

# MAINE STATE LEGISLATURE

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**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  
51st Legislative Day  
Wednesday, May 16, 2012

Secretary of the Senate  
**READ and ORDERED PLACED ON FILE.**

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

Prayer by Father Renald Labarre, Biddeford (retired).  
Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

**COMMUNICATIONS**

The Following Communication: (S.C. 843)

**MAINE SENATE  
125TH LEGISLATURE  
OFFICE OF THE SECRETARY**

May 15, 2012

The Honorable Robert W. Nutting  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Nutting:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 125th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Energy, Utilities and Technology, the nomination of Mark A. Vannoy of Waldoboro for appointment to the Public Utilities Commission.

Sincerely,

S/ Joseph G. Carleton, Jr.

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 844)

**MAINE SENATE  
125TH LEGISLATURE  
OFFICE OF THE SECRETARY**

May 15, 2012

The Honorable Heather J.R. Priest  
Clerk of the House  
125th Maine Legislature  
Augusta, Maine 04333

Dear Clerk Priest:

Senate Paper 1287, Legislative Document 1745, "An Act Regarding the Fee for Amusement Ride Inspections and the Development of Options To Move the Responsibility of the Inspections from the Office of the State Fire Marshal," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

20 voted in favor and 14 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Sincerely,

S/ Joseph G. Carleton, Jr.

**ORDERS**

On motion of Representative STUCKEY of Portland, the following Joint Order: (H.P. 1421)

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs shall report out, to the House, a bill to the Second Regular Session of the 125th Legislature in accordance with the following.

**1. Tax fairness.** The bill must include provisions establishing a tax equalization payment on persons whose state and local tax burden is among the top 1% of all taxpayers. The payment must establish a tax equalization rate of at least 1.4% to be applied to every resident individual who is determined, solely on the basis of expanded income and with respect to the most recent tax incidence analysis report filed by the State Tax Assessor with the Legislature under the Maine Revised Statutes, Title 36, section 200 to fall within the top 1% of Maine resident individual taxpayers.

**2. Ensure preservation of health and human services.** The bill must include provisions that establish a separate nonlapsing fund for receipt of revenue from the tax equalization payment. Amounts in the fund must be transferred to the General Fund to preserve:

- A. Mental health services mobile outreach crisis contracts administered by the Department of Health and Human Services;
- B. The elderly low-cost drug program;
- C. Ambulatory surgical center services as an optional service in the MaineCare program;
- D. Screening clinic services for sexually transmitted diseases as an optional service in the MaineCare program;
- E. Reimbursement for smoking cessation products;
- F. Funding for MaineCare hospital crossover payments;
- G. MaineCare coverage for persons 19 and 20 years of age;
- H. Services provided by the Head Start program;
- I. Medicaid services for parents and caretaker relatives of eligible children;
- J. Support for family reunification programs; and
- K. Services funded by the Fund for a Healthy Maine, including oral health funding, community school grants, family planning, home health visits and child care services.

**READ.**

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm a little surprised at myself for standing here this afternoon presenting this Joint Order and I'm more than a little bit nervous, but what I feel most is concern, concern for the health, safety and wellbeing of children, men and women who have had critical supports and opportunities stripped away by cuts we've made during the 125th. I don't believe people's needs and problems will just go away. I think there will be more pain and suffering, more lost opportunities, and more services will be delivered in less appropriate and more expensive venues, a loss for people who need the help and a loss for the people who will pay for the help. So this Joint Order requires our Appropriations and Financial Affairs Committee to create real, fair and balanced structural change in our General Fund budget. It requires the committee to

bring forward legislation that would add a fairness measure to our tax code.

Requiring the top 1 percent of Maine taxpayers to pay an effective tax rate equal to the average paid by the rest of us would generate \$70 million per year for the General Fund and the change would be structural. By the way, their average annual income is in excess of \$730,000 and the tax increase would be about a penny and a half on a dollar. Mr. Speaker, that new structural funding would be used to restore the \$25 million of so-called savings initiatives that reduce or eliminate core preventive and remedial programs and services within the DHHS but do not help address people's needs. There would also be structural revenues to restore \$30 million in ill-advised changes passed in LD 1816, including changes to MaineCare to the Childless Adult Waiver and parent eligibility, rate reductions in Developmental Services, methadone treatments and cuts in Children's Services to the Wraparound Maine program and the Alternative Response Program. And Mr. Speaker, there would still be \$15 million available for some measure of restoration of our commitments to our teachers and state employees, past and present. All real, fair and balanced structural change, Mr. Speaker, that promotes tax fairness and social justice.

One more thing, Mr. Speaker. I have listened with interest yesterday to the concerns of the Representative from Newport and would suggest to him that if the top 1 percent paid not at the average but at the same effective rate as the bottom 20 percent of Maine taxpayers, General Fund revenues would structurally increase by \$700 million per biennium, enough for the hospitals and then some. Thank you, Mr. Speaker.

Representative CURTIS of Madison moved that the Joint Order and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Joint Order and all accompanying papers.

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

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

**ROLL CALL NO. 349**

**YEA** - Ayotte, Beaulieu, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossil, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

**NAY** - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Welsh.

**ABSENT** - Bennett, Boland, Bolduc, Celli, Cornell du Houx, Cushing, Hogan, Hunt, Kent, Libby, O'Brien, Webster.

Yes, 73; No, 65; Absent, 12; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Joint Order and all accompanying papers were **INDEFINITELY POSTPONED**.

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

**ORDERED**, that Representative Timothy E. Driscoll of Westbrook be excused April 9 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Kenneth Wade Fredette of Newport be excused April 13 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Linda F. Sanborn of Gorham be excused January 19 and March 15 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Windol C. Weaver of York be excused March 30 and April 2 for personal reasons.

**READ and PASSED**.

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Amend Provisions Limiting the Return to Work after Retirement by Teachers, School Employees and State Employees"

(S.P. 542) (L.D. 1632)

Signed:

Senators:

ROSEN of Hancock

KATZ of Kennebec

Representatives:

FLOOD of Winthrop

CHASE of Wells

CLARK of Easton

FREDETTE of Newport

KESCHL of Belgrade

WINSOR of Norway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-567)** on same Bill.

Signed:

Senator:

HILL of York

Representatives:

MARTIN of Eagle Lake

ROTUNDO of Lewiston

STEVENS of Bangor

WEBSTER of Freeport

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

**READ**.

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

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-958)** on Bill "An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority"

(H.P. 603) (L.D. 807)

Signed:

Senators:

ROSEN of Hancock  
KATZ of Kennebec

Representatives:

FLOOD of Winthrop  
CHASE of Wells  
CLARK of Easton  
FREDETTE of Newport  
KESCHL of Belgrade  
WINSOR of Norway

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

Signed:

Senator:

HILL of York

Representatives:

MARTIN of Eagle Lake  
ROTUNDO of Lewiston  
STEVENS of Bangor  
WEBSTER of Freeport

#### READ.

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

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. Just a quick explanation about this bill so you're aware of what it is. The original intent of the bill was to repeal the bonding authority for the Maine Government Facilities Authority for everyone. What a majority of the committee did was to exempt the courts so the courts will not have to get voter approval. They are exempted under the amendment that has been provided. So for those of you who believe that everyone should operate on the same basis and no one should bypass the voters, then this amendment, the way it's drafted, does not do that, just for your information. So what this amendment as it's provided now says, the courts will continue to be able to get their facilities done without voter approval, and it goes against the original intent of the legislation that was proposed by Representative Waterhouse.

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

Representative **ROTUNDO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I urge you to vote against the motion on the floor. This bill slows and limits bonding for projects that would create jobs in our state and, as you know, last year we lost more than a thousand jobs in Maine, and I think

we should be doing everything that we can to be maximizing job creation and this bill certainly hinders that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, the white whale has breached the surface and a sharp harpoon has pierced its skin. I've been tracking this beast, and if you remember my debate in the previous session, for over 16 years.

A brief history: Back in the day when these issues used to go before the voters in referendum vote for the state prison, the State House, AMHI and a few other things, they had to get voter approval. Well, the voters didn't like the spending so they turned it down several times. The Legislature didn't like that result so, through some creative financing, up popped the Maine Government Facilities Authority which morphed from the Maine Court Authority. I agree with this amendment. My original intent was to go back to the Maine Court Authority and give it what I consider a slush fund, and what the *Portland Press Herald* that bastion of conservatism back in the day said was an end-run around the Maine Constitution. We took the power of making these decisions away from the voters. This bill puts it back where it belongs with the voters. So I'm asking you to vote with the citizens of the State of Maine and give this power back to them. Thank you.

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. 350

YEA - Ayotte, Beaulieu, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Hinck, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Welsh.

ABSENT - Bennett, Boland, Bolduc, Celli, Cornell du Houx, Flemings, Herbig, Hogan, Hunt, Kent, Libby, O'Brien, Rochelo, Webster.

Yes, 74; No, 62; Absent, 14; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 62 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-958)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-958)** and sent for concurrence.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future and Training Facilities in Labor Market Areas with Higher than Average Unemployment for Tourism-related Training"

(H.P. 625) (L.D. 829)

Signed:

Senators:

ROSEN of Hancock

KATZ of Kennebec

Representatives:

FLOOD of Winthrop

CHASE of Wells

CLARK of Easton

FREDETTE of Newport

KESCHL of Belgrade

WINSOR of Norway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-959)** on same Bill.

Signed:

Senator:

HILL of York

Representatives:

MARTIN of Eagle Lake

ROTUNDO of Lewiston

STEVENS of Bangor

WEBSTER of Freeport

**READ.**

Representative FLOOD of Winthrop moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I put this bond forward as a sort of overarching bond with many pieces and over the process of being worked by the committee, it came back to us in the form that it is in now, amended, and it's amended to give money to revitalize our downtowns. I think traditionally in Maine our downtowns have really served and fit the Maine brand. I've been very proud to watch the revitalization of many towns in Maine. As I travel around the state, investing in our downtown seems to be a way to invest locally in jobs, to create more jobs, to grow jobs, and I feel that this bond is an investment, an investment in our downtowns statewide. Our downtowns have some historical value. They have an attraction not only for our citizens but an attraction for people from away, which is a good thing. I traveled recently to Biddeford and I saw the work that occurred in Biddeford and it looks beautiful in the downtown. I travel down the main street in Augusta frequently. I'm not in a

rush to get on the highway because I like to see what's happening in the downtowns. So I urge everyone to support this and to consider their downtown when they make their vote today. Thank you, Mr. Speaker.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm going to speak briefly in support of this bill and ask you to vote against the pending motion and share with you a little bit about why I'm proud to live in the community of Lewiston, and why this bill is going to help us continue the revitalization that has been happening there for my lifetime and for a little bit before. Lewiston exists where it is because it sits at the base of the falls. There is a 53-foot difference between the head of the falls and the foot of the falls, and in the post and after the Civil War, that was an area of great opportunity in the ability to create power.

As many of you know the history of the American story after the Civil War, you've heard about Lowell and Lawrence, and Lewiston was really the third piece of that and there was more square footage mill space in Lewiston than in the City of Lowell which is, as you may have heard, is the national historic area for its mills. We have currently in the City of Lewiston five mills that are about a half million square feet or more in addition to other smaller ones, and the downtown that sits around them is a vital core and was a shopping district for many, many years, and when the mills went to the south, when the jobs in the mills went to the south before going overseas, many of that downtown core was lost. If you've had the opportunity to come back and walk on Lisbon Street in Lewiston and on Main Street and see in the last decade what's been going on there, it's really a testament to what's happening in the rest of our communities and the rest of our downtowns across the state. There is vitality there in all times of the day. This month alone there was a small market that was opened with a lunch counter and a coffee shop. I've been doing a lot of work there at different points of the day and it's bringing people back into that community. And I would ask you to support this and support people who are moving back into downtowns and redeveloping second and third floors to live there above storefronts and above restaurants and above places where we congregate together as a community, from our cities and from the surrounding rural communities. Thank you, Mr. Speaker.

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. I just want to support this bill by saying there is no better example of what and how a town can be reborn and rejuvenate itself than Rockland. I moved to Rockland over three decades ago and I'll tell you, when I first moved there, you wouldn't walk down the street, particularly at night and even during the day. It was a rough town, it had a very poor reputation, we had tons of storefronts that were vacant and it was a dying city. However, it turned itself around through state, federal, local help and today it is one of the picture towns in Maine. It's vibrant, it's the home of artists, bookshops, fine restaurants, it's a destination point and what it meant for the people of Rockland is that as the town grew, as the downtown area became more vibrant, more jobs were offered. We're now in the process of seeing apartments being built. So the towns and cities of Rockland are its heart and if we can do something to help them, to make this a better state, we should. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Cape Elizabeth, Representative Monaghan-Derrig.

Representative **MONAGHAN-DERRIG**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today definitely in support of this bond. As a recent graduate from the Muskie School, my capstone thesis coincidentally covered case studies in community vitality and downtown revitalization. It was a team project that explored downtown revitalization efforts in 18 Maine towns and some of those towns included Augusta, Bridgton, Bangor, Bar Harbor, Farmington, Freeport, Wells and Wiscasset. I'm sure many of you are familiar with the Brookings Report, a study that came out initially in 2006 that studied a number of areas dealing with moving Maine forward using our natural-based assets for job creation and examining the often heard term "quality of place."

Briefly, what is quality of place? What it is is that many states, including Maine, measure the quality of life based on rural places and outdoor recreational opportunities. But just as important are our public spaces like our libraries, hospitals, theaters, schools, churches and civic buildings. They also include historic homes and our mills and factories. These are what have defined and created a sense of community. Preservation of these places is just as important to the quality of life as maintaining rural areas or the environment. Without these, a community can lose its identity and the residents, in turn, lose their sense of place, and that is really where the term "quality of place" came from. Municipalities through the State of Maine have been increasing efforts to revitalize their downtown communities for not only the residents but for visitors and of course tourism. Cities and towns across the nation and in Maine are coming to realize that a prosperous, sustainable community is only as healthy as its core. Several funding initiatives, such as the Main Street Program, the Heart and Soul Program and others, are the community enhancement programs that move these revitalization efforts forward. But we need more than just these programs. A lot of these are for nonprofit foundations. We need more to keep moving Maine's downtown, Main Streets forward. They help with planning and technical assistance as well as creating more jobs and supporting the local community. So before you press that button, I do ask that you think about how important this type of bill is, perhaps some day talk to your town manager, your city planner, your economic development coordinator and they can tell you just how important these community revitalization programs. So I ask for your support. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would also encourage you to defeat the pending motion. As many of you know I come from the community of Sanford and in the 1860s, the good old Sanford textile mills were formed and became a great employer, the biggest employer for my community when my ancestors from Ireland and Canada came down to work in the mills, and it provided a very productive environment for my family and others for a long time. In 1953, the mills did move south and it put over half of our population out of work. About that time, there was a TV show about our community. It was "The Town That Refused to Die." I worked very closely with my community on the downtown revitalization program and it really has made a great difference for our community. We're in the process of improving our mills and our downtown and making a very productive environment for economic development in the future, and I think for the small amount of money that this bill is asking for it is a great investment and I hope that you would defeat the pending motion.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Casavant.

Representative **CASAVANT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Over the last several months I think all of us, both sides of the aisle, have talked about jobs and jobs creation. Coming from Biddeford I've tried to take an active role in that as being, of course, Mayor, and in doing so, one of the things I quickly have come to understand is that local communities can do an awful lot if given the appropriate tools in terms of generating a good economy.

Biddeford has over 2 million square feet of mill space. Biddeford has been growing significantly over the past few months. York County is booming in terms of the rest of the state. Eventually, York County is going to be the biggest county in the state. But we can't just stop there. We need some sort of ways in which the State of Maine can give us the tools with which to proceed. This bond allows us to do that. Why, because of the things that are happening. Infrastructure is crumbling. We need better roadways. Mill spaces, we have a proposal on the books in which the mills of Biddeford will be litten up by high definition fiber optics. What does that mean? It means that someone could be in China watching somebody in Biddeford instantaneously. What does that mean for medical facilities? What does it mean for business? It means that it takes away the geographic problems that Maine has faced for years. We need that investment. We need that tool. Biddeford by itself was looking to buy Maine Energy. Why, because we recognize that the mills mean something in terms of development. But again, we need the tools from the State of Maine and I think I could argue that southern Maine, the mill cities, need those tools. I really urge you to consider investing in Maine by using what we have in terms of bonding capacity at these low interest rates to allow us to continue to nurture and grow the economy to foster the jobs that all of us truly want. Thank you.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I was very pleased when three and a half years ago I discovered that my area, the House District that I represent, just two years into my position and not through any actions of mine in this Legislature, but really through the actions of my predecessors and, more importantly, of those locally who worked on downtown revitalization, my House District had the highest job growth of any district in the state.

And it really struck me and it made me think about the rundown, rural nature of the towns that I represent when I was growing up, the sad, dilapidated but hundreds of years before beautiful old homes, and proud shipbuilding heritage and farming heritage of this community that was so rundown when I was growing up and which really was rising up from the ashes, in some cases literally, because there was a great fire in 1900 that destroyed most of downtown Bowdoinham.

And it really was the focus on our downtown and on our quality of life and on building on the strengths of those communities, when I talked to folks in the community, that we felt made that job growth possible. New businesses were choosing to locate in downtown Richmond or in downtown Bowdoinham, manufacturing businesses in some cases, who might just as well have been in an industrial park, or retail businesses that could easily have located to the Topsham Fair Mall nearby. But they chose our downtowns in these very small communities to put down roots, to grow and to stay, and because of them, and because of the work that was done to build on our strengths, they were thriving. And I invite you to come to downtown Bowdoinham, to come to downtown Richmond, to see the

continued growth we're experiencing in these communities because of the focus on downtown revitalization that was done by so many just a few years ago. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Alna, Representative Fossel.

Representative **FOSSEL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I started working on old buildings in 1975. It's been my passion and business ever since. I am a recovering vice chairman of Maine Preservation. I am still on their advisory/trustees board and I learned a long time ago that state bonding money doesn't necessarily solve problems. I wish it would. I have been in virtually all the towns that you've talked about in here. I've been in these buildings. I've tried to find solutions for them. I wish this bonding money for downtown revitalization would do that, but after, what is it, 30, 35 or more years in the business, I don't think that's going to work and so I can't vote for it. I can't vote for things that sound good but don't function. Thank you very much, Mr. Speaker.

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

Representative **DRISCOLL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I find this bonding proposal to be part of a responsible mix that communities look to when they're going through a revitalization process. Being on the city council many years ago in town, I know a lot of the projects that we have undertaken in my city of Westbrook. There has been a mix of private investments from the taxpayers of the community to individuals to entrepreneurs to competitive bidding processes, which helps to rebuild the infrastructure in our communities, the roadways in our communities and enhances and entices entrepreneurs, new businesses, the rebuilding of existing businesses.

I think this bonding proposal is a responsible proposal. The taxpayers in my community, they have supported many infrastructure improvements over the years and as this type of a bonding proposal would do, it just helps offset some of the costs that we take on to try to improve our communities. I know in Westbrook we've had several new businesses invest in our downtown. We've had, like a lot of communities in Maine, old mills that have been revitalized and now are filled with many, many small businesses that employ individuals that live in our communities. It improves our roadways. It helps to create interconnectivity between the neighborhoods in my city back to the downtown. Revitalization of an old, historic library. And I think when businesses see that towns care enough about their communities, that they are reinvesting in their communities, you'll get businesses like IDEXX who is currently in the process of building their global corporate office structure, who decided to stay in Westbrook, and I think it's because of the community investment, the pride that we have in our city and the ability to be able to go out and competitively act on these types of investments that help all of our communities. So I certainly think this type of bond issue is really important to all Maine communities.

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. 351**

YEA - Ayotte, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Davis, Dow, Dunphy, Edgcomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane,

Morissette, Moulton, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Damon, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Nass, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Welsh.

ABSENT - Bennett, Boland, Bolduc, Celli, Cornell du Houx, Hogan, Hunt, Kent, Libby, O'Brien, Webster.

Yes, 71; No, 68; Absent, 11; Vacant, 1; Excused, 0.

71 having voted in the affirmative and 68 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Authorize a General Fund Bond Issue To Weatherize and Upgrade the Energy Efficiency of Maine Homes and Businesses and To Provide for a Trained Workforce for Maine's Energy Future"

(H.P. 679) (L.D. 919)

Signed:

Senators:

ROSEN of Hancock  
KATZ of Kennebec

Representatives:

FLOOD of Winthrop  
CHASE of Wells  
CLARK of Easton  
FREDETTE of Newport  
KESCHL of Belgrade  
WINSOR of Norway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-960)** on same Bill.

Signed:

Senator:

HILL of York

Representatives:

CAIN of Orono  
MARTIN of Eagle Lake  
ROTUNDO of Lewiston  
WEBSTER of Freeport

**READ.**

Representative FLOOD of Winthrop moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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



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

Representative **HINCK**: Mr. Speaker, thank you. Mr. Speaker, Men and Women of the House. I would encourage this body to support this bond issue. What it would do is create a revolving weatherization fund to be made available as below-market loans through local financial institutions, agencies, community development corporations, counties and municipalities for homeowners, owners of rental property and small business owners. It would allow us to weatherize and upgrade what they call the built environment. It applies to small businesses and to residences. I would focus a little bit on the residences in urging your support.

We have about 400,000 homes in Maine that could use weatherization. You've probably heard the statistic before, I think we've discussed it here. Maine has the highest percentage of households heating with number 2 heating oil of any state in the U.S. The figure is 80 percent, was 80 percent when it was first discussed in my tenure here in the Legislature. The figure today is more like 71 percent. We're making progress. The reason we're making progress has to do with people deciding to switch fuel to gas when it's available. This Legislature is showing a little leadership in trying to extend gas supplies to more people. But it also involves more people getting their housing weatherized and leadership from the State Government has been part of that picture. We have now several thousand homes that have been weatherized in the last few years. The average cost of the job is approximately \$8,000. This is the reason why people don't always do it on their own. The average energy savings is 36 percent. The average annual energy savings is \$1,300. So you make an investment and in seven years it is entirely recouped, and then for all of the years thereafter, it's money saved in the Maine economy. But when somebody pays to fill their oil tank, every \$5 they spend, 4 of those dollars leave the Maine economy, leave it forever. This is a huge vulnerability for our economy. It hurts us greatly. It's probably the reason why every other New England state invests more per capita than Maine does in energy efficiency, but we've actually used our money more effectively and there is no reason to believe that won't happen. The weatherization efforts have all kinds of benefits. We save the money that would be going out of state when we buy heating oil. People have jobs doing the work. There are a great many different jobs that need to be done to weatherize a home to tighten it up. You know, after that job is done, not only is somebody saving money, they're also living in a warmer environment. It helps them to raise the family, to go to work.

This bond proposal is for \$1 million. I will confess, I don't know if it would help me to boost this bond proposal or not. The proposal I put in was for \$55 million. I think if we invested \$55 million, the return on investment would be strong and it would help the State of Maine. But \$1 million invested in weatherization, in tightening up people's homes, in helping people get through the winter and in providing work to people who need work at this time, is a very good investment. It's not a large sum of money, it's prudent, and I encourage you all to support this in the interest of energy efficiency and a better future for the State of Maine. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. I run one of the four weatherization training centers in the State of Maine. The reason that I do that is because weatherization provides a greater return on investment than any other activity that I know of. Typically, over the last 30 years, weatherization has provided

over a 20 percent annual rate of return. Typically, today it's between 20 and 40 percent. It depends on the type of house and what the opportunities are for the weatherization work.

But I'd like to tell you about my next door neighbor. I took a photograph with a thermal camera of my next door neighbor's house. It was a brand new house that was purchased as an energy efficient house. It was installed on a foundation. Its first winter, I took some thermal pictures of it, discovered that it had been installed very badly so that the foundation wall had not been insulated and the chimney chase had not been sealed, and, consequently, I used this thermal picture of my neighbor's house in training energy auditors to explain that new houses are not necessarily energy efficient. Everyone knows that the 1850s leaky farmhouse is not energy efficient, but they are not always aware that a brand new house can be energy inefficient. So I showed this picture to hundreds of people as I trained energy auditors and then one day I walked up to my neighbor and I said, "You know, I took a picture of your house and I want to explain it to you and tell you what it means." After I explained it to her, she indicated that she would be insulating the outside of her exposed foundation wall at the following summer, which she did, at a cost of about \$300 to \$400. Every heating season since then, she's saved well over \$1,200 because of the insulation work that she put on. Now that rate of return for that particular job was far over the average rates of return that I've been discussing earlier. Consider investing \$300 or \$400 and then receiving \$1,200 in return every single year. That's tax-free cash in the pocket. That's money that is then available for the rest of our local economy. Thank you, Mr. Speaker.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The cheapest form of energy is the energy never used and that's an important thought for our state, considering that just about three months ago we were on the cover of the *New York Times*. And we were on the cover of the *New York Times* because we hadn't actually stepped up and pitched in and helped out for an elderly couple who was living in Peru, and their life story was put on the cover of that *New York Times* article. A retired veteran and his wife who was in a wheelchair was featured because they could not pay their heating bills. They had to choose between their medicine and doctor's appointments and whether or not they were going to heat their home, and this veteran decided that it was so important that his wife be able to sleep in a warm home that he went to Ike Libby, the oil man, with a title in his hand. I can't imagine if his eyes were able to look up or not, but that title was to his 16-year-old car. The only thing they had left, the only way that he could afford to put oil in the tank. That's the story that America sees about Maine right now. That's what people think. And people were so moved by that story, that over \$200,000 were donated to put oil in that couple's tank. But the donation that made the best difference was from a couple of young gentlemen from here in Maine. DeWitt Kimball and Josh Wojcik went to the house, met with the couple, did an energy audit and then in a couple of days actually weatherized the home. Several of us went out. Everyone here was invited. Several of us went out and met the couple and saw the home and were able to talk with them about why it was important and how it changed their life. They live every month on \$1,350 – \$500 of that, a mild winter, \$500 of that went to heat their home. Josh is from Wilton. DeWitt is from here in Maine. They went out and in a couple of days cut that heating bill in half, and not only did they cut that heating bill in half, that house was warm. When we went out, we were able to meet the wife and she in her wheelchair, and that was a blessing

because just a couple days before she'd been in the hospital for a few days. They didn't have to worry about when she came whether that heat was going to be on because folks here in Maine had stepped up. Folks here in Maine – out there, not here – stepped up because we didn't do the right thing at every opportunity we've had, and \$1 million, yes it's not going to heat every home, but we're begging in the media for more LIHEAP money.

Well, let me talk about LIHEAP. Some of that money does go to weatherization, but a lot of it goes to put oil in the tanks. Maybe we should be petitioning Johnson & Johnson for more band-aids. Let's just put a band-aid on the tank, because that's what we're doing. We keep talking about structural change and yet we are encouraging a culture of dependency when we can encourage responsibility, because every time someone needs to put oil in their tank they ask for help, and we actually have to put oil in that tank instead of stopping the need to put oil in the tank. The cheapest form of energy is the energy never used and maybe we see dollar figures, maybe we're going to bean count today. I see a veteran, I see a veteran who is trying to retire in dignity and live his life out and to do what's right for his wife, and I see a lot of folks who are trying to do what's right, who are trying to make sure that they are putting the insulation in their home that reduces the cost, and we can switch to natural gas and, yes, that stabilizes the cost, but it still doesn't change the fact that the heat is going out the ceilings and it's going out the walls. So, yes, this is a small step, maybe not a huge step, but I believe it sends a message to the people of Maine that the greatest crisis that our state is facing, that we're doing something about it. So we can sit back and we can hope that when the temperatures drop and when we have another cold winter, that the cost of oil doesn't spike, or we walk home today and we can feel good about the fact that we actually did something to stop the issue and to fix the issue. And I know you keep hearing me talk about energy efficiency and you've heard it for four years now, and I'm not going to stop talking about it, and I hope that you guys get a chance if you vote no on this today. I mean if you vote to not authorize this bond, I hope you get a chance to get out and talk to your neighbors who are struggling and hear their stories, because then you don't get a chance to judge them anymore. It's no longer a number, it's a face. I'm going to put on my palm card what I put every year: "Heat is not a luxury item." And I am going to continue fighting and fighting and fighting to make sure that every Mainer has an opportunity and every child has an opportunity to sleep in a warm home, because I don't want to see any headlines that say "Five-year-old dies of carbon monoxide poisoning" because mom and dad did something dangerously ingenious to heat that home. So that's what I'm voting for today and I hope you folks will follow my light.

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

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There really isn't much to add to what my fine colleagues have said. I just want to say a couple of things to kind of summarize. The executive branch of this government has indicated two of the most important things are reducing the cost of energy for our residences and our businesses, and more jobs. This bond will do that and I want to end with just asking the question, how many things can we invest in and get a 20 to 400 percent return on investment almost immediately? That's what this bond would help us do. Thank you.

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

Representative **MacDONALD**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. If you were able to get up in an airplane with one of these thermal cameras that have been talked about and you looked down upon any neighborhood in any of our cities or towns, you would see an image of each house seen by that camera glowing red like a hot ember in your stove. It is glowing red to that camera because it is emitting heat out into the atmosphere. Almost every house that would be seen by that camera would be glowing red in neighborhood after neighborhood, in town after town, in city after city. Not only are we spending \$6 billion a year on energy to foreign companies, but we're wasting most of that money or much of that money by heating the air around us instead of doing with that energy what we most want, which is to heat our homes. It makes good policy sense to invest a small amount of money, and this is a really small step in the right direction to take some leadership on the part of the Legislature to change that situation. Our houses should not be glowing red with energy in the night like a stove heating up the atmosphere around them. They should be warm cocoons that are keeping us warm, using our money wisely and effectively, and this bond bill will help people do that more effectively. And I ask you, Mr. Speaker, and Members of the House, if you would support this small step towards energy sanity in the State of Maine. Thank you, Mr. Speaker.

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

Representative **PRESCOTT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. One of the best words I ever learned as a parent is the word "no." Someone has to take on the role of parent here for the state budget and the state's spending problems. This isn't rocket science, it's pretty simple. We need to set priorities. I believe we've done that. We need to act responsibly. I think we did that yesterday. We passed a budget. As difficult as it was, it is what is needed for the State of Maine and it's the same as anybody's home or business. Borrowing is not something we can afford. I'll say that again: We cannot afford it, period. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Fitts.

Representative **FITTS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't necessarily disagree with a lot of what's been said. I think this certainly is a heating and efficiency crisis in this state, that is no doubt. The problem is not access to capital. If you ask the banking industry, the credit unions, the people who have the money ready to loan, they have that money available today if people apply. I traveled up to Peru and visited with that family and talked to the oil dealer who had spent his career dumping oil in people's tanks, not understanding that the other side of the coin was he wasn't helping them, that the real answer to the energy issue that his area faced and the rest of the state faces is that we can button up these homes. And he learned a lot through the process that ensued after the *New York Times* article and all of the publicity that came as a result of that. But the answer is not to just create a bond, to throw a bunch of money up that already is available. We don't have to bond this, not this issue. I think we can reprioritize some of what Maine State Housing does. Their responsibility is to work towards weatherization. I think some of our priorities are messed up. That's been evidenced in some of the programs that have been rolled out and the way they've been implemented. I think Efficiency Maine has access to fund, that if we were to truly recognize this for what it is, those funds would be reprioritized also. But this bond and the way this is drafted is not the answer, so I will not be supporting it. Thank you, Mr. Speaker.

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

Representative **BELIVEAU**: Thank you, Mr. Speaker. I'll be brief. I rise to oppose the current motion. As Representative Hinck mentioned earlier, Maine is one of the most, if not the most, oil dependent state in the country, and I think this bond is a great opportunity to help our state get rid of this dubious and embarrassing distinction. Thank you, Mr. Speaker.

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. 352**

YEA - Ayotte, Beaulieu, Bickford, Black, Burns DC, Casavant, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossil, Foster, Fr edette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knight, Long, Maker, Malaby, McClellan, McFadden, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Kaenrath, Knapp, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Welsh.

ABSENT - Bennett, Boland, Celli, Cornell du Houx, Hogan, Hunt, Kent, Libby, McKane, O'Brien, Webster.

Yes, 73; No, 66; Absent, 11; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

**ENACTORS**

**Emergency Measure**

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

(H.P. 1383) (L.D. 1868)

(S. "B" S-566, S. "D" S-585 and S. "E" S-586 to C. "A" H-928)

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. 106 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.

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.

Communication Governor's line-item vetoes on An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013 (H.P. 1405) (L.D. 1903)

(H.C. 364)

- In House, Communication **READ** on May 15, 2012.

**TABLED** - May 15, 2012 (Till Later Today) by Representative CAIN of Orono.

**PENDING - PLACEMENT ON FILE.**

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

Representative **MARTIN**: When we came in on Tuesday, as a result of previous rulings, House Rule 521 was suspended by implication. As a result of the action that we took last night where we dealt with the vetoes, the matter has been taken care of and I have now moved that the matter be placed on file.

Subsequently, on motion of Representative MARTIN of Eagle Lake the Communication was **ORDERED PLACED ON FILE**.

An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services (EMERGENCY)

(H.P. 1296) (L.D. 1761)

(C. "A" H-826)

**TABLED** - May 15, 2012 (Till Later Today) by Representative CURTIS of Madison.

**PENDING - RECONSIDERATION** (Returned by the Governor without his approval).

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Fitts.

Representative **FITTS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill, as a result of our actions last night on the budget, has been made unnecessary. But I think it's important for us to understand why the bill was brought forward and how it was resolved in the way it was and why. For those of you who don't have yesterday's calendar that includes the letter that came with the veto from the Executive, the third paragraph explains how we arrived at funding the issue of next generation 9-1-1 in the budget rather than through the mechanism that came from the Energy, Utilities and Technology Committee.

Essentially, the EUT Committee has been dealing for years with shortfalls that have accumulated as a result of sweeps of the E-9-1-1 funding from previous administrations and previous Legislatures. In fact, as much as \$7.5 million has been taken from those funds over the years. And with the advent of next generation E-9-1-1 and the new equipment that is necessary to implement and replace what is obsolete equipment today, those costs no longer had a funding source. The EUT Committee had decided, because we don't have access to the budget process as much as some committees but yet have the ability to place assessments on telephone bills to pay for the various costs that go along with running those services, that an increase was necessary in the assessment in order to pay for those upgrades.

The Executive, I think, properly recognized that previous sweeps were the reason that those assessments needed to be increased and I think properly raised objection to the idea that we needed to raise the assessment in order to pay for it, so instead

made a recommendation to fund it through the budget process which was passed, the costs. I think, as a result of that, I would ask that this body sustain that veto. I think it is the proper thing to do and I think it is better that we funded it through the General Fund in order to replace funds that had previously been collected from telephone customers for the purpose and then improperly sent to other purposes. Thank you, Mr. Speaker.

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

Representative HINCK: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to briefly say that I appreciate what the House Chair of the Energy, Utilities and Technology Committee had to say on this issue. I think the general principle should be that the cost causer or the user pays. That principle doesn't apply completely comfortably when you look at the 9-1-1 system, but that generally should be the approach we take and that the assessments needed for that system could be covered by the people who use the system because they have phones. It is true that we've departed from that sometimes in the past and, under those circumstances, I agree with the chair of our committee that the Legislature has handled this issue well and this is the way to go, and I'd like to thank my committee chair for his leadership.

Subsequently, after reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 353V**

YEA - Beaudoin, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clarke, Dill J, Eves, Gilbert, Graham, Harlow, Haskell, Hayes, Innes Walsh, Kumiega, Lajoie, Longstaff, Lovejoy, MacDonald, Mazurek, Monaghan-Derrig, Nelson, Rankin, Rotundo, Russell, Sanborn, Stuckey, Theriault, Treat, Wagner R, Welsh.

NAY - Ayotte, Beaulieu, Beavers, Beck, Beliveau, Bickford, Black, Bolduc, Burns DC, Cebra, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dion, Dow, Driscoll, Duchesne, Dunphy, Eberle, Edgecomb, Espling, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Goode, Guerin, Hamper, Hanley, Harmon, Harvell, Herbig, Hinck, Johnson D, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Long, Luchini, Maker, Malaby, Maloney, Martin, McCabe, McClellan, McFadden, McKane, Morissette, Morrison, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Tilton, Timberlake, Turner, Valentino, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

ABSENT - Bennett, Boland, Celli, Cornell du Houx, Hogan, Hunt, Kent, Libby, O'Brien, Tuttle, Webster.

Yes, 36; No, 103; Absent, 11; Vacant, 1; Excused, 0.

36 having voted in the affirmative and 103 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Veto was **SUSTAINED**.

To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds"

(H.P. 285) (L.D. 359)

TABLED - May 15, 2012 (Till Later Today) by Representative CURTIS of Madison.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-957)** was **READ** by the Clerk and **ADOPTED**.

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

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended**.

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. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 354**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Bickford, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Cotta, Curtis, Cushing, Dill J, Dow, Driscoll, Duchesne, Eberle, Espling, Eves, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Gilbert, Gillway, Goode, Graham, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Newendyke, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

NAY - Ayotte, Cebra, Crafts, Cray, Crockett, Damon, Davis, Dunphy, Edgecomb, Foster, Fredette, Gifford, Guerin, Johnson D, Long, Malaby, McClellan, McFadden, McKane, Morissette, Nass, O'Connor, Olsen, Parker, Parry, Prescott, Richardson W, Rioux, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Wood.

ABSENT - Bennett, Boland, Celli, Cornell du Houx, Dion, Harmon, Hogan, Hunt, Kent, Libby, O'Brien, Webster.

Yes, 103; No, 35; Absent, 12; Vacant, 1; Excused, 0.

103 having voted in the affirmative and 35 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-957)** 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:

(S.P. 76) (L.D. 225) Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Research and Development" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-569)**

On motion of Representative FLOOD of Winthrop, was **REMOVED** from the First Day Consent Calendar.

**HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-957) - Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act**

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-569)** was **READ** by the Clerk and **ADOPTED**.

The Bill was assigned for **SECOND READING** later in today's session.

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-576)** on Bill "An Act To Authorize a General Fund Bond Issue To Support Maine's Natural Resource-based Economy"

(S.P. 255) (L.D. 852)

Signed:

Senators:

ROSEN of Hancock

HILL of York

KATZ of Kennebec

Representatives:

FLOOD of Winthrop

FREDETTE of Newport

KESCHL of Belgrade

MARTIN of Eagle Lake

ROTUNDO of Lewiston

STEVENS of Bangor

WEBSTER of Freeport

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

Signed:

Representatives:

CHASE of Wells

CLARK of Easton

WINSOR of Norway

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-576) AS AMENDED BY SENATE AMENDMENT "A" (S-591)** thereto.

**READ.**

On motion of Representative FLOOD of Winthrop, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-576)** was **READ** by the Clerk.

**Senate Amendment "A" (S-591)** to **Committee Amendment "A" (S-576)** was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (S-576) as Amended by Senate Amendment "A" (S-591)** thereto was **ADOPTED**.

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

Representative CAIN of Orono **REQUESTED** a roll call on **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-576) as Amended by Senate Amendment "A" (S-591)** thereto.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is **Passed to be Engrossed as**

**Amended by Committee Amendment "A" (S-576) as Amended by Senate Amendment "A" (S-591)** thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 355**

**YEA** - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Bickford, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clarke, Crockett, Cushing, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, McKane, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Olsen, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Richardson W, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Wood, Mr. Speaker.

**NAY** - Ayotte, Cebra, Clark T, Crafts, Cray, Damon, Davis, Dunphy, Edgecomb, Espling, Foster, Gifford, Guerin, Hamper, Johnson D, Long, Malaby, McClellan, Morissette, Newendyke, O'Connor, Parker, Parry, Prescott, Rioux, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Willette A, Willette M, Winsor.

**ABSENT** - Bennett, Boland, Celli, Cornell du Houx, Cotta, Curtis, Hogan, Hunt, Kent, Libby, O'Brien, Webster.

Yes, 104; No, 34; Absent, 12; Vacant, 1; Excused, 0.

104 having voted in the affirmative and 34 voted in the negative, 1 vacancy with 12 being absent, and the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-576) as Amended by Senate Amendment "A" (S-591)** thereto in concurrence.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-574)** on Bill "An Act To Authorize a General Fund Bond Issue for Educational Opportunities for Underserved Regions of the State"

(S.P. 278) (L.D. 874)

Signed:

Senator:

ROSEN of Hancock

Representatives:

FLOOD of Winthrop

CHASE of Wells

CLARK of Easton

FREDETTE of Newport

KESCHL of Belgrade

WINSOR of Norway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-575)** on same Bill.

Signed:

Senators:

HILL of York

KATZ of Kennebec

Representatives:

MARTIN of Eagle Lake

ROTUNDO of Lewiston

STEVENS of Bangor  
WEBSTER of Freeport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-574)**.

**READ.**

On motion of Representative FLOOD of Winthrop, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-574)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-574)** in concurrence.

**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children (EMERGENCY)

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

(C. "A" H-796)

**FINALLY PASSED** in the House on March 23, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-796) AND SENATE AMENDMENT "A" (S-571)** in **NON-CONCURRENCE**.

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

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

**BILLS IN THE SECOND READING**

**Senate as Amended**

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Research and Development"

(S.P. 76) (L.D. 225)

(C. "A" S-569)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended**.

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

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is my understanding in looking at this supplement coming out of the other body that this is a bill that has been increased to \$50 million, a bond request?

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

Representative **CAIN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. To reiterate what the good House Chair of Appropriations, the Representative from Winthrop, Representative Flood said a little bit ago, the title of the bill originally reflected a \$50 million tag. The Appropriations

Committee, through its good process, lowered that number to \$20 million and did not amend the title, and so the title still says \$50 million but that is not the content of the bill and that can be looked up online or that can be requested from the Document Room. But the amount is the agreed upon amount which was \$20 million from the Appropriations Committee and not a penny more. Thank you, Mr. Speaker.

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

Representative **PRESCOTT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. One more time I will say \$20 million, \$20 million is a lot of money and although I support research and development, I think right now we need to tighten our wallets and say no to another bond and more borrowing at this time until we can get our financial house in order. Thank you.

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

**ROLL CALL NO. 356**

**YEA** - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clarke, Crockett, Cushing, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Innes Walsh, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nelson, Newendyke, Parry, Peoples, Peterson, Picchiotti, Pilon, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Winsor, Mr. Speaker.

**NAY** - Ayotte, Bickford, Burns DC, Cebra, Clark T, Cotta, Crafts, Cray, Damon, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Foster, Fredette, Gifford, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Long, Malaby, McClellan, McKane, Morissette, Nass, O'Connor, Olsen, Parker, Plummer, Prescott, Richardson W, Rioux, Sanderson, Sarty, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Willette A, Willette M, Wood.

**ABSENT** - Bennett, Boland, Celli, Cornell du Houx, Curtis, Hogan, Hunt, Kent, Libby, O'Brien, Webster.

Yes, 93; No, 46; Absent, 11; Vacant, 1; Excused, 0.

93 having voted in the affirmative and 46 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-569)** in concurrence.

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

At this point, the Speaker recognized all members who have served as Speaker Pro Tem during the 125th Legislature.

The **SPEAKER**: We are going to spend the next block of time here welcoming and thanking members of our staffs. We are going to have the Ceremony of Lights, which is really a quite emotional piece for those people who will not be returning. We are going to start, however, with a series of gifts to those



members who served during the last two sessions as Speaker Pro Tem. So I am going to come around front, the Clerk is going to read your names. When we read your names, if you'd come up, and we're going to present you with a token of my appreciation. Speaker Pro Tems are both an honorary chance to have your picture taken at the rostrum with the gavel. It is also very helpful to the Speaker who, from time to time, has to leave to devote his attention or her attention to meetings that are scheduled at the same time as we are in session. So the role of the Speaker Pro Tem is very important and I am pleased that we had such a great list of people to perform that task. I will come around front and let the Clerk read you some names.

The CLERK: The Representative from Pittsfield, Representative Fitts, Speaker Pro Tempore, February 17, May 18, June 8 and June 14, 2011. The Representative from Madawaska, Representative Theriault, Speaker Pro Tempore, March 16, 2011. The Representative from Rockland, Representative Mazurek, Speaker Pro Tempore, February 14, 2012. The Representative from Caribou, Representative Edgecomb, Speaker Pro Tempore, February 15, 2012. The Representative from Newcastle, Representative McKane, Speaker Pro Tempore, February 23, 2012. The Representative from Oxford, Representative Hamper, Speaker Pro Tempore, February 28, 2012. The Representative from Freeport, Representative Webster, Speaker Pro Tempore, February 29, 2012. The Representative from Dennysville, Representative McFadden, Speaker Pro Tempore, March 6, 2012. The Representative from Windham, Representative Plummer, Speaker Pro Tempore, March 15, 2012. The Representative from Auburn, Representative Bolduc, Speaker Pro Tempore, March 21, 2012. The Representative from Saco, Representative Pilon, Speaker Pro Tempore, March 23, 2012. The Representative from Bucksport, Representative Rosen, Speaker Pro Tempore, March 28, 2012. The Representative from Orono, Representative Cain, Speaker Pro Tempore, April 9, 2012. The Representative from Hampden, Representative Cushing, Speaker Pro Tempore, April 4, 2012. The Representative from Madison, Representative Curtis, Speaker Pro Tempore, June 16, 2011.

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At this point, the House performed the Ceremony of Lights

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The SPEAKER: At this point, we're going to draw the shades and turn out some lights and have the Ceremony of the Lights. The Clerk of the House will call the roll. So as soon as we get the lights dimmed, we'll let the Clerk take us from there. Now that I've told you the Clerk would conduct the whole thing, I'm told that I need to read the card first without any light. It says the Clerk will call the names of the members who will not be returning; as your name is called, please press your green light. Madam Clerk.

The CLERK: The Representative from Kittery, Representative Devin M. Beliveau, 2 years of legislative service; the Representative from Bath, Representative Michael H. Clarke, 2 years of legislative service; the Representative from Winterport, Representative Peter B. Rioux, 2 years of legislative service; the Representative from Waldoboro, Representative Dana L. Dow, 2 years of service in the House and 4 years in the Senate; the Representative from Augusta, Representative Anna D. Blodgett, 4 years of service; the Representative from Whiting, Representative David C. Burns, 4 years of service; the Representative from Brewer, Representative Michael Celli, 4 years of service; the Representative from Hampden,

Representative Andre E. Cushing III, 4 years of service; the Representative from Bar Harbor, Representative Elspeth M. Flemings, 4 years of service; the Representative from Alna, Representative Leslie T. Fossel, 4 years of service; the Representative from Jay, Representative Paul E. Gilbert, 4 years of service; the Representative from Buxton, Representative Robert B. Hunt, 4 years of service; the Representative from Yarmouth, Representative Melissa Walsh Innes, 4 years of service; the Representative from Portland, Representative Stephen D. Lovejoy, 4 years of service; the Representative from Lincolnville, Representative Andrew R. O'Brien, 4 years of service; the Representative from Harrington, Representative Dianne C. Tilton, 4 years of service; the Representative from Denmark, Representative Ralph W. Sarty, Jr., 5 years of service; the Representative from Portland, Representative Jon Hinck, 6 years of service; the Representative from South Portland, Representative Bryan T. Kaenrath, 6 years of service; the Representative from Topsham, Representative Kerri L. Prescott, 6 years of service; the Representative from Cumberland, Representative Meredith N. Strang Burgess, 6 years of service; the Representative from Lewiston, Representative Richard V. Wagner, 6 years of service; the Representative from Windham, Representative Mark E. Bryant, 8 years of service; the Representative from Orono, Representative Emily Ann Cain, 8 years of service; the Representative from Naples, Representative Richard M. Cebra, 8 years of service; the Representative from Madison, Representative Philip A. Curtis, 8 years of service; the Representative from Westbrook, Representative Timothy E. Driscoll, 8 years of service; the Representative from Hudson, Representative Robert S. Duchesne, 8 years of service; the Representative from South Portland, Representative Jane E. Eberle, 8 years of service; the Representative from Caribou, Representative Peter E. Edgecomb, 8 years of service; the Representative from Pittsfield, Representative Stacey Allen Fitts, 8 years of service; the Representative from Winthrop, Representative Patrick S. A. Flood, 8 years of service; the Representative from Oxford, Representative James M. Hamper, 8 years of service; the Representative from Gardiner, Representative Stephen P. Hanley, 8 years of service; the Representative from Old Orchard Beach, Representative George Hogan, 8 years of service; the Representative from Rockland, Representative Edward J. Mazurek, 8 years of service; the Representative from Dennysville, Representative Howard E. McFadden, 8 years of service; the Representative from Newcastle, Representative Jonathan B. McKane, 8 years of service; the Representative from Acton, Representative Joan M. Nass, 8 years of service; the Representative from Saco, Representative Donald E. Pilon, 8 years of service; the Representative from Windham, Representative Gary E. Plummer, 8 years of service; the Representative from Carmel, Representative David E. Richardson, 8 years of service; the Representative from Warren, Representative Wesley E. Richardson, 8 years of service; the Representative from Bucksport, Representative Kimberley C. Rosen, 8 years of service; the Representative from Saco, Representative Linda M. Valentino, 8 years of service; the Representative from Freeport, Representative David C. Webster, 8 years of service; the Representative from Bridgton, Representative G. Paul Waterhouse, 10 years of service; the Representative from Portland, Representative Anne M. Haskell, 12 years of service; the Representative from Sanford, Representative John L. Tuttle, Jr., 22 years of service in the House and 4 years in the Senate; the Representative from Millinocket, Representative Herbert E. Clark, 24 years of service.

The SPEAKER: Can I just get the people who have just turned on their green lights to rise? All I can say is that there were far too many green lights and I'm not sure the system that we currently have works perfectly. I think that we may have done a bad thing somewhere along the line that leads to that many green lights at the end of the Second Session. But that's a discussion for a political day and we're not doing that today.

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

Representative TUTTLE: Mr. Speaker, I'd share a verse with the House. It goes like this: In the corner and around the bend, sits a State House that has no end. Yet days go by and weeks rush on and before I know it a year is gone, and I never see my old friend's face, for life is a swift and terrible race. He knows I like him just as well, as in the day when I rang his bell and he rang mine. We were younger then, and now we are busy, tired men. Tired of playing a foolish game, tired with trying to make a name. Tomorrow I say I will call on Dan, just to show that I'm thinking of him. But tomorrow comes and tomorrow goes, and the distance between us grows and grows. Around the corner, yet miles away, I receive a telephone call that my friend Dan Gwadosky has died today. And that's what we get and deserve in the end, around the corner a vanishing friend. Thank you, Mr. Speaker.

#### REPORTS OF COMMITTEE Ought to Pass as Amended

Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Invest in Highway and Bridge Infrastructure To Meet the Needs of the Business Sector and To Create Jobs" (S.P. 282) (L.D. 894)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-568)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-568) AS AMENDED BY SENATE AMENDMENT "A" (S-590)** thereto.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-568)** was **READ** by the Clerk.

Representative **EDGEComb** of Caribou **PRESENTED House Amendment "B" (H-977) to Committee Amendment "A" (S-568)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Edgecomb.

Representative **EDGEComb**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This amendment eliminates \$300,000 plus the amount for interest for LifeFlight. LifeFlight are the helicopters that provide a service that where they can land in places that are remote, and then certainly have saved lives over the years. By the way, they are a nonprofit organization. They qualify for state funding, taxpayer dollars. But I personally feel that it is not right to give taxpayer dollars to an enterprise that competes with a private business that pays taxes and I'm referring to Fresh Air which operates two fixed wing aircrafts out of Aroostook County. They pick up patients and folks in need of immediate attention that must be flown from Aroostook County to Eastern Maine General Hospital, to Maine General, to Boston or even to Pennsylvania. They can do it in weather that helicopters cannot fly in. They can do it at a greater

speed than the helicopters can do. They can fly to Frenchville at that airport. They can take patients out of Caribou at that airport, the airport in Presque Isle or the airport in Houlton or even in other parts of the state, provided there is an airport where the patient needs to be picked up. They do employ hospital personnel, in a moment's notice, who have to be on these aircrafts. They have to supply it with the technology or equipment that services the same as it would be if it was on a helicopter. They pay for mechanics, they pay taxes to rent airports, to have permission to land, that sort of thing. So the bottom line is I feel it is not fair for the taxpayers to provide money for LifeFlight when Fresh Air, for 12 years, has had to do this as a private business, and they're not asking that we not continue with the helicopters, and they're not asking for money because they do not qualify to receive taxpayer dollars to operate. So, ladies and gentlemen, I would appreciate it if you would accept this amendment which would put them on an equal playing field with their competition. Thank you.

Representative **CAIN** of Orono **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-977) to Committee Amendment "A" (S-568)**.

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 Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. LifeFlight is an important capability in the remote areas of Maine, one of which I live in. I know at least three people during my tenure of living there that owe their lives to that organization. My understanding of this money is to provide landing pads. We already have one at our local hospital that probably was provided by the same type of funds, and I don't know really. But it is an important capability and our area is not served by the fixed wing capability, even though we have an airport. So I think there is room in the State of Maine for both of these capabilities, and I do think it is an important fixed capability that will last long after the bond is paid off. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition of the pending motion. I am familiar with the services of LifeFlight. I live close to the hospital in Skowhegan and I'm well aware of how frequently LifeFlight lands at the hospital. I'm also familiar with a lot of the folks that have been transported by LifeFlight, and typically in our community, a lot of times it ends up being children. There is a gentleman that works for the town whose child was transported after injury with a table saw and flown to Boston and the child's hand was saved. I think of actually one of my supervisors on my board of directors who, in her 40s, had a stroke and actually was transported by LifeFlight to Bangor, and what a great service that is. The money that is being proposed here is for helicopter pads like we have in Skowhegan and one of those will be in Lewiston. It looks like another one is probably going to be in Bridgton which seems to be one of the busiest hospitals for LifeFlight. There is some discussion about out on the islands, on Monhegan, so that's pretty exciting. I think that some of the other pieces have to do with weather observation, which is pretty important, and I don't view this as competition. I see a role for fixed wing. I know that when I talked with some folks that worked at the Caribou hospital, that's a great service for the folks at the hospital. I met a woman that works at the hospital that has actually flown on some of those flights, and I don't feel



that we're creating that competition, and I think that's also a service that we need to provide to rural Maine so that people can get the care that they need. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm in opposition to the amendment that's being offered in front of you here today. To give you a little bit of knowledge of LifeFlight coming from rural Maine, being on the Board of Directors at Millinocket Regional Hospital and having a landing pad there, I came very close myself a couple years back, in 2003, when I had a heart attack but the weather did not permit them to come to Millinocket. LifeFlight has been a godsend for people in rural Maine, that's been said here earlier. I can't see and nor will I vote for something, to take away for something that is working well. I understand too that they are going to have fixed wing aircraft, but these helicopters go a lot of places where you're not going to put down a fixed wing aircraft. Being a former pilot, I can tell you right now, in rural Maine, you want a place where you can put down the helicopter and not a fixed wing aircraft. So I hope when you vote that you discharge with this amendment and move on with the regular bill. Thank you, Mr. Speaker.

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

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. I do not support adoption of the House Amendment, but I do want to make it clear that I was, when the original proposal, they started talking about fixed wings and that is certainly something I do not support. It was never the concept when the proposal was put together to have the helicopters in this state to have competing airlines or fixed wing planes being structured by that operation. So this particular money is geared for landing sites. If it were for a fixed based plane, I would be supporting this amendment. But I want to make it clear that down the road, I do not expect them to come back with a proposal to get money from us to put in airplanes in Bangor and in Portland to compete with private business.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Edgcomb.

Representative **EDGEComb**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Again, I support LifeFlight and they provide a valuable service, but there are folks in Aroostook County who have had their lives saved because a helicopter that has to leave from Bangor to get to Aroostook County, by the time they would get there, this person, who where minutes often count in a person's life. They have saved many lives by being able to with an ambulance take the person to the nearest airport and this fixed wing aircraft can get them, whether it is a burn victim that needs to get to Boston or, again, at Eastern Maine on a specialized, maybe it's a heart problem that they can't deal with in Aroostook County. So it has saved a lot of lives and it's just simply unfair for them to have competition where we provide tax dollars to support one enterprise and not support the other. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "B" (H-977) to Committee Amendment "A" (S-568). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 357**

YEA - Ayotte, Black, Burns DC, Cebra, Clark T, Cotta, Crafts, Cray, Crockett, Damon, Davis, Dow, Edgcomb, Espling, Fitzpatrick, Fossil, Fredette, Gifford, Guerin, Harmon, Johnson D, Long, Malaby, McFadden, McKane, Morissette, Newendyke, O'Connor, Parker, Richardson W, Sanderson, Sarty,

Sirocki, Timberlake, Turner, Wallace, Waterhouse, Weaver, Willette A.

NAY - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clarke, Curtis, Cushing, Dill J, Dion, Driscoll, Duchesne, Dunphy, Eberle, Eves, Fitts, Flemings, Flood, Foster, Gilbert, Gillway, Goode, Graham, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McClellan, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Olsen, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Rioux, Rochelo, Rosen, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Welsh, Willette M, Winsor, Wood, Mr. Speaker.

ABSENT - Bickford, Boland, Celli, Cornell du Houx, Hogan, Kent, Libby, O'Brien, Webster.

Yes, 39; No, 102; Absent, 9; Vacant, 1; Excused, 0.

39 having voted in the affirmative and 102 voted in the negative, 1 vacancy with 9 being absent, and accordingly **House Amendment "B" (H-977) to Committee Amendment "A" (S-568) FAILED ADOPTION.**

**Senate Amendment "A" (S-590) to Committee Amendment "A" (S-568) was READ** by the Clerk and **ADOPTED.**

Representative **EDGEComb** of Caribou **REQUESTED** a roll call on **ADOPTION of Committee Amendment "A" (S-568) as Amended by Senate Amendment "A" (S-590)** thereto.

Subsequently, Representative **EDGEComb** of Caribou **WITHDREW** his **REQUEST** for a roll call.

**Committee Amendment "A" (S-568) as Amended by Senate Amendment "A" (S-590)** thereto was **ADOPTED.**

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

The SPEAKER: The Chair recognizes the Representative from Whiting, Representative Burns.

Representative **BURNS**: Mr. Speaker, may I pose a question through the Chair to a member of the Transportation Committee?

The SPEAKER: The Representative may pose his question to a member of the Transportation Committee.

Representative **BURNS**: A brief explanation of Senate Amendment "A" as it pertains to the switching of this \$5 million, please. Thank you.

The SPEAKER: The Representative from Whiting, Representative Burns has posed a question through the Chair to any member of the Transportation Committee about Senate Amendment "A" or anyone else who knows the answer.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, and I can stand corrected by other members of the committee, but I believe that this language may or may not be related to part of the bill which related to some money designated for rural roads, which they wanted the language pulled out so that the intention would be that this wouldn't become a dependent revenue stream for rural roads matching money. That's what my understanding of the purpose of the amendment is and I can stand corrected by another member of the committee if I'm wrong.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you very much, Mr. Speaker. The Representative from Newport is correct in that \$5 million would be moved by the Senate Amendment (590), moving that \$5 million into regular highway and bridge. So it maintains the dollars within the highway area, but it moves \$5 million that was originally proposed for local roads into the regular highway and bridge category, making that category \$41 million. Thank you, and thank you, Representative from Newport.

Representative **EDGEComb** of Caribou **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (S-568) as Amended by Senate Amendment "A" (S-590)** thereto.

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 Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Through you, Mr. Speaker, my understanding is that when the original \$5 million was earmarked for URIP, there was not the understanding that that is money that is given out on the basis of the formula, and it would not particularly be helpful to the roads that they hoped to spend this on and that there are other programs within the DOT's scope of work that would be more appropriate for that money to go to. It was something I think that everybody on the Transportation Committee understood and felt comfortable with. I don't know who else from the committee is here this evening but that was my understanding.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (S-568) as Amended by Senate Amendment "A" (S-590) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 358**

**YEA** - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Curtis, Cushing, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Foster, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McFadden, McKane, Monaghan-Derrig, Morissette, Morrison, Moulton, Nelson, Newendyke, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

**NAY** - Ayotte, Bennett, Cebra, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Gifford, Guerin, Hamper, Harmon, Johnson D, Long, McClellan, Nass, O'Connor, Olsen, Parker, Prescott, Sanderson, Sarty, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Wood.

**ABSENT** - Bickford, Boland, Celli, Cornell du Houx, Hogan, Kent, Libby, O'Brien, Webster.

Yes, 109; No, 32; Absent, 9; Vacant, 1; Excused, 0.

109 having voted in the affirmative and 32 voted in the negative, 1 vacancy with 9 being absent, and accordingly under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-568) as Amended by Senate Amendment "A" (S-590)** thereto in concurrence. **ORDERED SENT FORTHWITH.**

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**ENACTORS**

**Emergency Measure**

Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children

(H.P. 1257) (L.D. 1705)  
(C. "A" H-796; S. "A" S-571)

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

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**Bond Issue**

An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 To Fund Research and Development

(S.P. 76) (L.D. 225)  
(C. "A" S-569)

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

Representative **CAIN** of Orono **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 Scarborough, Representative Volk.

Representative **VOLK**: Thank you, Mr. Speaker. Maine Technology Institute or MTI has awarded over \$52 million since 2008, funding projects all across the state from York to Aroostook County. This investment has leveraged over \$82 million in public and private funds and represents investment in our state, as well as jobs for countless citizens. It is important to note that technology sector jobs pay 30 percent higher than the average Maine wage. MTI provides funding for many businesses in the R & D and/or Tech fields through their many, many programs. This year alone, every \$1 awarded by MTI leveraged \$10 to \$14 in public and private funds invested into our economy.

I'd like to share a few examples of the businesses across the state which have competed for because funds are limited and they are awarded on strict criteria and benefited from MTI.

With the help of three MTI Development Grants, CashStar has developed technology that allows online retailers to provide digital gift cards to consumers in lieu of plastic. They currently have over 50 well-paid employees and are growing fast. They were also named one of the top 40 places in Maine to work.

Ocean Farm Technologies of Searsmont has benefited from three different Seed Grants and one Development Award through MTI. MTI has also helped them secure \$800,000 in federal funding and nearly \$4 million in private capital to develop their Net Pen System for aquaculture in open ocean environments. They currently employ 13 and are looking to add at least three positions this year as they export cod and shrimp to eight countries, including South Korea and Mexico. Ocean Farm Technologies was honored by the US SBA for its R & D success and innovation.

The last MTI-impacted company I want to highlight is Bigelow Labs in Boothbay. Bigelow Labs is an internationally recognized leader in global ocean research. They have received \$4.45 million dollars through the Maine Technology Asset Fund, which helped leverage two federal grants totaling over \$14 million to develop their state of the art Bigelow Center for Blue Technology on its new 64 acre Ocean Science and Education Campus at

East Boothbay. They are on their way to increasing revenues from \$7 1/2 million to \$20 million in the next five years and they expect to double their workforce to 120 as they partner with Maine businesses to transfer technologies to commercial applications.

Unfortunately, while MTI has been able to help many, they also have to turn many away. They have fielded requests totaling \$235 million, much greater than their capacity to give. Maine's total R & D development activity is only 1/3 of the national average and 1/6 of the New England average. Investments in R & D spur new ideas, new products and new technologies. Maine's talent pool has increased as scientists and engineers are attracted to our state. This is important because Maine currently ranks 42nd in the percentage of scientists and engineers in our workforce. Disappointingly, we rank dead last in producing science and engineer graduate students.

This session we have heard a lot about the need to focus on STEM – Science, Technology, Engineering and Mathematics – in education and in our economy. How can we expect to do this if we are not willing to increase our support of these industries so that Maine can be competitive? Maine is a great place to live and it is a great place to grow a business, but if other states are helping R & D sectors to attract private and public capital, and they are, we should not wonder why they don't come here. Please vote to let the people of Maine decide on this modest R & D bond request, which was originally \$50 million and is now only 20. 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.

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

**ROLL CALL NO. 359**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clarke, Crockett, Cushing, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Foster, Fredette, Gilbert, Gillway, Goode, Graham, Guerin, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Keschl, Knapp, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nelson, Newendyke, Parry, Peoples, Peterson, Pilon, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Welsh, Willette M, Winsor, Mr. Speaker.

NAY - Ayotte, Bennett, Black, Cebra, Clark T, Cotta, Crafts, Cray, Curtis, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Gifford, Hamper, Harmon, Johnson D, Knight, Long, McClellan, McKane, Morissette, Nass, O'Connor, Olsen, Parker, Picchiotti, Plummer, Prescott, Richardson W, Rioux, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Weaver, Willette A, Wood.

ABSENT - Bickford, Boland, Celli, Cornell du Houx, Hogan, Kaenrath, Kent, Libby, O'Brien, Webster.

Yes, 99; No, 41; Absent, 10; Vacant, 1; Excused, 0.

99 having voted in the affirmative and 41 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Bond Issue**

An Act To Authorize a General Fund Bond Issue To Support Maine's Natural Resource-based Economy

(S.P. 255) (L.D. 852)  
(S. "A" S-591 to C. "A" S-576)

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

Representative CAIN of Orono **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 Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Very briefly, this is a modest bond proposal for Lands for Maine's Future, but more importantly it does include some new language which includes now money, or at least a designation in language, that this money can be used for the deer population, encouraging the deer population to continue to grow, which is important for many people in central, Downeast and Aroostook County, Maine. I will be supporting the measure.

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

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

**ROLL CALL NO. 360**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clarke, Cotta, Crockett, Cushing, Dill J, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Foster, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Olsen, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Richardson W, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Winsor, Wood, Mr. Speaker.

NAY - Ayotte, Cebra, Clark T, Crafts, Cray, Curtis, Damon, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Gifford, Guerin, Hamper, Johnson D, Long, Malaby, McClellan, McKane, Morissette, Newendyke, O'Connor, Parker, Prescott, Rioux, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Willette A, Willette M.

ABSENT - Bickford, Boland, Celli, Cornell du Houx, Dion, Hogan, Kent, Libby, O'Brien, Webster.

Yes, 106; No, 34; Absent, 10; Vacant, 1; Excused, 0.

106 having voted in the affirmative and 34 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Bond Issue**

An Act To Authorize a General Fund Bond Issue for Higher Education

(S.P. 278) (L.D. 874)  
(C. "A" S-574)

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

Representative CAIN of Orono **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 Old Town, Representative Dill.

Representative **DILL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bond will allocate funds to the Maine Maritime Academy, Community College System and the UMaine System. Funding for the UMaine System is for a combined insect, plant disease and animal disease identification lab. This lab will be unique in the country in that all three diagnostic...

The **SPEAKER**: Will the Representative defer? The House is in order. Thank you. The Representative may proceed.

Representative **DILL**: All three diagnostic areas will be in the same building. Several land grant universities offer the same three identifications, but they have it at least in two or, if not, three different buildings. This will allow the three areas to work closely together, especially on insect and tick-vectored disease organisms to both humans and animals. Currently, if a tick, or for that matter even a mosquito, is received at the insect identification lab, it has to be treated as though it is infected. Therefore, it should be contained in a bio level security 3 lab. This new lab will have the proper containment and will replace the current out of date labs. The new facilities will allow not only identification of ticks, bedbugs and of course maggots, but also research on these pests and plant diseases such as fungi and viruses which cause plant diseases such as late blight of potatoes, which lives in infamy as the cause of the Irish Potato Famine of the mid-1800s. Agriculture is a huge business for Maine and this lab is crucial to its expansion and wellbeing and is the first line of defense for such new pests as the spotted wing drosophila, a serious problem with small fruits such as the lowbush blueberry which is over 50,000 acres in the State of Maine. The current animal diagnostic lab is in the center of campus and cannot handle an animal weighing much more than 200 pounds. Necropsies of large animals like moose and cattle are often done on the back of a pickup truck outside the lab's doors. Students don't appreciate seeing dead horses, moose or even a cow's head rattling around in the back of a truck as it goes across campus...

The **SPEAKER**: Will the Representative defer? The House is in order. It's going to be a long night if we don't be quiet and listen when someone's talking. The Representative may proceed.

Representative **DILL**: Worse yet, just think if that dead animal laying in the back of the truck going across campus had some disease that could be spread to humans, say such as Anthrax. Two thousand students were just exposed. Routinely this lab screens eggs for salmonella and looks at other diseases such as avian influenza, Tripoli or West Nile virus. This lab will open unparalleled educational opportunities to a broad cross-section of students – pre-med, pre-vet, public health, entomology, plant pathology and animal science, as well as research in these areas. Investing in a new diagnostic facility will help create jobs. Several hundred is the estimate that may occur in the next five to eight years. Protect jobs and protect the safety of our food and human health. Thank you, Mr. Speaker.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, and very briefly, Ladies and Gentlemen of the House.

The bond also calls for \$3 million which is critically important to development in our community colleges, specifically in regards to a bill passed by this House, introduced by Representative Beliveau, in regards to some machine tool opportunities in the State of Maine. These are jobs that are ready to go and there is \$1 million designated towards specifically those jobs which are ready to go and also provides additional \$2 million towards funding for the community colleges which already has a waiting list of 4,000 students to get in, so that we can train these people for jobs of the future, and in addition to that, \$500,000 for Maine Maritime Academy to help retool them as well. I'll be supporting the measure.

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

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

#### ROLL CALL NO. 361

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Cray, Cushing, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Edgcomb, Eves, Fitts, Flemings, Flood, Fossel, Foster, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maioney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Newendyke, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

NAY - Burns DC, Cotta, Crafts, Crockett, Curtis, Davis, Dunphy, Espling, Fitzpatrick, Gifford, Guerin, Hamper, Harmon, Johnson D, Long, Malaby, McClellan, McKane, Morissette, O'Connor, Olsen, Parker, Prescott, Richardson W, Rioux, Sanderson, Sarty, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Wood.

ABSENT - Bickford, Boland, Cebra, Celli, Cornell du Houx, Hogan, Kent, Libby, O'Brien, Webster.

Yes, 107; No, 33; Absent, 10; Vacant, 1; Excused, 0.

107 having voted in the affirmative and 33 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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#### Bond Issue

An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds  
(H.P. 285) (L.D. 359)  
(C. "A" H-957)

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

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

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

**ROLL CALL NO. 362**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Cotta, Curtis, Cushing, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Espling, Eves, Fitts, Flemings, Flood, Fossel, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Knapp, Knight, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nelson, Newendyke, Olsen, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

NAY - Ayotte, Bennett, Crafts, Cray, Crockett, Davis, Dunphy, Edgecomb, Fitzpatrick, Foster, Gifford, Guerin, Hamper, Johnson D, Long, McClellan, McKane, Morissette, Nass, O'Connor, Parker, PARRY, Prescott, Richardson W, Rioux, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Wood.

ABSENT - Bickford, Boland, Cebra, Celli, Cornell du Houx, Hogan, Kent, Libby, Malaby, O'Brien, Webster.

Yes, 107; No, 32; Absent, 11; Vacant, 1; Excused, 0.

107 having voted in the affirmative and 32 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

**Acts**

An Act To Limit the Bonding Authority of the Maine Governmental Facilities Authority to Court Facility Projects

(H.P. 603) (L.D. 807)  
(C. "A" H-958)

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.**

**Bond Issue**

An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure To Meet the Needs of the Business Sector and To Create Jobs

(S.P. 282) (L.D. 894)  
(S. "A" S-590 to C. "A" S-568)

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

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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

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

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

**ROLL CALL NO. 363**

YEA - Beaulieu, Beavers, Beck, Beliveau, Berry, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Curtis, Cushing, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Fredette, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Johnson P, Kaenrath, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McFadden, McKane, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Newendyke, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Rioux, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

NAY - Ayotte, Bennett, Crafts, Cray, Crockett, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Foster, Gifford, Guerin, Hamper, Harmon, Johnson D, Long, McClellan, Morissette, O'Connor, Olsen, Parker, Prescott, Richardson W, Sanderson, Sirocki, Timberlake, Turner, Wallace, Waterhouse, Wood. ABSENT - Beaudoin, Bickford, Boland, Cebra, Celli, Cornell du Houx, Cotta, Hogan, Kent, Libby, O'Brien, Webster.

Yes, 107; No, 31; Absent, 12; Vacant, 1; Excused, 0.

107 having voted in the affirmative and 31 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Bill was **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**

An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired (EMERGENCY)

(H.P. 572) (L.D. 765)  
(C. "B" H-737)

**PASSED TO BE ENACTED** in the House on March 13, 2012. Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-737) AS AMENDED BY SENATE AMENDMENT "A" (S-595)** thereto in **NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

An Act Regarding the Distribution and Sale of Spirits

(H.P. 664) (L.D. 905)  
(C. "A" H-915)

**PASSED TO BE ENACTED** in the House on April 10, 2012. Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-915) AS AMENDED BY SENATE AMENDMENT "A" (S-597)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Prohibit Bullying and Cyberbullying in Schools  
(H.P. 928) (L.D. 1237)  
(C. "B" H-745)

**PASSED TO BE ENACTED** in the House on March 13, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-745) AS AMENDED BY SENATE AMENDMENT "A" (S-598)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Amend the Laws Governing Freedom of Access (MANDATE)  
(S.P. 456) (L.D. 1465)  
(C. "A" S-514)

**PASSED TO BE ENACTED** in the House on April 5, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-514) AS AMENDED BY SENATE AMENDMENT "A" (S-599)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Adopt the Use of Standardized Risk Assessment in the Management of Domestic Violence Crimes  
(H.P. 1263) (L.D. 1711)  
(C. "A" H-890)

**PASSED TO BE ENACTED** in the House on April 5, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-890) AND SENATE AMENDMENT "A" (S-600)** in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Update the Career and Technical Education Laws  
(S.P. 616) (L.D. 1779)  
(C. "A" S-416)

**PASSED TO BE ENACTED** in the House on March 12, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-416) AS AMENDED BY SENATE AMENDMENT "A" (S-604)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Enhance Career and Technical Education  
(S.P. 650) (L.D. 1865)  
(H. "A" H-896 to C. "A" S-518; S. "A" S-530)

**PASSED TO BE ENACTED** in the House on April 10, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-518) AS AMENDED BY HOUSE AMENDMENT "A" (H-896) AND SENATE AMENDMENT "B" (S-605)** thereto **AND SENATE AMENDMENT "A" (S-530)** in **NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

An Act To Direct the Commissioner of Education To Adopt a Model Policy Regarding Management of Head Injuries in School Activities and Athletics (EMERGENCY)

(S.P. 654) (L.D. 1873)

**PASSED TO BE ENACTED** in the House on March 15, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-606)** in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Restructure the National Board Certification Program for Teachers

(S.P. 618) (L.D. 1781)

(C. "A" S-488)

**PASSED TO BE ENACTED** in the House on March 30, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-488) AS AMENDED BY SENATE AMENDMENT "A" (S-610)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Revise the Laws Regarding the Fund for a Healthy Maine

(S.P. 661) (L.D. 1884)

**PASSED TO BE ENACTED** in the House on March 20, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-612)** in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Provide Tax Relief for Maine's Citizens by Reducing Income Taxes

(S.P. 252) (L.D. 849)

(S. "C" S-443 and S. "E" S-506 to C. "C" S-427)

**PASSED TO BE ENACTED** in the House on April 9, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-427) AS AMENDED BY SENATE AMENDMENTS "C" (S-443) AND "F" (S-596)** thereto in **NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Reform Land Use Planning in the Unorganized Territory

(H.P. 1325) (L.D. 1798)

(H. "A" H-926 to C. "A" H-918)

**PASSED TO BE ENACTED** in the House on April 10, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-918) AS AMENDED BY SENATE AMENDMENT "A" (S-611)** thereto in **NON-CONCURRENCE.**

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

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

**Non-Concurrent Matter**

An Act To Provide Funding for the Fish Stocking Program  
(S.P. 64) (L.D. 213)  
(C. "B" S-372)

**PASSED TO BE ENACTED** in the House on February 2, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-372) AS AMENDED BY SENATE AMENDMENT "A" (S-592)** thereto in **NON-CONCURRENCE**.

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

**Non-Concurrent Matter**

An Act To Provide a Sales Tax Exemption to Commercial Horticulturists (EMERGENCY)

(H.P. 187) (L.D. 234)  
(C. "B" H-687)

**PASSED TO BE ENACTED** in the House on February 14, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-687) AS AMENDED BY SENATE AMENDMENT "A" (S-593)** thereto in **NON-CONCURRENCE**.

On motion of Representative CUSHING of Hampden, the House voted to **RECEDE**.

The same Representative **PRESENTED House Amendment "A" (H-978) to Committee Amendment "B" (H-687)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Cushing.

Representative **CUSHING**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I offer this amendment to an issue that deserves more time and evaluation prior to us moving forward. In my amendment we would create a directive to the Department of Revenue Services to study this issue and report back to the 126th. It would not include legislators or legislative staff so it should not require any further consideration from the Legislative Council. I appreciate the opportunity to speak to this.

Subsequently, **House Amendment "A" (H-978) to Committee Amendment "B" (H-687)** was **ADOPTED**.

**Senate Amendment "A" (S-593) to Committee Amendment "B" (S-687)** was **READ** by the Clerk.

Representative CUSHING of Hampden moved that **Senate Amendment "A" (S-593) to Committee Amendment "B" (S-687)** be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: May I pose a question through the Chair, Mr. Speaker?

The SPEAKER: The Representative may pose his question.

Representative **CLARK**: The question I have is to the members of the committee. Did this bill itself have a public hearing? If it's the same bill I'm thinking of, is it a \$20 million tax increase that we're looking to do in the middle of the night when we had major cuts to the DHS budget the other day?

The SPEAKER: The Representative from Millinocket, Representative Clark has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative **KNIGHT**: Thank you, Mr. Speaker. The bill before us as described did have a public hearing. It was not as

you have described it, Representative, but there was a public hearing on the bill.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you very much, Mr. Speaker. I still question the fact of a public hearing because what I'm hearing, there was no public hearing, and how can we justify this tax increase at a time when we just cut everything in the State of Maine. I feel real guilty for voting for something that is in here now to increase \$28 million in taxes.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I appreciate the concerns and I think there are some natural procedural confusions around this bill at this time, but I just want to assure the good Representative from Millinocket that there is no tax increase in this bill in its current posture as it's been amended.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Mr. Speaker, I know that this is my third time. I posed a question the first time. I may have the wrong bill because things are flying through here right now, but I want to make sure that this was not the bill that is going to have an increase on taxes when we're dealing with DHS cuts.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Cushing.

Representative **CUSHING**: Thank you, Mr. Speaker. The matter before us right now as amended by my amendment would call for a study committee for Maine Revenue Services to review items related to the bill to which we attached it to. It would not, to my understanding, incorporate a tax increase.

The SPEAKER: The Chair recognizes the Representative from York, Representative Moulton.

Representative **MOULTON**: Mr. Speaker, I have a question of germaneness. The original bill was supposed to deal with horticulturists and both the title and the substance of this bill have changed dramatically. Where are we on this?

Representative **MOULTON** of York asked the Chair to **RULE** if **Senate Amendment "A" (S-593)** was germane to the Bill.

The SPEAKER: This item will be Tabled, pending a ruling from the Chair.

Subsequently, the Bill was **TABLED** by the Speaker pending a **RULING OF THE CHAIR**.

**Non-Concurrent Matter**

An Act To Expand the Capacity of York County Community College

(H.P. 457) (L.D. 627)  
(C. "A" H-699)

**PASSED TO BE ENACTED** in the House on February 28, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-699) AS AMENDED BY SENATE AMENDMENT "A" (S-594)** thereto in **NON-CONCURRENCE**.

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

**Non-Concurrent Matter**

An Act To Revise the Target Prices for the Dairy Stabilization Program (EMERGENCY)

(H.P. 1409) (L.D. 1905)  
(S. "A" S-535; S. "B" S-546)

**PASSED TO BE ENACTED** in the House on April 12, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "B" (S-546) AS AMENDED BY SENATE AMENDMENT "A" (S-607) thereto AND "A" (S-535) in NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Strengthen the State's Ability To Investigate and Prosecute Misuse of Public Benefits

(S.P. 665) (L.D. 1888)

(C. "A" S-542)

**PASSED TO BE ENACTED** in the House on April 11, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-542) AS AMENDED BY SENATE AMENDMENT "A" (S-608) thereto in NON-CONCURRENCE.**

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

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**Non-Concurrent Matter**

An Act To Reduce Deer Predation

(H.P. 298) (L.D. 372)

(C. "C" H-769)

**PASSED TO BE ENACTED** in the House on March 19, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-769) AS AMENDED BY SENATE AMENDMENT "A" (S-609) thereto in NON-CONCURRENCE.**

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

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



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After Midnight

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

An Act To Provide a Sales Tax Exemption to Commercial Horticulturists (EMERGENCY)

(H.P. 187) (L.D. 234)

(C. "B" H-687)

Which was **TABLED** by the Speaker pending a **RULING OF THE CHAIR**.

The **SPEAKER**: The Chair lays before the House an item that was Tabled previously in today's session and that is, we are in the posture of Indefinite Postponement of Senate Amendment "A." Representative Moulton's Point of Order was that the Senate Amendment "A" was not properly before the body based on germaness. The Chair would rule that the Representative's Point of Order is not timely. Therefore, the question now before the House is the Indefinite Postponement of Senate Amendment "A."

Subsequently, the Chair **RULED** that Representative MOULTON of York's Point of Order was not timely.

The Chair ordered a division on the motion to **INDEFINITELY POSTPONE Senate Amendment "A" (S-593) to Committee Amendment "B" (H-687)**.

A vote of the House was taken. 79 voted in favor of the same and 52 against, and accordingly **Senate Amendment "A" (S-593) to Committee Amendment "B" (H-687) was INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Madison, Representative Curtis.

Representative **CURTIS**: Mr. Speaker, Point of Order.

The **SPEAKER**: The Representative may state his Point of Order.

Representative **CURTIS**: The question is, is House Amendment "A" properly before the body in germaness.

The **SPEAKER**: The Representative from Madison, Representative Curtis, raises a Point of Order as to whether House Amendment "A" is properly before the body based on germaness.

On motion of Representative CAIN of Orono, the House **RECONSIDERED ADOPTION of House Amendment "A" (H-978) to Committee Amendment "B" (H-687)**.

The **SPEAKER**: The Chair recognizes the Representative from Madison, Representative Curtis.

Representative **CURTIS**: Mr. Speaker, now I ask one more time. Is House Amendment "A" properly before the body according to germaness?

On **POINT OF ORDER**, Representative CURTIS of Madison asked the Chair to **RULE if House Amendment "A" (H-978) to Committee Amendment "B" (H-687) was germane to the Bill**.

The **SPEAKER**: The Representative from Madison, Representative Curtis, raises a Point of Order and asks whether House Amendment "A" is properly before the body based on germaness. The Chair is bound by House Rule 506, which states that "an amendment must be germane to the proposition under consideration," as well as Section 402 of *Mason's Manual of Legislative Procedure*. The relevant portions of Section 402 read as follows: "Every amendment proposed must be germane to the subject of the proposition or to the section or paragraph to be amended." "To determine whether an amendment is germane, the question to be answered is whether the amendment is relevant, appropriate, and in a natural and logical

sequence to the subject matter of the original proposal." "To be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of or be in conflict with the spirit of the original motion or measure and still be germane to the subject."

The original bill, "An Act To Provide a Sales Tax Exemption to Commercial Horticulturists," proposes to do just that. It would define commercial agricultural production to include greenhouse and nursery products and would specify that the sales tax exemption contained in current law applies to products used in commercial agricultural production. House Amendment "A" changes the bill to "An Act To Require Retailers with an Affiliate Nexus To Collect Sales Tax" and further changes the bill to deal with the requirement that retailers with an affiliate nexus to collect sales tax and would require a retail seller that is not located in the state but makes retail sales or solicits orders that exceed a certain amount to collect sales tax. This amendment does not relate to the same subject of the original bill which dealt with a sales tax exemption for commercial greenhouse and nursery products. The amendment does not provide any type of sales tax exemption. Instead it requires certain sellers to collect sales tax. It is in no way relevant, appropriate and in a natural and logical sequence to the subject matter of the original proposal as required by *Mason's*. It unreasonably changes the purpose and scope of the original bill and introduces the independent question. With respect to House Amendment "A" to LD 234, the Chair finds that the amendment is not germane. Therefore, the pending question is the Adoption of Committee Amendment "B."

Subsequently, the Chair **RULED that House Amendment "A" (H-978) to Committee Amendment "B" (H-687) was not germane to the Bill**.

Subsequently, **Committee Amendment "B" (H-687) was ADOPTED**.

On motion of Representative CURTIS of Madison, **TABLED** pending **FURTHER ACTION** and later today assigned.

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### SENATE PAPERS

#### Non-Concurrent Matter

An Act To Fund the Computer Crimes Unit and Combat Human Sex Trafficking

(S.P. 591) (L.D. 1731)

(C. "A" S-502)

**PASSED TO BE ENACTED** in the House on April 3, 2012.

**Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-502) AS AMENDED BY SENATE AMENDMENT "A" (S-601) thereto in NON-CONCURRENCE**.

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

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#### Non-Concurrent Matter

An Act To Create the Maine Board of Tax Appeals (EMERGENCY)

(H.P. 1291) (L.D. 1750)

(C. "A" H-860)

**PASSED TO BE ENACTED** in the House on April 3, 2012.

**Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-860) AS AMENDED BY SENATE AMENDMENT "A" (S-603) thereto in NON-CONCURRENCE**.

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

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

**ENACTORS**

**Acts**

An Act To Provide Funding for the Fish Stocking Program  
(S.P. 64) (L.D. 213)  
(S. "A" S-592 to C. "B" S-372)

An Act To Reduce Deer Predation  
(H.P. 298) (L.D. 372)  
(S. "A" S-609 to C. "C" H-769)

An Act To Expand the Capacity of York County Community College  
(H.P. 457) (L.D. 627)  
(S. "A" S-594 to C. "A" H-699)

An Act To Strengthen the State's Ability To Investigate and Prosecute Misuse of Public Benefits  
(S.P. 665) (L.D. 1888)  
(S. "A" S-608 to C. "A" S-542)

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 Restructure the National Board Certification Program for Teachers  
(S.P. 618) (L.D. 1781)  
(S. "A" S-610 to C. "A" S-488)

An Act To Reform Land Use Planning in the Unorganized Territory  
(H.P. 1325) (L.D. 1798)  
(S. "A" S-611 to C. "A" H-918)

An Act To Revise the Laws Regarding the Fund for a Healthy Maine  
(S.P. 661) (L.D. 1884)  
(S. "A" S-612)

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.

An Act To Provide Tax Relief for Maine's Citizens by Reducing Income Taxes  
(S.P. 252) (L.D. 849)  
(S. "C" S-443 and S. "F" S-596 to C. "C" S-427)

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

On motion of Representative CAIN of Orono, 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**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I had real hopes for this new amended version of LD 849, but I am sorry to report that the amendment was not helpful. It does nothing to address the real issue, which is the TABOR-like "ratchet effect" of reducing rates for all future years, while only paying for the first year of the reduction.

Now it doesn't change the ratchet – it only changes how the money flows into that ratchet. So rather than taking from all five funds in the end of year cascade, we would just take more from four of those funds and give it to the other.

I think of this as being like moving the deck chairs when we really should be patching the hole in the bottom of the ship, or pumping out the bilge – or better yet, abandoning ship all together.

Because the real issue is the unfunded cuts in the bill which have been flagged now by all of the major credit rating agencies – Fitch, Moody's, and Standard & Poor's – and today as well, by the Chief Executive's own Finance Commissioner.

Commissioner Millett stated on mic before Appropriations today that, and I quote, "the cascade methodology allows onetime savings to trigger ongoing permanent reductions in revenue." and further went on to say that that was really the concern that he anticipated from bond houses.

Moody's has recently warned, and I quote, "tax changes leading to revenue reductions leave [Maine] vulnerable... and could cause Maine's rating to drop."

Fitch has warned that our rating "is dependent upon the state's ability to ... meaningfully rebuild reserves depleted during the recession."

S&P warns of Maine's recent "failure to plan for capital improvements." Under this amendment, we would be taking even more from our capital improvements reserve.

These signals from the credit agencies should at the very least prompt us to ask a few more questions. But we also learned today that we have literally chosen not to ask further questions of the bond houses.

Mr. Speaker, if we want a nice, fancy new car in our lives but we can only afford the first payment, we shouldn't bring the car home and show it off to the family. It sounds nice, it looks nice, but we'll only get their hopes up – and then we will leave them disappointed.

So I hope that you will join me in voting down this bill which was a bad idea before, and it is a bad idea now. Let's not plunge into bad deals without getting all the facts. Let's instead go home to our families, the hours late, and instead be proud of what we have accomplished together this session. Thank you, Mr. Speaker.

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. 364**

**YEA** - Ayotte, Bennett, Black, Burns DC, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Hanley, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, Martin, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Pilon, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Shaw, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

**NAY** - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Peoples, Peterson, Priest, Rankin, Rochelo, Rotundo, Russell,

Sanborn, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Welsh.

ABSENT - Bickford, Boland, Bolduc, Cebra, Celli, Cornell du Houx, Hogan, Kent, Libby, Mazurek, O'Brien, Webster.

Yes, 75; No, 63; Absent, 12; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Bill was **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**.

**Mandate**

An Act To Prohibit Bullying and Cyberbullying in Schools  
(H.P. 928) (L.D. 1237)  
(S. "A" S-598 to C. "B" H-745)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Mandate**

An Act To Amend the Laws Governing Freedom of Access  
(S.P. 456) (L.D. 1465)  
(S. "A" S-599 to C. "A" S-514)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 26 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Mandate**

An Act To Adopt the Use of Standardized Risk Assessment in the Management of Domestic Violence Crimes  
(H.P. 1263) (L.D. 1711)  
(C. "A" H-890; S. "A" S-600)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Mandate**

An Act To Direct the Commissioner of Education To Adopt a Model Policy Regarding Management of Head Injuries in School Activities and Athletics

(S.P. 654) (L.D. 1873)  
(S. "A" S-606)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was

taken. 125 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Mandate**

An Act To Update the Career and Technical Education Laws  
(S.P. 616) (L.D. 1779)  
(S. "A" S-604 to C. "A" S-416)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Mandate**

An Act To Enhance Career and Technical Education  
(S.P. 650) (L.D. 1865)  
(H. "A" H-896 and S. "B" S-605 to C. "A" S-518; S. "A" S-530)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of the same and 10 against, and accordingly the Bill was **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**.

**Emergency Measure**

An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired

(H.P. 572) (L.D. 765)  
(S. "A" S-595 to C. "B" H-737)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of the same and 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 Revise the Target Prices for the Dairy Stabilization Program

(H.P. 1409) (L.D. 1905)  
(S. "A" S-607 to S. "B" S-546; S. "A" S-535)

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. 125 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act Regarding the Distribution and Sale of Spirits  
(H.P. 664) (L.D. 905)  
(S. "A" S-597 to C. "A" H-915)

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.

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

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

An Act To Amend Education Laws  
(H.P. 1284) (L.D. 1742)  
(C. "A" H-757)

**PASSED TO BE ENACTED** in the House on March 19, 2012. Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-757) AS AMENDED BY SENATE AMENDMENT "A" (S-602)** thereto in **NON-CONCURRENCE**.

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

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

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**ENACTORS**  
**Emergency Measure**

An Act To Create the Maine Board of Tax Appeals  
(H.P. 1291) (L.D. 1750)  
(S. "A" S-603 to C. "A" H-860)

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. 118 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.

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**Acts**

An Act To Combat Human Sex Trafficking  
(S.P. 591) (L.D. 1731)  
(S. "A" S-601 to C. "A" S-502)

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.

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

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

An Act To Provide a Sales Tax Exemption to Commercial Horticulturists (EMERGENCY)

(H.P. 187) (L.D. 234)  
(C. "B" H-687)

Which was **TABLED** by Representative CURTIS of Madison, pending **FURTHER ACTION**.

Subsequently, on motion of Representative CURTIS of Madison, **TABLED UNASSIGNED**.

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**ENACTORS**  
**Mandate**

An Act To Amend Education Laws  
(H.P. 1284) (L.D. 1742)  
(S. "A" S-602 to C. "A" H-757)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 20 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

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**SENATE PAPERS**

The following Joint Order: (S.P. 689)

ORDERED, the House concurring, that when the House and Senate adjourn they do so until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business.

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

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

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On motion of Representative CURTIS of Madison, the House adjourned at 3:23 a.m., until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business pursuant to the Joint Order (S.P. 689).