

MAINE STATE LEGISLATURE

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

Representative **PRESCOTT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It really perplexes me that we're going to vote on an issue so extremely important as tax relief with no knowledge of LD 1495, at least for this legislator. And as the good Representative from Harrison so eloquently stated, I would be very surprised that each person in this chamber knows all the details of what this bill entails, and amazed if the Men and Women of this House can really make an intelligent and well-informed decision so quickly. Thank you, Madam Speaker.

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

ROLL CALL NO. 230

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Gilbert, Goode, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Schatz, Sirois, Smith, Stevens, Stuckey, Sutherland, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Campbell, Cebra, Celli, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Greeley, Hamper, Harvell, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pendleton, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Shaw, Strang Burgess, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Weaver, Willette.

ABSENT - Hanley, Pratt, Rosen.

Yes, 87; No, 61; Absent, 3; Excused, 0.

87 having voted in the affirmative and 61 voted in the negative, with 3 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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

SENATE PAPERS
Non-Concurrent Matter

An Act Regarding Maine's Energy Future (EMERGENCY)
(H.P. 1038) (L.D. 1485)
(H. "A" H-540)

PASSED TO BE ENACTED in the House on June 10, 2009.

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

Representative MARTIN of Eagle Lake moved that the House **INSIST.**

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

Representative **MILLETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I would like to comment briefly about this bill and share some comments that I just shared earlier this afternoon in the Appropriations Committee. I'm supportive of what the committee has tried to do. A great deal of work has been done. I think their overall vision of energy, planning for the future is good. My objections relate to Part E in that we are, in this bill as it exists today, proposing to allow a new department to borrow \$200 million, at \$30 million a year, and draw the funding from the General Fund to pay it. I object to that notion of raiding the General Fund. I'm not saying that the General Fund has always been pure on this matter. I propose an amendment that would reduce the amount of borrowing authority from \$200 million to \$100 million, from annual draw of \$30 million to \$20 million, and to make the HOME Fund, which is the affordable funding vehicle we have, pay for the revenue stream. I've been rejected on that level by a straight party vote in Appropriations, so I have no strategic or tactical move to make here today. I just want to make a statement for the record that we've added to the deficit by \$7 million per biennium, and we're asking this Legislature to authorize \$200 million in borrowing with no voter approval. Thank you, Madam Speaker.

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

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Members of the House. This issue was raised in the Appropriations Committee this afternoon. As I pointed out at the committee meeting this afternoon, this bill came out with a fairly unanimous by the time we were done through the amendment process and is clear that nothing is going to take place until such time as when the committee is put together. The director and the members are appointed by the Chief Executive. The director is chosen by the new board, and the so-called \$200 million in question is not something that's going to happen overnight. Basically this is the ceiling that's being put for the long-term, in terms of the amount that eventually will be purchased, will be available for the program. And I understand the concern, but we're far ways away from having a problem and I don't see that developing. It is clear to me that what we tried to do was to put together a program for the long run and not simply the short-term, and I appreciate the concerns of the Representative from Waterford, Representative Millett, because obviously I share the same concerns. But in terms of the biennium, there will be no additional, in my belief, in terms of moneys that will be necessary to make up for the shortfall that's being suggested.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **INSIST.**

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

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

ROLL CALL NO. 231

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Celli, Chase, Clark H, Clark T, Cleary, Cohen, Cornell du Houx, Cray, Crockett P, Cushing, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood, Fossel, Gilbert, Giles,

Goode, Greeley, Harlow, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kaenrath, Kent, Knight, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, Miller, Millett, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Richardson D, Richardson W, Rotundo, Russell, Sanborn, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Bickford, Browne W, Burns, Cebra, Cotta, Crafts, Crockett J, Curtis, Davis, Gifford, Hamper, Harvell, Joy, Knapp, Lewin, McLeod, Nass, Nutting, Pinkham, Plummer, Prescott, Robinson, Sarty, Sykes, Thomas.

ABSENT - Connor, Flaherty, Hanley, Hayes, Pratt, Rosen.

Yes, 118; No, 27; Absent, 6; Excused, 0.

118 having voted in the affirmative and 27 voted in the negative, with 6 being absent, and accordingly the House voted to **INSIST. ORDERED SENT FORTHWITH.**

Non-Concurrent Matter

An Act To Amend the Laws Governing Tournament Games
(H.P. 158) (L.D. 193)

PASSED TO BE ENACTED in the House on April 30, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-84)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-84) AS AMENDED BY SENATE AMENDMENT "A" (S-323)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

An Act To Track the Prevalence of Childhood Obesity in Maine

(H.P. 255) (L.D. 319)

PASSED TO BE ENACTED in the House on May 20, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130) AS AMENDED BY SENATE AMENDMENT "B" (S-164)** thereto)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130) AS AMENDED BY SENATE AMENDMENTS "B" (S-164) AND "C" (S-324)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

An Act Relating to Death Benefits for Certain Law Enforcement Officers and Amending the Definition of Emergency Vehicles

(S.P. 135) (L.D. 393)

PASSED TO BE ENACTED in the House on May 18, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-132)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-132) AS AMENDED BY SENATE AMENDMENT "A" (S-325)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

An Act Regarding Alcoholic Beverage Tastings

(H.P. 353) (L.D. 498)

PASSED TO BE ENACTED in the House on June 10, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-281) AS AMENDED BY HOUSE AMENDMENT "C" (H-545)** thereto)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-281) AS AMENDED BY HOUSE AMENDMENT "C" (H-545) AND SENATE AMENDMENT "A" (S-326)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

An Act To Amend the Laws Pertaining to Refusing To Submit to Arrest or Detention

(H.P. 447) (L.D. 633)

PASSED TO BE ENACTED in the House on May 12, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-201)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-201) AS AMENDED BY SENATE AMENDMENT "A" (S-327)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

Resolve, To Expand Access to Renewable Energy Programs (EMERGENCY)

(H.P. 581) (L.D. 845)

FINALLY PASSED in the House on May 7, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158) AS AMENDED BY SENATE AMENDMENT "A" (S-328)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

Resolve, Regarding Building Energy Efficiency and Carbon Performance Ratings (EMERGENCY)

(S.P. 357) (L.D. 935)

FINALLY PASSED in the House on May 21, 2009. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155) AS AMENDED BY SENATE AMENDMENT "A" (S-329)** thereto in **NON-CONCURRENCE.**

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

Non-Concurrent Matter

Resolve, To Conduct an Updated Study of the Feasibility of Establishing a Single-payor Health Care System in the State and the Impact of Any Federal Health Care Reform

(H.P. 690) (L.D. 1002)