

# MAINE STATE LEGISLATURE

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

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is no way. I am more than happy to see a competing measure. I will not support going out to the citizens that does not provide some kind of benefit or opportunity or fairness to the people of Washington County or to our Tribes in the State of Maine. To me, this is the equivalent of saying, let's put this out and let's just kick them in the face while they're down. We've done it time and time again, this Representative will not vote to do it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise just to clarify a couple of points that were made during this very thoughtful debate on gaming in Maine. First of all, I think that voting against the motion on the floor does not mean that we don't respect the people of the State of Maine. I do not believe that at all. In fact, I think that it's more respectful of this body that we do our job and look at the policy of gaming in Maine and that we provide options for the people of Maine that are not crafted in such as way as to isolate one particular company, region or area of the state at the exclusion of the rest of the state.

Now there was a lot of talk about the competing measure and that we shouldn't put the competing out, but there was also discussion about, well, we can come back next year and can work to craft some legislation next year that we could send out to the voters. What's the difference? Why do we want to punt? Why shouldn't we be allowed to have that debate on this floor in this body about this very important, and controversial to some, but important issue to a lot, of this in this state? There are several options available to us should this motion fail. If we go green on this and we vote the Ought Not to Pass, that debate dies and we cannot have a thoughtful discussion about real options and policies that we could present to the voters this November. I encourage you to vote no. Thank you.

The SPEAKER: The Chair recognizes the Representative from Passamaquoddy Tribe, Representative Soctomah.

Representative **SOCTOMAH**: Thank you, Madam Speaker. Madam Speaker, Members of the House. For the last 20 years, the Maine Tribes have been struggling to create an economy in the gaming field, while other tribes across the nation have been allowed to increase gaming and start creating jobs for their communities. Many are successful. I believe this pending question is too restrictive for the Tribes and for the rest of Maine. Many of the surrounding communities around the reservation, if something is created, benefit. Here in Maine gaming has increased the economy around the areas where gaming has flourished. But the Tribes have been left out of the loop. As you heard before, the highest unemployment rate, the highest poverty rate exists in Washington County. We have businesses leaving there just about every month. Will gaming change the face of Washington County? Will it stop the out flux of businesses of the area? No, but it might stop the tide. It might give us a chance, give us a hope for future employment and businesses coming. Thank you.

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

**ROLL CALL NO. 339**

YEA - Adams, Beaudoin, Berry, Bolland, Briggs, Bryant, Burns, Campbell, Carey, Casavant, Cohen, Cornell du Houx, Crafts, Cray, Crockett P, Davis, Dill, Dostie, Driscoll, Eberle, Eves, Finch, Fletcher, Flood, Fossil, Hamper, Harlow, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Kaenrath, Kent, Knapp, Knight, Kruger, Legg, Lovejoy, Magnan, McKane, Miller,

Millett, Nelson, Peoples, Percy, Pilon, Piotti, Priest, Rankin, Russell, Shaw, Strang Burgess, Sykes, Theriault, Thibodeau, Thomas, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Weaver, Webster, Welsh, Wheeler, Madam Speaker.

NAY - Austin, Ayotte, Beaudette, Beaulieu, Beck, Bickford, Blanchard, Blodgett, Bolduc, Browne W, Butterfield, Cain, Ceбра, Celli, Chase, Clark H, Clark T, Cleary, Connor, Cotta, Crockett J, Curtis, Cushing, Duchesne, Eaton, Edgecomb, Fitts, Flaherty, Flemings, Gifford, Gilbert, Giles, Goode, Greeley, Hanley, Harvell, Haskell, Jones, Joy, Lajoie, Langley, Lewin, MacDonald, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McLeod, Morrison, Nass, Nutting, O'Brien, Pendleton, Perry, Peterson, Pieh, Pinkham, Plummer, Pratt, Prescott, Richardson D, Richardson W, Robinson, Rotundo, Sanborn, Sarty, Saviello, Schatz, Sirois, Smith, Stevens, Stuckey, Sutherland, Tardy, Tilton, Treat, Van Wie, Watson, Willette, Wright.

ABSENT - Rosen.

Yes, 69; No, 81; Absent, 1; Excused, 0.

69 having voted in the affirmative and 81 voted in the negative, with 1 being absent, and accordingly the Majority **Ought Not to Pass Report was NOT ACCEPTED.**

Subsequently, Representative TRINWARD of Waterville moved that the House **ACCEPT** the Minority **Ought to Pass as Amended Report.**

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Minority **Ought to Pass as Amended Report** and later today assigned.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 1297) (L.D. 1813) Bill "An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Emergency Communications Services" Committee on **UTILITIES AND ENERGY reporting Ought to Pass as Amended by Committee Amendment "A" (H-806)**

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

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

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

**UNFINISHED BUSINESS**

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

Bill "An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse"

(H.P. 569) (L.D. 833)

- In House, Minority (3) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LEGAL AND VETERANS AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-613) AS AMENDED BY HOUSE AMENDMENT "A" (H-635)** thereto on February 23, 2010.

- In Senate, Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LEGAL AND VETERANS AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE**

**ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-612) in NON-CONCURRENCE.**

TABLED - March 16, 2010 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **FURTHER CONSIDERATION.**

On motion of Representative TRINWARD of Waterville, the House voted to **RECEDE.**

On further motion of the same Representative, **House Amendment "A" (H-635) to Committee Amendment "B" (H-613)** was **INDEFINITELY POSTPONED.**

On further motion of the same Representative, **Committee Amendment "B" (H-613)** was **INDEFINITELY POSTPONED.**

The same Representative **PRESENTED House Amendment "A" (H-785)**, which was **READ** by the Clerk.

The same Representative **PRESENTED House Amendment "A" (H-791) to House Amendment "A" (H-785)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Trinward.

Representative **TRINWARD**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I wish to speak very briefly that this amendment strips off the growth for the future years going out. It remains with the \$50,000 for the Fiscal Year 2011-2012 and it goes back to the original \$100,000 in 2013. That was an amendment that we worked on with members of the House that had supported that. So I wish to thank all the members of the House and thank Representative Valentino for her work.

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

Representative **VALENTINO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise to support the pending Adoption of the House Amendment and wish to express my sincere thanks to the good Representative from Waterville for working on a compromise to bring all parties together.

Subsequently, **House Amendment "A" (H-791) to House Amendment "A" (H-785)** was **ADOPTED.**

Subsequently, **House Amendment "A" (H-785) as Amended by House Amendment "A" (H-791)** thereto was **ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-785) as Amended by House Amendment "A" (H-791)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

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**HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-784) - Committee on UTILITIES AND ENERGY** on Bill "An Act To Enable the Installation of Broadband Infrastructure" (EMERGENCY)

(H.P. 1265) (L.D. 1778)

TABLED - March 29, 2010 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-784)** was **READ** by the Clerk.

Representative HINCK of Portland **PRESENTED House Amendment "B" (H-807) to Committee Amendment "A" (H-784)**, which was **READ** by the Clerk.

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

Representative **HINCK**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This bill concerns a little matter relating to dark fiber and something called the Three Ring Binder. Some members may have heard of it. We've gotten contacted by constituents at various times as this was being discussed. The Three Ring Binder is a 1,100 mile network of middle-mile fiber for broadband. It's dark fiber which means it's unlit, optical cable. It creates a dark fiber provider defined under the bill, in this case, the Maine Fiber Company, which is going to be able to utilize federal grant money and private money to build out this network and bring broadband to un-served areas of Maine. I'd say LD 1778 is a good news development for the state. It also took a lot of work and I think we reached a point where a large number of interested parties came together to produce this bill. The final result will enable the use of the \$25.4 million of middle-mile broadband grant money and to put it to use in a timely way. It will leverage an estimated \$5 to \$7 million of additional funds and allow us to quickly bring high-speed broadband, the last mile, to Maine consumers in un-served areas of the state. The two public representatives in the stakeholder process, the Office of Information Technology and the Public Advocate's Office, both believe that LD 1778 offers Maine people and businesses the best hope for bringing broadband access to every part of Maine and to every person who wishes it. Maine Fiber Company gets the ability to attach their federally subsidized fiber optic cable to some 36,000 utility poles in the State of Maine. That's the essence of this bill is enabling that, and we reached the final terms with agreement of the parties.

In the end, we'll have a broadband sustainability program, which is funded by a small fee, on any dark fiber, which is acquired and lit by any telecommunications company provider, and this money will be used by incumbent local exchange carriers, the ILECs, to extend broadband access to un-served areas in the service territory. Because the cost of this federally subsidized dark fiber is substantially lower than the market price for dark fiber in Maine, the small fee, \$3 initially and going down to \$2 after 5 years, still results in dark fiber prices being about 35 percent lower than the current market price. Before we finished all of this, we ended up in discussions with the Department of Commerce in Washington. We went through the process that occurred here in Maine. We discussed all the parties that were interested. We discussed how we reached a conclusion, and the Department of Commerce agreed that we are doing a good job and that this grant money will be used well in Maine to achieve the purposes. I am proud to say that it's an example of a very diverse group of stakeholders coming together to achieve a good result for the State of Maine and I hope that you will join me in adopting our amendments and passing this. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Dill.

Representative **DILL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Broadband or high speed internet connectivity is the foundation for economic growth, job creation, global competitiveness and a better way of life. The internet connects people and ideas around the world and acts as the great equalizer in our society.