

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

**Daily Edition**

**Second Regular Session**

January 4, 2012 – May 31, 2012

pages 1084 - 1604

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE  
SECOND REGULAR SESSION  
7th Legislative Day  
Tuesday, January 24, 2012

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

Prayer by Chaplain William Blaine-Wallace, Bates College, Lewiston.

National Anthem by Cony High School Madrigals, Augusta. Pledge of Allegiance.

The Journal of Thursday, January 19, 2012 was read and approved.

Doctor of the day, Maroulla Gleaton, M.D., Augusta.

At this point, a message came from the Senate borne by Senator COURTNEY of York of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House for the purpose of extending to His Excellency, Governor Paul Richard LePage, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held in the Hall of the House and the Speaker appointed Representative CURTIS of Madison to convey this message to the Senate.

**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Prohibit Municipalities from Imposing Fees on Ice Fishing Shacks" (EMERGENCY)

(H.P. 1288) (L.D. 1747)

**REFERRED** to the Committee on **TAXATION** in the House on January 10, 2012.

Came from the Senate **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE**.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 287)

**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

December 5, 2011

The Honorable Kevin L. Raye

President of the Senate

3 State House Station

Augusta, Maine 04333

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

I thank you for the invitation to deliver the State of the State address at a Joint Session of the 125th Maine Legislature on Tuesday, January 24, 2012 at 7:00 p.m. Please know that I accept your invitation and look forward to seeing you at that time.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 288)

**STATE OF MAINE**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0002**

January 24, 2012

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Agriculture, Conservation and Forestry

L.D. 362 Resolve, Directing the Department of Conservation To Acquire an Easement To Provide Access to the Dead River

L.D. 1109 Resolve, To Target Job Creation in the Agricultural Sector To Improve the Stability and Economic Strength of Rural Maine

Environment and Natural Resources

L.D. 1412 An Act To Promote the Proper Disposal of Used Medical Sharps

L.D. 1646 An Act To Facilitate the Use of Alternative Methods for Biomedical Waste Treatment and Disposal

Transportation

L.D. 697 An Act To Provide Funding for the Maine Gateway Bridges

L.D. 1124 An Act To Authorize the Use of Traffic Surveillance Cameras To Prove and Enforce Violations of Overtaking and Passing School Buses

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

Sincerely,

S/Heather J.R. Priest

Clerk of House

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

The Following Communication: (H.C. 289)

**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**  
**CITIZEN TRADE POLICY COMMISSION**

January 13, 2012

The Honorable Kevin L. Raye, President

Maine State Senate

The Honorable Robert W. Nutting, Speaker

Maine House of Representatives

State House

Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

Pursuant to Public Law 2007, c. 266, the Citizen Trade Policy Commission is pleased to submit its final report. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report online through the website of the Office of Policy and Legal Analysis at [www.maine.gov/legis/opla](http://www.maine.gov/legis/opla).

Sincerely,  
S/Senator Roger L. Sherman, Co-Chair  
S/Representative Joyce Maker, Co-Chair

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

---

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act Relating to False Claims under the Medicaid Program"

(H.P. 1322) (L.D. 1796)

Sponsored by Representative GIFFORD of Lincoln.

Cosponsored by Senator THOMAS of Somerset and Representatives: BLACK of Wilton, CRAY of Palmyra, LIBBY of Waterboro, McFADDEN of Dennysville, O'CONNOR of Berwick, SIROCKI of Scarborough, TURNER of Burlington.

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

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

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

Sent for concurrence.

---

Bill "An Act Regarding the Oversight and Safety of Certain Commercial Vessels Operating in Maine Waters"

(H.P. 1321) (L.D. 1795)

Sponsored by Representative FITTS of Pittsfield.

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

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

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

Sent for concurrence.

---

Subsequently, Representative CURTIS of Madison reported that he had delivered the message with which he was charged.

---

**Pursuant to Statute**

**Department of Environmental Protection**

Representative HAMPER for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 378: Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of Petroleum Products, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1320) (L.D. 1794)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

**Pursuant to Statute**

**Department of Environmental Protection**

Representative HAMPER for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 305: Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1323) (L.D. 1797)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

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

---

**REPORTS OF COMMITTEE**

**Change of Committee**

Representative STRANG BURGESS from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children (EMERGENCY)

(H.P. 1257) (L.D. 1705)

Reporting that it be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY.**

Report was **READ.**

On motion of Representative CURTIS of Madison, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

---

Representative PRESCOTT from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Create Transparency and Accountability in Economic Development Subsidies"

(H.P. 1065) (L.D. 1451)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION.**

Sent for concurrence.

---

**Divided Report**

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Establish Flushability Standards for Consumer Products Advertised as Flushable"

(H.P. 588) (L.D. 781)

Signed:

Senators:

SAVIELLO of Franklin  
GOODALL of Sagadahoc  
SHERMAN of Aroostook

Representatives:

HAMPER of Oxford  
AYOTTE of Caswell  
DUCHESNE of Hudson  
KNAPP of Gorham

LONG of Sherman  
NASS of Acton  
PARKER of Veazie

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

Signed:

Representatives:

HARLOW of Portland  
INNES of Yarmouth  
WELSH of Rockport

#### READ.

Representative HAMPER of Oxford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative CHIPMAN of Portland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 224

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Bennett, Bickford, Black, Burns DC, Burns DR, Cain, Casavant, Cebra, Chase, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dow, Driscoll, Duchesne, Dunphy, Edgecomb, Espling, Eves, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Graham, Guerin, Hamper, Hanley, Harmon, Harvell, Haskell, Hayes, Herbig, Hogan, Hunt, Johnson D, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kumiega, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, McCabe, McClellan, McFadden, McKane, Morissette, Morrison, Moulton, Nass, Nelson, Newendyke, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Prescott, Rankin, Richardson D, Rioux, Rochelo, Rosen, Rotundo, Sanborn, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Tilton, Timberlake, Turner, Tuttle, Valentino, Volk, Wagner R, Wallace, Waterhouse, Weaver, Webster, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Briggs, Bryant, Carey, Chapman, Chipman, Dion, Eberle, Flemings, Harlow, Hinck, Innes Walsh, Kruger, Maloney, Martin, Monaghan-Derrig, O'Brien, Priest, Russell, Stuckey, Theriault, Treat, Welsh.

ABSENT - Celli, Goode, Kent, Mazurek, Plummer, Richardson W.

Yes, 117; No, 28; Absent, 6; Excused, 0.

117 having voted in the affirmative and 28 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

#### CONSENT CALENDAR

##### First Day

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

(7-1) (S.P. 350) (L.D. 1150) Bill "An Act To Improve the Administration of the Legislative Ethics Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

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

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

At this point, the Senate came and a Joint Convention was formed.

#### In Convention

The President of the Senate, the Honorable Kevin L. Raye in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator PLOWMAN from Penobscot, it was **ORDERED**, that a Committee be appointed to wait upon First Lady Ann LePage, inviting her to attend this Joint Convention now assembled in the Hall of the House for the purpose of extending to Governor Paul LePage an invitation to attend and make such communication as pleases him.

The **ORDER** was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from Somerset, Senator Thomas

The Senator from York, Senator Collins

The Senator from York, Senator Sullivan

The Representative from China, Representative Cotta

The Representative from Farmington, Representative Harvell

The Representative from York, Representative Moulton

The Representative from Burlington, Representative Turner

The Representative from Sanford, Representative Boland

The Representative from South Portland, Representative Kaenrath

The Representative from Auburn, Representative Bolduc

The Representative from Biddeford, Representative Casavant

The Representative from North Yarmouth, Representative Graham

Subsequently, the Senator from Somerset, Senator THOMAS, reported that the Committee had delivered the message with which they were charged and were pleased to report that the First Lady would attend forthwith.

The Chair recognized in the House Gallery the First Lady of the State of Maine, Ann LePage, daughters Lauren and Lisa LePage, son Paul LePage II, and other members of the First Family.

On a motion by Senator COURTNEY of York, it was **ORDERED**, that a Committee be appointed to wait upon the Honorable Paul LePage, Governor of the State of Maine, and extend to him an invitation to attend this Convention and make such communication as pleases him.

The **ORDER** was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from Hancock, Senator Rosen

The Senator from Kennebec, Senator Katz

The Senator from York, Senator Hill

The Representative from Winthrop, Representative Flood

The Representative from Norway, Representative Winsor

The Representative from Wells, Representative Chase

The Representative from Easton, Representative Clark

The Representative from Newport, Representative Fredette  
The Representative from Belgrade, Representative Keschl  
The Representative from Lewiston, Representative Rotundo  
The Representative from Eagle Lake, Representative Martin  
The Representative from Freeport, Representative Webster  
The Representative from Bangor, Representative Stevens

Subsequently, the Senator from Hancock, Senator ROSEN, reported that the Committee had delivered the message with which they were charged and were pleased to report that the Honorable Paul LePage, Governor of the State of Maine, would attend forthwith.

---

The Chair recognized in the House Gallery the Constitutional Officers of the State of Maine: the Honorable Secretary of State Charlie Summers; the Honorable Attorney General Bill Schneider; and the Honorable State Treasurer Bruce Poliquin. The Chair also recognized in the House Gallery State Auditor Neria Douglass. The Chair recognized in the House Gallery Justice Joseph Jabar of the Supreme Judicial Court and State Court Administrator James T. Glessner. The Chair also recognized in the House Gallery Chief Rueben Cleaves of the Passamaquoddy Tribe at Sipayik and Chief Richard Getchell of the Aroostook Band of Micmacs.

---

The Chair welcomed the Honorable Paul LePage, Governor of the State of Maine, accompanied by the Honorable Leigh I. Saufley, Chief Justice of the Maine Supreme Judicial Court.

---

The Chair recognized in the House Gallery the evening's Herald, Master Sergeant Chad Smith. The Chair also recognized in the House Gallery all military personnel present.

---

The Chair welcomed the Honorable Paul LePage, Governor of the State of Maine, to the rostrum.

Governor LePAGE then addressed the Convention.

Governor **LePAGE**: Thank you so much. Thank you. President Raye, Speaker Nutting, Chief Justice Saufley, members of the 125th Legislature, distinguished guests, and my fellow citizens. I am here tonight to update the Legislature on the condition of our great state. However, before I begin, I would like to recognize a few very important people.

First and foremost, a surprise to me, she arrived at 1 o'clock in the morning, my lovely wife Ann. Would you please stand, honey? And to my family, thank you for all the support that you have given me and standing by my side every day for the last three years.

Master Sergeant Chad E. Smith, the Military Herald this evening, thank you for your courageous service to our great state and our country.

I would also like to recognize and thank Major Mark Stevens. Major Stevens, please stand. Next month Major Stevens will be leading his soldiers to Kuwait in support of Operation Enduring Freedom, for the 3rd time in the Middle East supporting our great country. Not only is Major Mark Stevens the commander of the unit, but he is also the marketing manager of a company in Southern Maine. Major Stevens is a true citizen soldier. Major, thank you. Thank you for your service. Thank you for your leadership. We wish you and your unit God speed.

I would also like to thank Maine Public Broadcasting for being here tonight, but I will not promise you a free tote bag or more funding after my speech.

I am pleased to report that in the last year, we have taken a right turn on the road to economic recovery. In a bipartisan effort we passed the largest tax cut in state history for hardworking, Maine people. Not only did we cut the top rate for individuals; we are supporting working low income Maine people by ensuring that seventy thousand Maine families will no longer pay income tax, until they earn higher wages. That is a helping hand to put them on the road to self-sufficiency and prosperity.

Some will claim our tax cuts are tax cuts for the rich. In Maine the top income tax rate kicks in at an income of under \$20,000 dollars per person. Let me tell you this, no matter what anybody says to you or to me – \$20,000 dollars is not rich.

Two thirds of Maine's hardworking taxpayers will receive tax relief next year. Maine families will have more money for heating oil, for groceries, and gas for their vehicles. This was not an easy task. I thank the entire Legislature for their efforts in focusing on making our state a more prosperous home for all Mainers, and for helping us put Maine people ahead of our politics.

Just one year ago my administration faced a \$4.1 billion dollar shortfall in the pension system. Together, we eliminated \$1.7 billion dollars of pension debt on the books, 45% of the existing shortfall, while protecting retirees' future pensions through sensible reform. We cannot as a state pay pensions on I.O.U.s.

In other areas, Maine state government has a new attitude. With the leadership of Senator Garrett Mason, Maine became the 41st state in the union to adopt charter schools. In addition to charter school legislation, my first biennial budget increased general purpose aid to K-12 education by \$63 million. As promised throughout my campaign, a 5-year cap was placed on welfare benefits. Workers' compensation insurance premiums are down by 7%. Unemployment is down, and considerably below the national average.

The Maine Department of Transportation under the superb leadership of Commissioner David Bernhardt saved more than \$100 million dollars, without sacrificing any infrastructure improvements. Red tape was reduced. We are not here to tell Maine job creators what they can't do; we are here to help them find out what they can do.

Providing superior customer service to all Mainers is the first job of good government. We are changing the culture of state agencies from "NO" to "CAN DO." Together, these things add up to one reality: Maine is Open for Business.

During 2011, we heard from dozens of businesses who pledged investments in Maine totaling \$100 million dollars, with plans to create over 1,000 jobs, good paying jobs. In this last year, we have not only reopened businesses, but we have brought back American jobs from overseas.

The restarting of Great Northern Paper in Millinocket shows how persistence and working hard to reduce red tape and regulation can pay off. What was recently a shuttered business, is now a blossoming employer again.

Another example is Carbonite in Lewiston. Carbonite recently relocated its customer service operations from India to Lewiston/Auburn, Maine. According to Carbonite CEO, David Friend, our efforts to accelerate the regulatory process in Maine was a primary reason they were able to bring 150 new jobs to Maine.

Even as we mark a few successes, we continue to face ongoing fiscal challenges. When I took office on January 5, 2011, I found two distinct fiscal issues clearly threatening the future of Maine's financial stability – first was the pension fund liability, which we addressed, second was unsustainable welfare spending. My administration did not create this problem and did not invent it. Many in this room did not create this problem, nor

did they invent it. But this problem exists and we are here and elected to fix it.

I want to thank Commissioner Mayhew for her leadership and grace during these difficult challenges. The Commissioner is a true friend of Maine people.

Today, we must confront the \$221 million dollar budget shortfall within the Department of Health and Human Services that is fueled by overly generous welfare programs that the state can no longer afford.

Over the decade, Maine's welfare program has grown by a billion dollars while our population has stayed relatively stable. We have encouraged people to rely on the taxpayers, rather than rely on themselves. Year after year, our state government has used one-time federal funding, accounting gimmicks, misuse of funds and not paying hospitals, and worst of all, we have to pay back money to the Federal Government to feed this monstrous beast.

We are now forced to make tough, but necessary decisions. Many of these tough choices were proposed last spring. Here we are again, and if we kick the can again this time, I guarantee we will be back next year and the program will be even worse. It is growing exponentially.

This is not political rhetoric. We must stop promising people a free lunch when those working in Maine are earning below the national average. It is unfair to promise people they can get things free when the resulting bills are not being paid.

Now, we, as elected officials, must decide how to protect the most vulnerable among us. My administration has made that commitment to save Maine's safety net. But saving the safety net means we must restructure our welfare program and reduce our overall spending. We also must begin to reestablish core priorities for our welfare program. If we don't, the system will fail everyone.

My plan stabilizes the safety net for Maine's most vulnerable and preserves benefits for over 285,000 Mainers. As a state, we must move closer to the national average in terms of our welfare program. My plan protects benefits for over 285,000 Mainers – a number that will still have Maine 15% above the national average, but much closer to it.

As you all know, I have a unique understanding of what it means to need help. We no longer can be all things to all people. Maine's welfare program as it stands today will run out of money in early April, and all services will be lost. The clock is ticking and we must act quickly. I encourage the Legislature to act now to move this supplemental budget forward and to save this system like we saved the pension.

As we move forward and if we look to our neighbors in New Hampshire, you will find that the annual median household income in New Hampshire is \$60,734. In Massachusetts, it is \$64,057. Here in Maine, our annual median household income is \$45,708 – 18% below the national average. It is sad. Really, really sad. This is one of the single greatest issues that affects families in Maine, and we should be ashamed that our state is in this position.

So I ask all of you, where is the outrage? Why should many Mainers live in poverty while our neighbors who live on the other side of a line drawn on a map earn a far better income and lead much more prosperous lives?

My friends in the Legislature, it is time to be outraged. It is time to create a climate for the private sector in Maine where our job creators can succeed – where Maine people can prosper.

The high cost of doing business in Maine is a common theme from Kittery to Fort Kent, from Fryeburg to Belfast. Therefore my legislative agenda will focus on the concerns I have heard from Maine job creators. We need more jobs. We need more careers

to pull our state out of poverty. We need good paying careers that will offer benefits, security and good job satisfaction.

To do this we will focus on lowering the cost of energy, creating an educational system that can help us compete globally, and boost efforts to strengthen the local economy in each and every Maine community. I am convinced that reforms in these 3 areas will bring more jobs to Maine and provide career paths that are missing today for Maine people.

Energy. Energy in the State of Maine is one of the largest inhibitors, if not the biggest obstacle, to creating jobs. Maine's high energy costs must be addressed immediately. We must address the issue of the high price of electricity and energy in total, if we want economic prosperity.

Last Thursday, on a Capitol for a Day, we went to Tambrands in Auburn. Five hundred and some odd hourly workers, another 60 management workers. This is what they told us, Tambrands. To grow they compete for capital against 3 other US plants within the Procter & Gamble system. Energy costs in these 3 other plants range from 4.2 to 5.6 cents delivered per kWh. In the Maine plant, 8 cents per kWh.

Advance Pierre, the former Barber Foods facility in Portland, competes with a plant in Oklahoma. Oklahoma plant, 7.5 cents per kWh. Maine plant, 12.5 cents per kWh. Folks, 67% higher energy costs in Maine than Oklahoma. Unacceptable.

Electricity prices in Maine are the 12th highest in the country. We pay 42% above the national average. As a result, Maine pays approximately \$400 million dollars per year more than the national average. Think about it – \$400 million dollars out of Maine people's pockets for electricity. When I asked you to be outraged, that should make you all very outraged.

Maine no longer competes just in New England. You've just heard Oklahoma, Pennsylvania, other states where these large corporations have plants. We must compete now nationally and globally. However, there are some who think government should mandate types of energy Mainers must buy – regardless of how expensive it is.

I DO NOT support Augusta being in the business of increasing costs on hardworking Maine families to pad the pockets of special interest groups. I believe it is morally and ethically wrong to take more money from those who can least afford it to line the pockets of those that are politically connected here in Augusta.

I have spoken with companies ranging from natural gas providers, oil dealers, electric utilities, and biomass to gather input regarding what can we do immediately to lower Maine's overall energy costs.

My energy policy will focus on all forms of energy, and give Mainers the freedom to choose whether or not they buy from renewable sources. For example, hydropower is a green energy. Let's remove the 100 MW restriction on renewable hydropower. I support letting the free-market decide what energy sources are sustainable for Maine people.

Energy conservation is an important goal. However, we must make sure our government programs that use taxpayer dollars for energy efficiency are responsible and cost-effective. Let's make sure that when people give us all these energy conservation savings that we have the nerve to ask questions and challenge their formulas. Folks, we are being sold a bill of goods.

Look back 15 years ago -- did every household have a laptop, a cell phone, an iPad or an iPod, an iWhat, an iThis? We have to recognize that with technology comes the reality that we will consume more and more electricity as we go into the future. We need to empower Maine people to take control of their own energy fate.

Businesses have repeatedly told us over the past year that there are jobs available, but lack a qualified workforce to fill them. This is not unique to Maine at all. I have met with students, teachers, principals and education experts. I've learned too many of our students drop out of high school, and too many that complete high school are not ready for college or a career. We must reform education. We cannot afford to fall further behind.

This summer, this past summer, Commissioner Steve Bowen and I studied educational systems from around the world. For much of the 20th century, the United States led the world in quality of education, and in driving economic prosperity. Sadly, our country no longer leads; in fact, we struggle to follow. Most international assessments of student performance place the United States at best as average. Average is not leadership. Average will not create prosperity. Average, to me, means: we are as close to the bottom as we are to the top. Maine can and must lead the nation in education.

Improving education in Maine starts with one simple step: putting our students first. That is not a slogan. It is not a cliché. We all must ask ourselves "What is best for our students?" Not special interests, not union bosses, not superintendents, not school boards – students must be first.

Teacher effectiveness is critical to student learning. We will soon introduce a series of reforms related to Maine's teacher effectiveness policies. Maine must have the best teachers educating our children. Further, children's educational needs should be determined by families – not by their street address.

Last year, this Legislature did a great thing by passing charter school legislation. That is a start! As we put students first, we must recognize that some students learn best working with their hands.

My hobby is making furniture. Working with furniture requires a strong working knowledge of geometry. Some kids are not going to pick up geometry from a textbook, but they will in the context of the trade such as woodworking, welding, or machining. In the job environment they will learn these skills. We must ensure that every student has access to a wider array of educational opportunities. Therefore, I want to increase access to, and improve upon, Maine's Career and Technical Education System. And, thanks to the Harold Alfond Foundation, we got a step up on it yesterday with a wonderful grant to the Kennebec Valley Community College and the High School of Natural Sciences at Good Will-Hinckley, and I think that we need to continue that and we need to focus on that. As we consider education reform I ask you to simply keep one question in mind: What is best for the student?

My 40-year career I spent in business, much in manufacturing, some in retail, but about a third of it I spent doing business turnarounds in the private sector. I have said it many times – As Governor, I cannot create private sector jobs. However, as Governor, and with the help of the Legislature, we can develop policies that will encourage businesses to expand and create opportunities here in Maine. If we truly want the claim that we're "open for business," we must work further to reduce the high cost of doing business.

Last week, the *Wall Street Journal* reported that in 2009, Maine had the 9th highest tax burden in the country. New Hampshire, our neighbor, was the 6th lowest in the country. Even TAXachusetts was lower than Maine.

Last year we passed the largest tax cut in the state's history. That's the good news. The bad news? It wasn't enough. I will return to the Legislature with further proposals to reduce our tax burdens. We will focus on keeping our retirees here at home, spending money with our small businesses, investing in our state, and mentoring our children and grandchildren. We must break

the cycle of retired Mainers living in Florida for 6 months and 1 day to avoid our taxes. It's one thing to go south for some beach weather in January and February; it's an entirely different thing if you're doing it to escape the tax man.

As your Governor, I am determined to make state government accountable. We need to work with our job creators – not against them. Red tape or procrastination, or just foot dragging is no longer acceptable in the State of Maine.

However, encouraging businesses to expand takes a partnership with local communities and the state. Therefore, my administration is developing a Certified Business Friendly Community Program. This is a way for the state and communities to partner to reduce red tape and promote job creation throughout the state. The goal is simple: we want our local communities to partner with job creators. Let's identify those communities that exhibit pro-job creating attitudes and go the extra mile and create jobs and wealth right here in Maine. These communities will be designated and recognized by the State as communities that are "Open for Business."

I believe Maine is the most beautiful state in the nation. Born, raised, and earned my living here in Maine, and raised my family here in Maine. It is important that we do not lose sight of our roots as we work to improve our home and our economy. The choice between our environment and our business climate is not "either or." It should always be "both." Through much of our history, fishing, farming, and forestry have been Maine's economic engine. Maine can be prosperous, and still be a great vacationland. I am committed to reviving these industries to get to a point where Maine people can enjoy Maine as its vacationland.

I call on the Legislature to support our plan to create the Department of Agriculture, Conservation and Forestry. With renewed strength and collaboration, this Department will not only be a good steward but have the force to protect our natural resource based economy and grow it for generations to come.

The last issue I want to address tonight is one that is very, very personal to me. I am sad to say that my childhood memories are ravaged with domestic violence. Those memories are not pleasant; but I will share my past to end domestic abuse today and going forward.

Every year, nearly half of Maine's homicides are related to domestic violence. In 2011, 23 people were murdered, 11 involving domestic violence. These are real lives – mothers, fathers, sisters, brothers, uncles, aunts, and yes – children. We all feel the horrific effects of domestic violence. This tragic loss of life is unacceptable. I have ZERO tolerance for domestic abuse and I need your help.

More than 80% of domestic violence assaults are committed by men. It is time that men stand up, speak up, and stamp out domestic violence. As men – we need to stand together as one and say no to domestic violence.

Tonight, I am very proud to acknowledge a domestic violence awareness advocate who has a personal connection to the effects of this brutal abuse. After the murder of his 2-year-old grandson, Arthur Jeti – Arthur, please stand – Arthur became involved with the Maine Chapter of Parents of Murdered Children. Art and I believe that it is time we shift domestic violence from being a women's issue, to a men's issue.

It will take a much tougher justice system to stop this violence. I have teamed up with Chief Justice Saufley, Attorney General Schneider, and Commissioner Morris, district attorneys, victims and the Maine Coalition to End Domestic Violence in an effort to strengthen Maine's domestic violence related laws. Our system must focus on protecting women and children. There is more to justice than winning or losing a court case. We must



close loopholes in our current bail system. It is important that the laws ensure the most dangerous offenders are put in front of a judge before they receive bail. Ending domestic violence is not a partisan issue. I'd like to thank House Minority Leader Emily Cain who has expressed an interest in sponsoring this bill. Now Emily, is my tone all right?

Ladies and gentlemen...make no mistake, Maine is at a crossroads, and the road to economic recovery and prosperity is a challenge. In order to succeed, we must put politics and gridlock aside. It is time to roll up our sleeves, get to work and fight for the Maine people. Thank you all for the opportunity to share my thoughts and vision for Maine. God Bless Maine and God Bless America. And let's get to work. Thank you.

---

At the conclusion of the address, Governor Paul LePage withdrew amid the applause of the Convention, the audience rising.

---

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

---

The Senate then retired to its chamber.

---

(After the Joint Convention)

---

The House was called to order by the Speaker.

---

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

---

On motion of Representative EDGECOMB of Caribou, the House adjourned at 8:02 p.m., until 10:00 a.m., Thursday, January 26, 2012.