \$200 million a year, sustainable over years to invest in our infrastructure, we won't bond anything else until we have satisfied that. If we are going to borrow, let us do it in a way that is responsible, sustainable, and not think of another way to increase the fee or an assessment to generate a pool of money which pays off the debt service to allow us to borrow more money. I am not sure that is a responsible plan that is going to get us to where we need to be. Maybe we can raise another fee to generate a pool of money to pay off the debt service for another loan. Is that a strategy? I don't think so. I just wish we had time to really understand what we are going to do, rather than just in the next 24 hours to get at the problem that everybody has identified.

I know this will probably pass and we can go home and tell our friends and neighbors, guess what we did for you today, we are going to fix the roads and bridges. That would be good. But I hope they don't ask me where we are getting the money from, because I have never been very good at being able to shuck and jive and tell people don't worry about it, everything is okay. We

raised the fees for people, who really probably can't afford it when they are paying their light bills and their gas bills, but we thought it was the right thing to do because of the crisis on the bridges. Thirteen million appears, found money, let's go out and borrow some more. I am not sure that is the best strategy. Thank you very much, Mr. Speaker.

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

Representative MILLETT: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I share the concerns that all of the speakers have mentioned this morning. When I first saw the bill yesterday, I was concerned about its late arrival, the use of the bond mechanism which doesn't involve voter approval, the absence of any federal matching money is left on the table in Washington, and the initial use of the Budget Stabilization Fund as a means of getting some debt service payback money in stream intended.

In looking at the amendment that I know I should not speak to yet, and I will not, but in the discussions that I have been present at lately, I believe it is the intent not to go to the Budget Stabilization Fund and to utilize what we actually committed to by intent a year ago in the LD 1790, long-range highway plan statutory and GARVEE bond authorization bill. In that, we expressed a clear legislative intent to go to 51 percent of the State Police budget from the General Fund and 49 from the Highway Fund, and the administration is on notice from the vehicle to being that process in the upcoming biennium. That increased money that you see in the allocation section of the bill was promised by intent, and, I think, fairly well agreed to, last year in that discussion.

What this bill does and its amendment uses that increase of approximately \$5.3 million per year to transfer directly into this TransCap fund to be the capitalizing mechanism for assuring that the \$50 million, when bonded, can be paid back. Frankly, that is my solo concern, is the adequacy of a revenue stream to make sure that this bonding, along with the bridge bonding, can be assured and the debt service payments can be met, because as we all know, we have no alternative once we bond to make those payments as committed. I believe the mechanism is sound, all be it, late in its arrival and probably not as well explained as it could have been, but my understanding, very briefly and I am not an expert on this and others who have been more involved can correct me if I am wrong, is that the fees that sustain the \$160 million bridge bond issue are ongoing and start in September and will yield about \$13 million this year, and a payment would not occur until the fiscal year 2010. That \$13 million, when annualized to something on the order of \$16 million to \$17 million is presumed to be inadequate stream to pay back the \$160 million bridge borrowing over the time proposed in that bill, now signed into law. The first year accumulation of \$13 million was earmarked for roads and bridges and, from that, \$5 million has been identified as available to be used in the first year of the bill before us today, to be followed by the \$5.3 million transfer on an annual basis that we committed to last year.

I have looked at the bonding capacity of both the General Fund, the Highway Fund and now these revenue bonds, in an effort to do not only what Representative Marley has talked about in the context of bonding to revenue, because I worry about our fuel tax component of the Highway Fund revenue on it, I think we all do. But knowing that we are on the hook for these bonds, there has to be a means for paying them, and these revenue streams, I believe, are adequate to do so if there is prudent borrowing and the interest rate picture is as favorable as it appears to us at the moment, and the construction season is as profitable and potentially timely, as I believe it is, so that the issue

of ongoing sustainability of bond payments can be, I think, comfortably agreed to.

I have also looked at what we used as our bonding philosophy of a year ago. As you all remember, the Representative from Winslow, Representative Fletcher, has inferred, we went as high as we could on a general obligation and Highway Fund bonding last year. We did it within the context of making sure that the debt service payments would not grow faster than the LD1 appropriation limits, so I have looked at that again, just to see how that looks. The Highway Fund borrowing, with another \$10 million question going out this June, will fit within the LD1 growth limits. Therefore, I am comforted at the moment that we have not overreached on the Highway Fund general obligation side. These revenue bonds, while not the perfect mechanism, I think give use a choice this morning, an immediate action versus delayed action. I think that is the choice that we have before us this morning, if we can be comforted that the revenue streams are at least on surface and, at this moment, adequate to cover the debt service.

I am going to come down on the side that we have a weakened transportation infrastructure which needs our immediate attention. We made some feeble attempts to do something in the budget bill that we had a discussion on in recent weeks and nothing has been done. We need to react, respond. I think it is the main topic of conversation across the state, and from my point of view, it is a need that needs a response. I will be voting for this bill this morning. Thank you.

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

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

ROLL CALL NO. 460

YEA - Austin, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchette, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carter, Casavant, Cebra, Chase, Cleary, Connor, Conover, Craven, Crockett, Curtis, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Flood, Gerzofsky, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hogan, Jackson, Jones, Knight, Koffman, Lundeen, MacDonald, Makas, Mazurek, McFadden, Miller, Millett, Muse, Nass, Norton, Patrick, Pendleton, Percy, Perry, Pieh, Pilon, Pinkham, Piotti, Prescott, Priest, Rand, Rector, Richardson D, Rines, Robinson, Rosen, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Theriault, Treat, Trinward, Tuttle, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Adams, Annis, Ayotte, Beaulieu, Carey, Clark, Cotta, Cray, Crosthwaite, Edgecomb, Fletcher, Gifford, Giles, Gould, Greeley, Johnson, Joy, Lansley, Lewin, Marean, Marley, McDonough, McKane, McLeod, Mills, Pingree, Plummer, Richardson W, Samson, Sarty, Savage, Sykes, Tardy, Thibodeau, Thomas, Valentino, Vaughan, Weaver, Woodbury.

ABSENT - Berube, Blanchard, Duprey, Emery, Hinck, Jacobsen, Kaenrath, Miramant, Moore, Peoples, Pineau, Pratt, Saviello, Sutherland, Tibbetts, Walker.

Yes, 96; No, 39; Absent, 16; Excused, 0.

96 having voted in the affirmative and 39 voted in the negative, with 16 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED.**

On motion of Representative PINGREE of North Haven, the House **RECONSIDERED** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED.**

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

**REPORTS OF COMMITTEE
Committee of Conference**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Amend Motor Vehicle Laws"

(H.P. 1459) (L.D. 2075)

has had the same under consideration, and asks leave to report:

That the House **RECEDE** from **PASSAGE TO BE ENACTED**. **RECEDE** from **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-913)**. **RECEDE** from **ADOPTION OF COMMITTEE AMENDMENT "A" (H-913)** and **INDEFINITELY POSTPONE** same.

That the House **READ** and **ADOPT** Committee of Conference Amendment "A" (H-1045) and **PASS THE BILL TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (H-1045)** in **NON-CONCURRENCE**.

That the Senate **RECEDE** and **CONCUR**.

Signed:

Representatives:

- MARLEY of Portland
- MAZUREK of Rockland
- BROWNE of Vassalboro

Senators:

- BRYANT of Oxford
- DAMON of Hancock
- RAYE of Washington

The Committee of Conference Report was **READ** and **ACCEPTED**.

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

Subsequently, **Committee Amendment "A" (H-913)** was **INDEFINITELY POSTPONED**.

Committee of Conference Amendment "A" (H-1045) was **READ** by the Clerk and **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee of Conference Amendment "A" (H-1045)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

COMMUNICATIONS

The Following Communication: (H.C. 546)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

April 17, 2008

The Honorable Beth Edmonds, President of the Senate
The Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

We are pleased to report that all business which was placed before the Joint Standing Committee on Appropriations and Financial Affairs during the Second Regular and First Special Sessions of the 123rd Legislature has been completed. The breakdown of bills and papers before our committee follows:

Total Number of Bills and Papers 32

Unanimous Reports 28
Ought to Pass 0
Ought to Pass as Amended 4
Ought Not to Pass 24
Divided Reports 4

Respectfully submitted,

S/Margaret Rotundo

Senate Chair

S/Jeremy R. Fischer

House Chair

READ and **ORDERED PLACED ON FILE**.

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

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.

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

(H.P. 1615) (L.D. 2252)

TABLED - April 17, 2008 (Till Later Today) by Representative SIMPSON of Auburn.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-1036)**.

Subsequently, **Committee Amendment "A" (H-1036)** 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**.

On motion of Representative SIMPSON of Auburn, Joint Rule 311 was **SUSPENDED** for the purpose of offering amendments.

The same Representative presented **House Amendment "A" (H-1037)**, which was **READ** by the Clerk and **ADOPTED**.

The same Representative presented **House Amendment "B" (H-1038)**, which was **READ** by the Clerk and **ADOPTED**.

The same Representative presented **House Amendment "C" (H-1044)**, which was **READ** by the Clerk and **ADOPTED**.

Representative PINGREE of North Haven inquired if a Quorum was present.

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1036)** and **House Amendments "A" (H-1037) "B" (H-1038) and "C" (H-1044)**. Sent for concurrence.

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

An Act To Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters

(H.P. 1510) (L.D. 2131)
(S. "A" S-646 to C. "A" H-734)

TABLED - April 16, 2008 (Till Later Today) by Representative PINGREE of North Haven.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative FARRINGTON of Gorham, 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-734)** was **ADOPTED.**

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 **Senate Amendment "A" (S-646)** to **Committee Amendment "A" (H-734)** was **ADOPTED.**

On further motion of the same Representative **Senate Amendment "A" (S-646)** to **Committee Amendment "A" (H-734)** was **INDIFINITELY POSTPONED.**

The same Representative **PRESENTED House Amendment "A" (H-1049)** to **Committee Amendment "A" (H-734)** which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (H-734) as Amended by **House Amendment "A" (H-1049)** thereto was **ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-734)** as Amended by **House Amendment "A" (H-1049)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

ORDERS

On motion of Representative PERCY of Phippsburg, the following Joint Resolution: (H.P. 1688) (Cosponsored by Senator DAMON of Hancock and Representatives: ADAMS of Portland, EATON of Sullivan, EMERY of Cutler, FLETCHER of Winslow, MacDONALD of Boothbay, MAZUREK of Rockland, McDONOUGH of Scarborough, PENDLETON of Scarborough, PINGREE of North Haven, RECTOR of Thomaston, RICHARDSON of Warren, Senators: DOW of Lincoln, SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE DELEGATION OF THE 2008 NEW ENGLAND FISHERY MANAGEMENT COUNCIL TO CONSIDER ALTERNATIVE ACTIONS TO ENSURE A HEALTHY SUSTAINABLE GROUND FISHERY FOR NEW ENGLAND

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition

the delegates to the 2008 New England Fishery Management Council as follows:

WHEREAS, New England has the oldest and richest fishing heritage in the Nation, and it can be said that one of the reasons that New England and the United States itself were founded was the rich fishing grounds off our shores and their abundant populations of cod and other groundfish; and

WHEREAS, the historical abundance of cod in the Gulf of Maine is legendary and is a foundation of Maine's culture and communities; and

WHEREAS, in the last half century, the groundfish stock within the Gulf of Maine has suffered a sad depletion and has not rebounded as it has in other regions, which threatens the economy of Maine's historic fishing communities and inflicts economic hardship on Maine's remaining groundfishing families today; and

WHEREAS, as an indicator of this decline, in the 10 years from 1996 to 2006 the State's active federal fishery permits have declined from 165 to 91, a 45% decline; and

WHEREAS, except for a few businesses left in Portland and Port Clyde that are barely surviving, the State of Maine has lost the shoreside firms that support the groundfish, including ice suppliers, fish buyers and processors, fishing gear shops, bait suppliers, boat repair businesses and trucking firms, and the accompanying added value; and

WHEREAS, the loss of fish and the loss of fishing livelihoods and shoreside business have occurred under the current approach to management, which limits the days fishermen may go to sea, known as "Days at Sea"; and

WHEREAS, "Days at Sea" alone has not, in the judgment of your Memorialists, achieved the primary goal of fisheries management: to ensure the long-term regeneration of an abundance of groundfish in the Gulf of Maine and in the New England region and to thus rebuild the equitable redistribution of our fishery resource among fishing communities and economies; and

WHEREAS, the New England Fishery Management Council requested public proposals for alternative systems of management for the New England fishery to provide for a more sustainable, renewable and equitable distribution of our historic fishery resource; and

WHEREAS, we must take every action possible to bring back the abundance of groundfish to the whole Gulf of Maine, to contribute to the rebuilding of groundfish throughout the New England region and to benefit coastal communities; and

WHEREAS, the region's fishing grounds do possess the ability to recover to historic levels of productivity, and it is necessary to preserve Maine fishermen's opportunities to continue to fish when groundfish stocks are recovered; and

WHEREAS, many Maine communities have lost much of their access to the groundfish industry, and the ongoing erosion of federal groundfish permits and "Days at Sea" have severely restricted the ability of Maine permit holders to fish at all; so few days remaining, as a practical matter, rendering the permits useless and restricting the rights of Maine citizens to fish; and

WHEREAS, community-based initiatives including establishing sectors, permit banking and area management hold a great future hope for recovery of the resource, recognizing as they do the ecological differences between ocean regions and species and emphasizing alignment of economic, ecological and sustainable harvesting interests to ensure a long-term recovery of the fishing business in New England; and

WHEREAS, we cannot sit by and permit our heritage to be lost on our watch and our communities removed from their connection with the sea; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the New England Fishery Management Council commit to establishment of an equitable future distribution and allocation of permits to all qualified Maine fishermen when stocks rebound, to ensure that the benefit of rebuilt groundfish stocks accrued to all Maine fishermen; and be it further

RESOLVED: That We, your Memorialists, request that the allocation process support not only individual permitted fishermen, but also traditional fishing communities and nonprofit community efforts intended to sustain our fisheries and the fishing way of life; and be it further

RESOLVED: That We, your Memorialists, request that the delegates from the State of Maine to the 2008 New England Fisheries Management Council support and actively work for an equitable allocation of future permits to qualified Maine fishermen when stocks rebound, to share the benefit with all Maine fishermen; to ensure that the allocation process benefits both individuals and communities; and to advocate for effective groundfish management through community-based initiatives including establishing sectors, permit banking and area management to benefit all who in days to come shall "go down to the sea in ships, and do business upon the great waters"; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to John Pappalardo, Chairman of the New England Fishery Management Council, Rip Cunningham, Chairman of the Multispecies (Groundfish) Committee, Paul Howard, Executive Director of the New England Fishery Management Council, Pat Kurkul, Regional Director of the National Marine Fisheries Service and to each member of the New England Fishery Management Council and each Member of the Maine Congressional Delegation.

READ.

The SPEAKER: The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative **PERCY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hope you will take a few moments to read the Resolution that Representative Adams has crafted for the Marine Resources Committee. As many of you have known through conversations here at the State House, as well as through newspaper articles, as well as through hearing from people in your communities along the coast, the ground fish industry is in dire straits. We need to support this industry as much as we can.

Legislation came before our committee regarding funding; trying to help out with different mechanisms regarding taxes on fuels and things like that. At this point in time and considering our fiscal condition of the state, we were unable to do anything financially. However, one thing we can do is make our feelings known to the National Marine Fisheries Organization that we support any effort they can do to help our ground fish industry in the State of Maine. All the details are in the Resolution, and I am grateful for Representative Adams and the Marine Resources Committee for all the work that they put into trying to pull together something that we could send to the Feds to say please work with us on management being out of the box creative in how we work with our fishermen, to ensure that the resource is protected and that our small, rural fishing communities will thrive. Thank you very much

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

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

An Act To Expedite the Maintenance and Repair of Maine's Transportation Network

(S.P. 932) (L.D. 2324)
(H. "A" H-1040)

Which was **TABLED** by Representative PINGREE of North Haven pending **PASSAGE TO BE ENACTED**.

Representative MARLEY of Portland moved that the House **RECONSIDER** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "B" (H-1040)**.

Representative MARLEY of Portland **PRESENTED House Amendment "B" (H-1048)**, which was **READ** by the Clerk and **ADOPTED**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by House Amendments "A" (H-1040) and "B" (H-1048)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by House Amendments "A" (H-1040) and "B" (H-1048). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 461

YEA - Adams, Austin, Babbidge, Beaudette, Beaudoin, Berry, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Craven, Crockett, Curtis, Dill, Driscoll, Duchesne, Dunn, Eberle, Faircloth, Farrington, Finch, Finley, Fisher, Fisher, Fitts, Flood, Gerzofsky, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hogan, Jackson, Jones, Kaenrath, Knight, Koffman, MacDonald, Makas, Marley, Mazurek, McFadden, Miller, Millett, Mills, Muse, Nass, Norton, Patrick, Pendleton, Percy, Perry, Pieh, Pilon, Pingree, Pinkham, Piotti, Prescott, Priest, Rand, Rector, Richardson D, Rines, Robinson, Rosen, Samson, Sarty, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Ayotte, Beaulieu, Cotta, Cray, Crosthwaite, Edgecomb, Fletcher, Gifford, Giles, Gould, Johnson, Joy, Lansley, Lewin, Marean, McDonough, McKane, McLeod, Plummer, Richardson W, Sykes, Tardy, Thibodeau, Thomas, Vaughan, Woodbury.

ABSENT - Barstow, Berube, Blanchard, Blanchette, Duprey, Eaton, Emery, Hinck, Jacobsen, Lundeen, Miramant, Moore, Peoples, Pineau, Pratt, Savage, Sutherland, Tibbetts, Walker.

Yes, 105; No, 27; Absent, 19; Excused, 0.

105 having voted in the affirmative and 27 voted in the negative, with 19 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendments "A" (H-1040) and "B" (H-1048) in NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

Representative PATRICK of Rumford assumed the Chair.
The House was called to order by the Speaker Pro Tem.

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

ENACTORS
Acts

An Act To Implement the Recommendations of the Tribal-State Work Group

(H.P. 1587) (L.D. 2221)
(C. "A" H-1043)

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

On motion of Representative SIMPSON of Auburn, was **SET ASIDE**.

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

Acts

An Act To Amend Motor Vehicle Laws

(H.P. 1459) (L.D. 2075)
(CC. "A" H-1045)

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

SENATE PAPERS

The following Joint Order: (S.P. 933)

ORDERED, the House concurring, that the Legislature intends that this order supercede House Paper 1665; and be it further ORDERED, the House concurring, that the Joint Standing Committee on Criminal Justice and Public Safety, referred to in this order as "the committee," shall meet to study issues related to sex offender registration laws as follows.

1. Convening of committee; meetings. The chairs of the committee shall call and convene the first meeting of the committee, which may be no later than June 15, 2008. The committee may meet 3 times.

2. Duties. The committee's duties include:

A. Using other states' models for tiered systems based on risk and other examples of sex offender classification and assessment and creating a system of classification based on risk to be applied to each person required to register under the Sex Offender Registration and Notification Act of 1999 in order to classify registrants based on their risk of reoffending and the degree of likelihood that they pose a danger to the community;

B. Creating processes to apply the risk assessment and evaluate its use so that due process concerns are met and each risk assessment analysis provides useful information to those in the criminal justice system and others who receive that information; and

C. Reviewing the current list of registerable sex offenses and determining if changes to the current Maine sex offender registry and to the Maine sex offender registry website should be made.

3. Staff assistance. The Legislative Council shall provide staffing services to the committee.

4. Compensation. Pursuant to Joint Rule 353, members of the committee are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee.

5. Report. No later than November 5, 2008, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for the consideration of the First Regular Session of the 124th

Legislature. Pursuant to Joint Rule 353, the committee is not authorized to introduce legislation. The joint standing committee of the 124th Legislature having jurisdiction over criminal justice and public safety matters may, pursuant to Joint Rule 353, introduce a bill during the First Regular Session of the 124th Legislature to implement the recommendations on matters relating to the study.

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

READ.

Pursuant to Joint Rule 103, this Joint Order required the affirmative vote of two-thirds of those present for passage. 108 having voted in the affirmative and 0 in the negative, 108 being more than two-thirds of the membership present, the Joint Order was **PASSED** in concurrence.

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

(H.P. 1615) (L.D. 2252)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1036) AND HOUSE AMENDMENTS "A" (H-1037), "B" (H-1038) AND "C" (H-1044) in the House on April 18, 2008.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1036), HOUSE AMENDMENTS "A" (H-1037), "B" (H-1038) AND "C" (H-1044) AND SENATE AMENDMENT "A" (S-680)** in **NON-CONCURRENCE**.

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

The Speaker resumed the Chair.

The House was called to order by the Speaker.

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

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

Representative **WEBSTER**: Thank you, Mr. Speaker. Had I been present in voting on the following roll calls, I would have voted yea: 210, 211, 212, 231, 366, 392, 403, 404, 405 and 406. Had I been present, I would have voted nay on vote 213. Thank you, Mr. Speaker.

At this point, the House performed the Ceremony of Lights.

The SPEAKER: At this time the House will proceed with the Ceremony of Lights. As the Clerk calls your name, please vote green. The Clerk will read the names.

The CLERK: The House has the tradition known as the Ceremony of Lights that recognizes the members of the House who will not be returning to the next session of the Legislature. Some members have chosen to not seek reelection, some members are seeking other elected office, and some members are ineligible to return to the House of Representatives under Maine's term limits law. As I call you name, please vote green and leave your light on:

The Representative from Oakland, Representative Jill M. Conover, 2 years of legislative service; the Representative from

Camden, Representative David Miramant, 2 years of legislative service; the Representative from Auburn, Representative Mark Paul Samson, 2 years of legislative service; the Representative from Columbia, Representative Joseph L. Tibbetts, 2 years of legislative service; the Representative from Frankfort, Representative Lance Weddell, 2 years of legislative service; the Representative from Falmouth, Representative John R. Brautigam, 4 years of service; the Representative from Berwick, Representative Richard John Burns, 4 years of service; the Representative from Bangor, Representative Michael E. Dunn, 4 years of service; the Representative from Cutler, Representative Harold Ian Emery, 4 years of service; the Representative from Gorham, Representative David W. Farrington, 4 years of service; the Representative from Sabattus, Representative Scott E. Lansley, 4 years of service; the Representative from Fryeburg, Representative Roberta M. Muse, 4 years of service; the Representative from Lisbon, Representative Robert A. Berube, 6 years of service; the Representative from Lewiston, Representative Margaret M. Craven, 6 years of service; the Representative from Ellsworth, Representative Robert H. Crosthwaite, 6 years of service; the Representative from Woolwich, Representative Carol A. Grose, 6 years of service; the Representative from Allagash, Representative Troy Dale Jackson, 6 years of service; the Representative from Waterboro, Representative Lawrence E. Jacobsen, 6 years of service; the Representative from Lewiston, Representative Elaine Makas, 6 years of service; the Representative from Thomaston, Representative Christopher W. Rector, 6 years of service; the Representative from Yarmouth, Representative Richard G. Woodbury, 6 years of service; the Representative from Dover-Foxcroft, Representative James D. Annis, 8 years of service; the Representative from Bangor, Representative Patricia A. Blanchette, 8 years of service; the Representative from South Portland, Representative Lawrence Bliss, 8 years of service; the Representative from Waterville, Representative Marilyn E. Canavan, 8 years of service; the Representative from Portland, Representative Glenn Cummings, 8 years of service; the Representative from Hampden, Representative Brian M. Duprey, 8 years of service; the Representative from Bangor, Representative Sean Faircloth, 8 years of service; the Representative from Brunswick, Representative Stan Gerzofsky, 8 years of service; the Representative from Bar Harbor, Representative Theodore S. Koffman, 8 years of service; the Representative from Mars Hill, Representative Jacqueline A. Lundeen, 8 years of service; the Representative from Portland, Representative Boyd P. Marley, 8 years of service; the Representative from Bangor, Representative Jacqueline R. Norton, 8 years of service; the Representative from Rumford, Representative John L. Patrick, 8 years of service; the Representative from Jay, Representative Raymond G. Pineau, 8 years of service; the Representative from Wiscasset, Representative Peter L. Rines, 8 years of service; the Representative from Auburn, Representative Deborah L. Simpson, 8 years of service; the Representative from Portland, Representative Anne M. Rand, 10 years of service; the Representative from Brewer, Representative Charles D. Fisher, 12 years of service;

At this point the Speaker recognized all members who have served as Speaker Pro Tem during the 123rd Legislature.

The SPEAKER: The Chair is now pleased to call forward the following members who have served you as Speaker Pro Tem:

James D. Annis of Dover-Foxcroft
 Lawrence Bliss of South Portland
 Emily Ann Cain of Orono
 Marilyn E. Canavan of Waterville
 Brian M. Duprey of Hampden
 Jeremy R. Fischer of Presque Isle
 Charles D. Fisher of Brewer
 Henry L. Joy of Crystal
 Theodore S. Koffman of Bar Harbor
 Boyd P. Marley of Portland
 John L. Patrick of Rumford
 John F. Piotti of Unity
 Benjamin Marriner Pratt of Eddington
 Peter L. Rines of Wiscasset
 Deborah L. Simpson of Auburn
 Richard G. Woodbury of Yarmouth
 Robert H. Crosthwaite of Ellsworth
 Sean Faircloth of Bangor
 Joshua A. Tardy of Newport
 Hannah M. Pingree of North Haven

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree who wishes to address the House on the record.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I think Josh and I will have some other words later in the evening, but I do want to just thank you, on behalf of both the Democratic and the Republican caucuses, for your service as Speaker, for your humor, for all your hard work, for your patience with us. We, the entire legislative body, have bought you something that is in this package, and unfortunately, it is not here yet. I want to thank the good Clerk for her help in getting it, but the Legislature has bought you a rocking chair. It is for your retirement. It is not necessarily symbolic of your age, but it is symbolic of our appreciation to you for all that you have done for us, for all of your hard work, for bearing with us and to congratulate you on your retirement. Thank you, Mr. Speaker.

At this point, pursuant to his authority under House Rule 201, the Chair addressed the House.

Speaker **CUMMINGS**: I just want to say a few words. First of all, thank you for the honor, truly. I have to say there have been many things in a person's life that they can look on and say I was able to be with an enormous, powerful, amazing group of people who did good things, and I have that now and I have had that in the past, but I feel it bigger and stronger than ever in this. I am being sincere when I tell you, I can't tell you how proud I am of the House that the people of Maine sent here, that are sitting in these seats, you have been so impressive to work with. You have distinguished yourself, not just in all the policies that you have accomplished, but in the heart and the respect and the decorum, which will be a hallmark of this particular Legislature; that we worked together, that we agreed and we disagreed, but we worked together in a way that the Maine people, I think, ought to know how proud they should be of you and what you have accomplished. And I am one of the benefactors of that personally, because the people in this room have said, I respect being here; I respect the people of Maine; and I respect each other, let's get some work done.

I have to tell you, you haven't had it easy. We experienced some tough things together. We experienced the death of Abigail Holman, unexpectedly and tragically. We experienced the sad

death, unexpectedly, really, of Deane Jones, and his widow sits among us. We experienced the death of Earl Richardson, who honored this House just by being here. Many of us experienced the loss of our own parents and our own loved ones during the last couple of years. On top of that, the curveball of fate sent us some of the most difficult budget decisions that this state has had to face in 10 or 15 years, maybe more, and you handled it with class and with distinction, and you have the ability to come together and say let's try to do the best we can. I think that spirit is going to mark you and mark us.

I could give you an enormous list of things that you accomplished, that some legislators have been trying for 40 years to accomplish. You did some great things, things around building codes and things around historical preservation tax credits; and building research and development, the biggest bond package in history, for research, higher education, transportation, all the things that make Maine strong, you did it. But that is really not why you are so great. You did it with a class and a style and a grace that I will never forget. I just can't thank you from the bottom of my heart, no matter what I do or have done, it is one of the best experiences of my life to work with you, and I want to say thank you. I want to say thank you. Thank you.

The House was called to order by the Speaker.

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

ENACTORS
Emergency Measure

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

(H.P. 1615) (L.D. 2252)

(C. "A" H-1036; H. "A" H-1037; H. "B" H-1038; H. "C" H-1044; S. "A" S-680)

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. 120 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.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Amend the Laws Governing the Reorganization of School Administrative Units"

(H.P. 1646) (L.D. 2281)

Report "B" (5) **OUGHT TO PASS** of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-985)** in the House on April 9, 2008.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Representative EDGECOMB of Caribou moved that the House **INSIST**.

Representative FISCHER of Presque Isle moved that the House **RECEDE AND CONCUR**.

Representative EDGECOMB of Caribou **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 462

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Berry, Bliss, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Casavant, Clark, Connor, Conover, Craven, Crockett, Driscoll, Duchesne, Dunn, Eberle, Faircloth, Finch, Finley, Fischer, Flood, Gerzofsky, Giles, Gould, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hogan, Jones, Kaenrath, Knight, Makas, Marley, Mazurek, McDonough, Miller, Millett, Mills, Norton, Patrick, Pendleton, Percy, Perry, Pilon, Piotti, Plummer, Priest, Rand, Rector, Rines, Robinson, Samson, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Theriault, Treat, Tuttle, Valentino, Wagner, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Babbidge, Boland, Browne W, Burns, Carter, Cebra, Chase, Cleary, Cotta, Cray, Crosthwaite, Curtis, Edgecomb, Fisher, Fitts, Fletcher, Gifford, Greeley, Hamper, Jackson, Johnson, Lewin, MacDonald, Marean, McFadden, McKane, Nass, Pieh, Pingree, Pratt, Prescott, Richardson D, Richardson W, Rosen, Sarty, Schatz, Sykes, Tardy, Thibodeau, Trinward, Vaughan, Weaver.

ABSENT - Barstow, Berube, Blanchard, Blanchette, Dill, Duprey, Eaton, Emery, Farrington, Hinck, Jacobsen, Joy, Koffman, Lansley, Lundeen, McLeod, Miramant, Moore, Muse, Peoples, Pineau, Pinkham, Savage, Saviello, Sutherland, Thomas, Tibbetts, Walker, Weddell.

Yes, 77; No, 45; Absent, 29; Excused, 0.

77 having voted in the affirmative and 45 voted in the negative, with 29 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Clarify and Improve the Laws Governing the Formation of Regional School Units" (**EMERGENCY**)

(H.P. 1645) (L.D. 2280)

Report "A" (10) **OUGHT TO PASS** of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on April 9, 2008.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

REPORTS OF COMMITTEE
Pursuant to Joint Rule 309

From the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Promote Residential and Commercial Energy Conservation"

(S.P. 841) (L.D. 2179)

Received by the Secretary of the Senate on April 4, 2008, pursuant to Joint Rule 309.

Came from the Senate with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

On motion of Representative CUMMINGS of Portland, the Bill and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-630)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

(S.P. 925) (L.D. 2315)

Signed:

Senators:

MARRACHÉ of Kennebec
BRYANT of Oxford

Representatives:

WEDDELL of Frankfort
BRYANT of Windham
PATRICK of Rumford
TRINWARD of Waterville
TUTTLE of Sanford
CAREY of Lewiston

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

Signed:

Senator:

PLOWMAN of Penobscot

Representatives:

NASS of Acton
PINKHAM of Lexington Township
FITTS of Pittsfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-630) AS AMENDED BY SENATE AMENDMENT "A" (S-650)** thereto.

READ.

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

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

ROLL CALL NO. 463

YEA - Adams, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Bliss, Boland, Brautigam, Briggs, Bryant, Burns, Cain, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Driscoll, Duchesne, Dunn, Eberle, Faircloth, Finch, Fischer, Gerzofsky, Grose, Harlow, Haskell, Hayes, Hill, Hogan, Jackson, Jones, Kaenrath, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Norton, Patrick, Pendleton, Percy, Perry, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Weaver, Webster, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Browne W, Campbell, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgecomb, Finley, Fisher, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Hamper, Hanley S, Johnson, Knight, Lansley, Lewin, Marean,

McDonough, McFadden, McKane, Millett, Nass, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Strang Burgess, Sykes, Tardy, Thibodeau, Vaughan, Watson, Woodbury.

ABSENT - Barstow, Berube, Blanchard, Blanchette, Dill, Duprey, Eaton, Emery, Farrington, Hinck, Jacobsen, Joy, Koffman, Lundeen, McLeod, Miramant, Moore, Muse, Peoples, Pineau, Pinkham, Savage, Saviello, Sutherland, Thomas, Tibbetts, Walker, Weddell.

Yes, 75; No, 48; Absent, 28; Excused, 0.

75 having voted in the affirmative and 48 voted in the negative, with 28 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The RESOLUTION was **READ ONCE**.

On motion of Representative PATRICK of Rumford the RESOLUTION and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

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

ENACTORS

Acts

An Act To Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters

(H.P. 1510) (L.D. 2131)
(H. "A" H-1049 to C. "A" H-734)

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.

Acts

An Act To Expedite the Maintenance and Repair of Maine's Transportation Network

(S.P. 932) (L.D. 2324)
(H. "A" H-1040; H. "B" H-1048)

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

Resolves

Resolve, Directing the Department of Professional and Financial Regulation To Study the Issue of Residential Contractor Licensing

(H.P. 756) (L.D. 1038)
(H. "A" H-997 to C. "A" H-978)

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

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

SENATE PAPERS

Non-Concurrent Matter

An Act To Provide a Tax Credit for the Purchase of Small Wind Power Generators for Personal or Small Business Use

(H.P. 279) (L.D. 349)

PASSED TO BE ENACTED in the House on February 25, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-668)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-689)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Implement the Recommendations of the Human Trafficking Task Force

(H.P. 360) (L.D. 461)

PASSED TO BE ENACTED in the House on March 6, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-686)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-686)** AS **AMENDED BY SENATE AMENDMENT "A" (S-690)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Meet the Emergency Needs of Maine Veterans (EMERGENCY)

(S.P. 779) (L.D. 1985)

PASSED TO BE ENACTED in the House on March 31, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-468)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-468)** AS **AMENDED BY SENATE AMENDMENT "A" (S-691)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Ensure the Freedom of Family Child Care Providers To Jointly Negotiate with the State

(H.P. 1481) (L.D. 2095)

PASSED TO BE ENACTED in the House on April 15, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-901)** AS **AMENDED BY SENATE AMENDMENT "A" (S-612)** thereto)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-901)** AS **AMENDED BY SENATE AMENDMENTS "A" (S-612) AND "B" (S-692)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Invest in Maine's Young Children

(H.P. 1671) (L.D. 2311)

PASSED TO BE ENACTED in the House on April 10, 2008. (Having previously been **PASSED TO BE ENGROSSED**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-695)** in **NON-CONCURRENCE**.

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

On motion of Representative MCKANE of Newcastle, the House **RECONSIDERED** its action whereby the House voted to **RECEDE AND CONCUR**. Bill "An Act To Ensure the Freedom of Family Child Care Providers To Jointly Negotiate with the State" (H.P. 1481) (L.D. 2095)

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

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

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

ROLL CALL NO. 464

YEA - Adams, Babbidge, Beaudoin, Berry, Bliss, Boland, Briggs, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Connor, Craven, Crockett, Driscoll, Duchesne, Eberle, Faircloth, Finch, Fischer, Fisher, Gerzofsky, Harlow, Haskell, Hill, Jackson, Jones, Makas, Marley, Mazurek, Miller, Millett, Norton, Patrick, Pendleton, Pieh, Pingree, Pratt, Priest, Rand, Rines, Robinson, Silsby, Simpson, Sirois, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Austin, Ayotte, Beaudette, Beaulieu, Cebra, Chase, Cray, Crosthwaite, Curtis, Edgecomb, Finley, Fitts, Flood, Gifford, Giles, Gould, Greeley, Hamper, Hanley S, Hayes, Johnson, Knight, Lansley, Lewin, Marean, McDonough, McKane, Nass, Perry, Plummer, Prescott, Rector, Richardson W, Rosen, Samson, Sarty, Strang Burgess, Sykes, Tardy, Thibodeau, Weaver, Woodbury.

ABSENT - Annis, Barstow, Berube, Blanchard, Blanchette, Brautigam, Browne W, Clark, Cleary, Conover, Cotta, Dill, Dunn, Duprey, Eaton, Emery, Farrington, Fletcher, Grose, Hinck, Hogan, Jacobsen, Joy, Kaenrath, Koffman, Lundeen, MacDonald, McFadden, McLeod, Mills, Miramant, Moore, Muse, Peoples, Percy, Pilon, Pineau, Pinkham, Piotti, Richardson D, Savage, Saviello, Schatz, Smith N, Sutherland, Theriault, Thomas, Tibbetts, Vaughan, Walker, Weddell.

Yes, 58; No, 42; Absent, 51; Excused, 0.

58 having voted in the affirmative and 42 voted in the negative, with 51 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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:

SENATE PAPERS

Non-Concurrent Matter

An Act To Restore Benefits under the Circuitbreaker Program (S.P. 921) (L.D. 2305)

PASSED TO BE ENACTED in the House on April 15, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-617)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "A" (S-617) AND "B" (S-693)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Stimulate Capital Investment for Innovative Businesses in Maine

(S.P. 929) (L.D. 2320)

PASSED TO BE ENACTED in the House on April 14, 2008. (Having previously been **PASSED TO BE ENGROSSED**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-694)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Promote Filmmaking in the State"

(H.P. 1680) (L.D. 2319)

PASSED TO BE ENGROSSED in the House on April 11, 2008.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-697)** in **NON-CONCURRENCE**.

Representative CUMMINGS of Portland moved that the House **RECEDE AND CONCUR**.

The SPEAKER: The Chair recognizes the Representative from Sabattus, Representative Lansley.

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

The SPEAKER: The Representative may pose his question.

Representative LANSLEY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just so you know, I am all for the film industry; however, the language in this, and I can probably be corrected by the good Representative from Farmington, that 50 percent reimbursement at the discretion of the Chief Executive, not of the Legislature, with what is spent in the state on this is. If I could pose that question through the Chair, please. Thank you, Mr. Speaker.

The SPEAKER: The Representative from Sabattus, Representative Lansley has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Farmington, Representative Mills.

Representative MILLS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. There is simply an added level of accountability imposed by this amendment. We felt that an additional level of scrutiny because this is a demonstration project, a pilot project film if you will, a chance to show the world that we can have a feature length film made in Maine, in rural Maine, not necessarily on the beautiful coast of Maine, but the rural areas of Maine.

You remember 20 years ago or so, On Golden Pond should have been filmed in Maine. It was written about Maine, and we lost it to New Hampshire, it was filmed on Lake Winnepesaukee. We lost a lot in that maneuver. We lost the attention to rural Maine that we should have achieved for having that achieved by having that film made in Maine. I don't want to lose that opportunity again, Ladies and Gentlemen. This is an excellent film. I personally read the screenplay and it is an excellent screenplay, and it will be an excellent feature length film and it should be made in Maine. Because it is a pilot project kind of credit, a new kind of thing, a novel bill, I chose to add another level of accountability and scrutiny and that is what the Chief Executive's involvement is here. It will be up to the Chief Executive to decide that this particular film, assuming it is made, that it meets the criteria or this statute and deserves the credit that is permitted in this bill. That is all it is. I urge you to support this bill in the interest of promoting the creative economy in Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Allagash, Representative Jackson

Representative JACKSON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My wife is the niece of Cathie Pelletier, and maybe no one in here knows, but she has written many books and films and is fairly well connected with some of these Hollywood types. She lives a stones throw from my house. Mr. Speaker, I would like to know if I may pose a question through you.

The SPEAKER: The Representative may pose his question.

Representative JACKSON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Is this pilot project only for western Maine, or is this pilot project possibly for northern Maine?

The SPEAKER: The Representative from Allagash, Representative Jackson has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Farmington, Representative Mills.

Representative MILLS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The bill requires that it might be in rural Maine, the emphasis is rural areas in the state, so it does not exclude the Allagash. My hope would be, actually at some point soon, we would see film production of one of the fine works of the good author from the Allagash area, Cathie Pelletier, such as the Funeral Maker, something that would make an excellent film set in northern Maine. This will set the stage for such films in northern Maine, as well as other areas of rural Maine. Thank you.

Representative CHASE of Wells **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

The SPEAKER: The Chair recognizes the Representative from Allagash, Representative Jackson.

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

The SPEAKER: The Representative may pose his question.

Representative JACKSON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't know awhile ago Representative Bryant, if he was serious or not, but if there is a Committee Report, I would like to know what the vote was out of committee.

The SPEAKER: This is referenced without reference to any committee.

The Chair recognizes the Representative from Allagash, Representative Jackson.

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

The SPEAKER: The Representative may pose his question.

Representative JACKSON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House.

This is not one of those bills that goes to the Appropriations Committee and they vote on it? If so, what was the vote of the Appropriations Committee?

The SPEAKER: The Representative from Allagash, Representative Jackson has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Farmington, Representative Mills.

Representative MILLS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I don't believe the bill has gone there yet. It has been sitting on the other body's Calendar for a number of days, about a week now. The other body just voted it out by a vote of 24-9 and sent it down here a short time ago, so it has not gone to the Appropriations Committee yet. Thank you.

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

ROLL CALL NO. 465

YEA - Adams, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Bliss, Boland, Briggs, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Connor, Craven, Crockett, Duchesne, Eberle, Finch, Finley, Fisher, Flood, Gerzofsky, Giles, Harlow, Haskell, Hill, Jackson, Makas, Marley, Mazurek, McDonough, Miller, Mills, Norton, Patrick, Pendleton, Percy, Perry, Pieh, Pingree, Piotti, Pratt, Priest, Rand, Rector, Samson, Sarty, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sykes, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Austin, Berry, Browne W, Casavant, Chase, Cray, Crosthwaite, Curtis, Driscoll, Edgecomb, Fischer, Fitts, Gifford, Gould, Greeley, Hamper, Hayes, Johnson, Jones, Knight, Lansley, Lewin, McKane, Millett, Nass, Plummer, Prescott, Richardson W, Rines, Robinson, Rosen, Tardy, Thibodeau, Treat, Weaver.

ABSENT - Annis, Barstow, Berube, Blanchard, Blanchette, Brautigam, Cebra, Clark, Cleary, Conover, Cotta, Dill, Dunn, Duprey, Eaton, Emery, Faircloth, Farrington, Fletcher, Grose, Hanley S, Hinck, Hogan, Jacobsen, Joy, Kaenrath, Koffman, Lundeen, MacDonald, Marean, McFadden, McLeod, Miramant, Moore, Muse, Peoples, Pilon, Pineau, Pinkham, Richardson D, Savage, Saviello, Schatz, Sutherland, Theriault, Thomas, Tibbetts, Vaughan, Walker, Weddell.

Yes, 66; No, 35; Absent, 50; Excused, 0.

66 having voted in the affirmative and 35 voted in the negative, with 50 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

An Act To Promote Municipal Wind Generation Development
(S.P. 893) (L.D. 2266)

PASSED TO BE ENACTED in the House on April 14, 2008. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-579) AS AMENDED BY HOUSE AMENDMENT "A" (H-986)** thereto)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-579) AS AMENDED BY SENATE AMENDMENT "A" (S-698)** thereto in **NON-CONCURRENCE**.

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

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

ENACTORS

Emergency Measure

An Act To Meet the Emergency Needs of Maine Veterans
(S.P. 779) (L.D. 1985)
(S. "A" S-691 to C. "A" S-468)

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. 103 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. **ORDERED SENT FORTHWITH**.

Emergency Measure

An Act To Restore Benefits under the Circuitbreaker Program
(S.P. 921) (L.D. 2305)
(S. "A" S-617; S. "B" S-693)

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. 103 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

Resolves

Resolve, To Provide Funding for Small Wind Power Generators
(H.P. 279) (L.D. 349)
(S. "A" S-689)

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

Acts

An Act To Implement the Recommendations of the Human Trafficking Task Force
(H.P. 360) (L.D. 461)
(S. "A" S-690 to C. "B" H-686)

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.

Acts

An Act To Invest in Maine's Young Children
(H.P. 1671) (L.D. 2311)
(S. "A" S-695)

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.

Acts

An Act To Promote Filmmaking in the State
(H.P. 1680) (L.D. 2319)
(S. "A" S-697)

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

On motion of Representative JACKSON of Allagash, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Allagash, Representative Jackson.

Representative **JACKSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I actually called Cathie awhile ago, and she is actually going to make a movie, possibly, in Caribou or Limestone. I am very glad to vote for this today. I noticed in the last roll call, five out of the eight House members on Appropriations voted for it, so I will be interested to see how fiscally responsible they are today when it comes to fund this. I am just curious, after what went on today, how Appropriations takes care of this. With that, Mr. Speaker, I will sit down and vote for it.

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

Acts

An Act To Promote Municipal Wind Generation Development
(S.P. 893) (L.D. 2266)
(S. "A" S-698 to C. "A" S-579)

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**.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Make Minor Substantive Changes to the Tax Laws"

(H.P. 1531) (L.D. 2151)

House **INSISTED** on its former action whereby the **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-854)** in the House on April 9, 2008.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-854) AND SENATE AMENDMENTS "B" (S-557) AND "F" (S-696)** in **NON-CONCURRENCE**.

Representative PIOTTI of Unity moved that the House **RECEDE AND CONCUR**.

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

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

The SPEAKER: The Representative may pose his question.

Representative **TARDY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. My question is really directed to the Chair of the Taxation Committee. Can we assume that this bill comes without the amendment that caused so much stress?

The SPEAKER: The Representative from Newport, Representative Tardy has posed a question through the Chair to the Representative from Unity, Representative Piotti. The Chair recognizes that Representative.

Representative **PIOTTI**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I can assure the Representative from Newport, Representative Tardy, that the amendment he is speaking of is not included. The Clerk and I checked the file closely, twice.

Subsequently, the House voted to **RECEDE AND CONCUR. ORDERED SENT FORTHWITH**.

ENACTORS

Acts

An Act To Ensure the Freedom of Family Child Care Providers To Jointly Negotiate with the State

(H.P. 1481) (L.D. 2095)

(S. "A" S-612 and S. "B" S-692 to C. "A" H-901)

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

On motion of Representative **TARDY** of Newport, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

ROLL CALL NO. 466

YEA - Adams, Babbidge, Berry, Bliss, Boland, Briggs, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Connor, Craven, Crockett, Driscoll, Duchesne, Eberle, Faircloth, Finch, Fischer, Fisher, Gerzofsky, Harlow, Haskell, Hill, Jackson, Jones, Makas, Marley, Mazurek, Miller, Mills, Norton, Patrick, Pendleton, Perry, Pieh, Pingree, Piotti, Pratt, Priest, Rand, Rines, Silsby, Simpson, Sirois, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Austin, Ayotte, Beaudette, Beaudoin, Beaulieu, Browne W, Cebra, Chase, Cray, Crosthwaite, Curtis, Edgecomb, Finley, Fitts, Flood, Gifford, Giles, Gould, Greeley, Hamper, Hayes, Johnson, Knight, Lansley, Lewin, Marean, McDonough, McKane, Millett, Nass, Percy, Plummer, Prescott, Rector, Richardson W, Robinson, Rosen, Samson, Sarty, Smith N, Strang Burgess, Sykes, Tardy, Thibodeau, Weaver, Woodbury.

ABSENT - Annis, Barstow, Berube, Blanchard, Blanchette, Brautigam, Clark, Cleary, Conover, Cotta, Dill, Dunn, Duprey, Eaton, Emery, Farrington, Fletcher, Grose, Hanley S, Hinck, Hogan, Jacobsen, Joy, Kaenrath, Koffman, Lundeen, MacDonald, McFadden, McLeod, Miramant, Moore, Muse, Peoples, Pilon, Pineau, Pinkham, Richardson D, Savage, Saviello, Schatz, Sutherland, Theriault, Thomas, Tibbetts, Vaughan, Walker, Weddell.

Yes, 58; No, 46; Absent, 47; Excused, 0.

58 having voted in the affirmative and 46 voted in the negative, with 47 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Stimulate Capital Investment for Innovative Businesses in Maine

(S.P. 929) (L.D. 2320)

(S. "A" S-694)

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

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

SENATE PAPERS

Non-Concurrent Matter

An Act To Promote Filmmaking in the State

(H.P. 1680) (L.D. 2319)

(S. "A" S-697)

PASSED TO BE ENACTED in the House on April 18, 2008.

Came from the Senate **FAILING** of **PASSAGE TO BE ENACTED** in **NON-CONCURRENCE**.

On motion of Representative **PINGREE** of North Haven, the House voted to **INSIST. ORDERED SENT FORTHWITH**.

ENACTORS
Acts

An Act To Make Minor Substantive Changes to the Tax Laws
(H.P. 1531) (L.D. 2151)
(C. "A" H-854; S. "B" S-557; S. "F" S-696)

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

COMMUNICATIONS

The Following Communication: (S.C. 807)

MAINE SENATE
123RD MAINE LEGISLATURE
OFFICE OF THE SECRETARY

April 18, 2008

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Please be advised the Senate today adhered to its previous action whereby it Failed to Enact Bill "An Act To Promote Filmmaking in the State" (H.P. 1680) (L.D. 2319).

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 49)

ORDERED, that Representative Roberta M. Muse of Fryeburg be excused January 8, 15, 17 and 22, February 25, March 28 and 31, April 1, 2, 4, 7, 8, 9, 10 and 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Lance Weddell of Frankfort be excused April 14 for health reasons.

READ and PASSED.

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

Representative BLANCHETTE of Bangor
Representative BLISS of South Portland
Representative CANAVAN of Waterville
Representative GERZOFISKY of Brunswick
Representative KOFFMAN of Bar Harbor
Representative LUNDEEN of Mars Hill
Representative MARLEY of Portland
Representative NORTON of Bangor
Representative PATRICK of Rumford
Representative RINES of Wiscasset
Representative SIMPSON of Auburn
Representative ANNIS of Dover-Foxcroft

The Speaker appointed Representative PINGREE of North Haven on the part of the House to inform the Senate that the

House had transacted all business before it and was ready to adjourn without day.

Subsequently, Representative PINGREE reported that she had delivered the message with which she was charged.

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

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

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

Governor Baldacci then addressed the Maine House of Representatives.

Governor **BALDACCI**: The remarks will be brief, but not that brief, but I promise they will be brief. You know, I was saying to someone earlier today, I have been in the State Senate for 12 years, I have been a member of Congress for 8 years, and this is my fifth year as Governor, and I have never seen a more productive session in a short session in the years of my service. You have accomplished a tremendous amount of work. I know I have talked to you outside; I have sat at some of the picnic tables and conversed with some of you hanging around by the back door. I know it has been exhausting, and I know that sometimes it may even get a little frustrating and you wonder when you are going to go home. I said to a few of you, I think that you don't realize what you have all done, as I have taken the legislation and examined it and signed it and recognized all the good work that you have done. It is not to say that there weren't disagreements, but I think there were more agreements than disagreements.

Mr. Speaker, I want to congratulate you in your leadership. I think you have demonstrated that work can get done and parties can work together, even if they don't have the same degree of humor that you do, we have to recognize the Speaker has a very good sense of humor. He called me earlier and tried to rattle me a little bit, but I think I was just so tired that it didn't phase me whatsoever, but I think I kind of disappointed him somewhat. I have appreciated the Speaker's leadership. I have appreciated his forcefulness on many issues that kept us ahead of the rest of the country in predatory lending and lead paint and environmental issues, educational issues. Mr. Speaker, I know that this is your last term as Speaker and as a member of the House of Representatives, at least for a short while. I just want to thank you on behalf of the citizens for doing just a tremendous job. Congratulations.

Let me just say, Mr. Speaker, I have enjoyed working with your leadership team. Sometimes I am reminded of my age when I worked with the House Majority Leader Pingree and Deputy Leader Faircloth. But I have to appreciate their drive and enthusiasm to advance health care issues, and to continue to challenge the status quo and try to make the lives of working men and women and small businesses just better. So congratulations to you in your leadership.

To Leader Tardy and to Representative Crosthwaite, I have really enjoyed serving with you and to work with you on so many different issues. I have enjoyed our travels north, and I swear we are going to have our voluntary ambassador with us at all times. He was such a good soul to work with in helping to establish

stronger ties and cross borders that are so important to our region and to our future. Representative Tardy, I have enjoyed working with you and your involvement in business and economic development, and sort of not only just sort of talking the talk but walking the walk, and to be able to work with the caucus on both sides of the aisle in some very difficult issues. I want to thank you for that. I have enjoyed it tremendously.

I think the service for all of us is we recognize we are in different parties, but at the same time we are Maine people, and coming together and recognizing what was important in moving our state ahead, we put Maine people first and I think the people of Maine should be very proud about that.

Now I started to list some of the things that we were accomplishing, and I can't ever get all of it together, but I was very proud of that fact that you recognized the importance of working on getting a budget balanced, keeping our financial house in order, and to recognize that we were going to change the way certain government operations were being, and where we came together on the corrections bill. And we recognized that it wasn't going to be my bill or the county bill, but we were going to sit down and use some commonsense. We were going to say what can we do together. The leadership of Representative Stan Gerzofsky in making sure we were able to keep our feet to the fire and do the people's business, I think we ended up with a very good product where we have both parties or all parties working together to make it successful. I was really pleased that we were able to make new investments in roads and rails and bridges. We recognize the importance of bridge safety. We realized that we needed to advance rails. And we needed to know that we continued to have work that needs to be done on our roads. What you have done, we are going to create jobs. We are going to protect the infrastructure and make sure that we can move our people and goods efficiently. I am proud of what you have done.

As I said, we have had our disagreements, but you have always put the people of Maine first. You put the people of Maine first by recognizing we needed to raise the minimum wage, making sure that Mainers are rewarded when they go to work and recognizing that work, in a way, has a way of raising people's standards and self-sufficiency and resilience. Though the debate was long and sometimes divided, we came together in the last days to eliminate the barriers to school organizations, giving communities the tools they needed to move forward. I know as this session ends, that you will be welcoming your families and your summer, as it gets here finally, but I just want to thank you on behalf of the people of Maine for a job well done. Congratulations and have a great summer. Thank you very much.

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

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

On motion of Representative WHEELER of Kittery, the House adjourned without day at 11:01 p.m., Friday, April 18, 2008.