

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

December 3, 2008 – May 27, 2009

Pages 1-608

Representative:
HARVELL of Farmington

READ.

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

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

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-370)** on Bill "An Act To Protect the Right To Use Solar Energy"

(H.P. 62) (L.D. 73)

Signed:
Senator:
HOBBINS of York

Representatives:
BLANCHARD of Old Town
FLAHERTY of Scarborough
HINCK of Portland
ADAMS of Portland
WAGNER of Lyman
VAN WIE of New Gloucester

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-371)** on same Bill.

Signed:
Senators:
BOWMAN of York
SHERMAN of Aroostook

Representatives:
THIBODEAU of Winterport
DOSTIE of Sabattus
FLETCHER of Winslow
FITTS of Pittsfield

READ.

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

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

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

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

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-350)** - Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011" (EMERGENCY)

(H.P. 274) (L.D. 353)

Which was **TABLED** by Representative CAIN of Orono pending **ADOPTION** of **Committee Amendment "A" (H-350)**.

Representative CAIN of Orono **PRESENTED** **House Amendment "E" (H-408)** to **Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

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

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This amendment is truly a technical amendment and, if you were to look at the summary, you would see it's so technical it barely fills part of a page. This clarifies four items in the previously printed budget, which you've had on your desk. That document is a very long document and I'd like to commend particularly the staff of the Office of Fiscal and Program Review and the Revisor's Office for their hard work. As they have continued to review and edit it, they found four technical clarifications, which I am making in this amendment.

The first clarifies the transfers made under Part RRR are being made to the General Fund. We had allowed the transfer, but not directed where it would go to.

Number two, it corrects the total number of members on the Task Force on the Sustainability of the Dairy Industry. The committee worked with members of the Ag Committee to increase the number of that commission to 19 by adding two additional members; however, we did not correct the language that listed the total numbers of members on that committee.

The third piece is that it corrects the allocation amounts for revenue-sharing programs based upon available revenues. The amounts you saw in the document, as original printed, were understated, so these correct and increase those allocations.

Number four, it eliminates position counts added in error for limited-period positions authorized under the American Reinvestment and Recovery Act that we will have for our state government.

I am very proud that this is the only amendment and these are the only four technical corrections that I bring before you on behalf of the entire Appropriations Committee today. We've journeyed on a very long process, since January, with LD 353. I'm glad to be bringing it to share it with all of you tonight. This is the only amendment, Madam Speaker, that I will be supporting this evening to the document, because it is brought forward on behalf of the entire Appropriations Committee and represents literally finishing off the bow on the entire package that is LD 353, which I present before you today. Thank you, Madam Speaker.

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

Representative **MILLET**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I would just like to briefly concur with the remarks of the good chair from Orono, Representative Cain. I think she's adequately explained the four points within in this committee amendment, and I think it reflects well on both the process that she observed and the product, because we have before us a 805 page bill, and we have only these four technical items that got overlooked in the process. So I highly concur with her comments, thank her for her leadership and urge your support of this amendment.

Subsequently, **House Amendment "E" (H-408)** to **Committee Amendment "A" (H-350)** was **ADOPTED**.

Representative MCFADDEN of Dennysville **PRESENTED** **House Amendment "A" (H-377)** to **Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Dennysville, Representative McFadden.

Representative **McFADDEN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Today there are 143 non-complying school districts that are being penalized on their 279's. Five towns have not submitted a plan to the commissioner to regionalize. Nearly 40 units are exempt from the law. The 143 non-complying units have followed the proper steps according to law, but citizens have voted no in the referendum vote. Most have determined the cost to reorganizing is greater than the assessed penalties. Some have merged with private and special deals, while others are not as fortunate.

In my District there was a proposed RSU which would have consisted of one SAD, two School Unions and one municipality. The proposed new district had the student population and all requirements were met, but citizens voted "No" in the referendum vote.

Today the two school unions and one municipality have formed their own AOS, but they can't apply to the commissioner because they are just under the legal student population count for an AOS. These three Units have hired one Superintendent where before there were three. The three share services, transportation and purchasing, but now they are being penalized while doing the right thing, because they don't have that slack in student population.

Two important points are geography and demographics which can't be changed. What is the law costing the towns around the state? The \$36.5 million reductions in GPA in the 123rd Legislature; the 5% for Sp. Ed., Transportation and Maintenance; and also the \$27,000,000 curtailment money, which has been replaced through this stimulus.

The state savings in GPA was passed on to the locals. Don't forget that \$75 million is siphoned off GPA under miscellaneous costs and used in the DOE, so the \$75,000,000 GPA to districts is closer to \$888,000,000.

Now municipalities are losing on revenue sharing and a \$3,000 reduction in homestead exemptions. Now add the increased property valuations, especially on water front property and the penalties for non-complying units. What does these added dollars in property taxes do to LD #1? It just ups, ups, ups property taxes completely. So, Ladies and Gentlemen of the House, please do the right thing and support this amendment. Thank you Madam Speaker.

Representative **CAIN** of Orono moved that **House Amendment "A" (H-377) to Committee Amendment "A" (H-350) be INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. I'd like to thank the good Representative from Dennysville for bringing this issue forward, but I would only say, Madam Speaker, that we need to look at today's Calendar, to Unfinished Business Item #4, Item #5 and Notice #3, to know that we are only just beginning the important discussion and debate that this Legislature will and should have around the very difficult issues facing our state in regards to school district reorganization.

The school district reorganization process we are going through may have had its roots in the budget process two years ago, as presented by the Chief Executive, but this session we have worked very hard to leave such matters to the Education Committee. In the budget, we have included only those items related to school district reorganization that the Education Committee requested us to do so. That includes, related to the penalties, exempting those units who voted yes, who's partners voted no, for penalties in the upcoming fiscal year and the parking of the penalties. I am personally looking forward to the upcoming debate on such issues, and I would request support for

my Indefinite Postponement motion. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. With all due respect to the Appropriations Committee, I think they did a lot of hard work and heavy lifting, but they only solved half of the problem. As Representative McFadden stated, there are 143 non-conforming units that are getting penalized for no reason. I'd like to give you kind of a snapshot of what the impact is on one such school district.

This is an extraordinary school district in a section of Maine that has a difficult economic circumstance. The superintendent of schools sent in a letter to the commissioner asking for her support on the January 29th, and followed that up with a letter to the Appropriations Committee, the Education Committee, and the Speaker and the President of the Senate. Basically what he has described in his situation, and it is SAD 4 we're talking about, they've been a leader in reorganization for many years. They've closed community schools in Abbot, Cambridge, Sangerville and Wellington in order to be efficient. These difficult decisions have always been made with students' interests and educational interests in the forefront. SAD 4 spends a higher percentage on instruction than four of the six schools exempt from the reorganization, because they were determined to be highly efficient. SAD 4 spends less per pupil than 34 of the 35 units that were exempt from reorganization due to their size. SAD 4 students will be penalized by reductions in services because citizens voted the wrong way in the eyes of the state government, even though voting the right way proved to be more costly. What should the citizens of those communities do?

SAD 4 spends less per pupil than all the school systems that have thus far voted to reorganize. SAD 4 is in an impoverished area of Maine. Unfortunately, Piscataquis County, where they reside, has overtaken Washington County, Somerset County and Aroostook County as having the highest unemployment in the state. Despite all of this, we are still able to provide students and staff with state of the art, one-on-one technology experience. They've been a leader in one-on-one laptops for several years now, they offer free and reduced lunch to every student in the district, and provide excellent instruction due to the skill level and dedication of the teachers, and I would point out that one of the finalists for Educator of the Year this year is from SAD 4.

These are extraordinary times. We have an opportunity to right this wrong now. Now some people have said these people knew the rules when they started. That doesn't make the rules right. In anybody's mind, somebody that votes in contradiction to their citizens' tax bill and their students' education is not doing the wrong thing. They stood up and did the right thing, and they should not be penalized for it. Please consider this amendment very seriously. Just because we don't want to have any amendment to this budget is not a good reason to not right a wrong. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. First off, I'd like to say that I'm very proud to be a citizen of SAD 4, and I'm also very proud to have been the chairman of that school board for five years. They voted wrong under the eyes of those in authority, here in our state capital. They didn't capitulate, they didn't comply. They showed their independence, perhaps, at least in my mind, the independence that God gave us all. Those that did not capitulate to the south of us, just a little ways to the

south of us, they voted positively, and, at their very first meeting, folks, the very first RSU, they voted to create the position of assistant superintendent at the tune of \$85,000 a year. So much for the savings in this matter. Madam Speaker, I ask for a roll call on this motion.

Representative DAVIS of Sangerville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-377) to Committee Amendment "A" (H-350)**.

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 House Amendment "A" (H-377) to Committee Amendment "A" (H-350). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 113

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

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Cebra, Celli, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Flood, Fossil, Gifford, Giles, Greeley, Hamper, Harvell, Johnson, Joy, Langley, Lewin, McFadden, McKane, McLeod, Nass, O'Brien, Pinkham, Plummer, Pratt, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Schatz, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Weaver, Willette.

ABSENT - Driscoll, Knapp, Knight, Legg, Webster.

Yes, 89; No, 57; Absent, 5; Excused, 0.

89 having voted in the affirmative and 57 voted in the negative, with 5 being absent, and accordingly **House Amendment "A" (H-377) to Committee Amendment "A" (H-350) was INDEFINITELY POSTPONED**.

Representative CLARK of Millinocket **PRESENTED House Amendment "C" (H-394) to Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

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

Representative **CLARK**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. First of all, I want to thank the Appropriations Committee for their extremely hard work they put in, and, secondly, I'd like to thank the Revisor's Office for putting together an amendment in yeoman's time. From ten o'clock this morning till now, I had two amendments. You can see one was pretty lengthy.

Third, I'd like to thank Inland Fisheries and Wildlife Committee for the hard work that they put in, putting together a budget in committee. For three and a half plus weeks we worked tirelessly downstairs trying to come up with a budget to make it easier for the sports men and women of the State of Maine, for they haven't got to really dig that deep down in their pocket. I think you all understand the sportsmen of the State of Maine got hit extremely hard in this budget, as well as a lot of other departments, but this one here was extremely hit hard. We worked tirelessly, long

hours on preparing a budget, trying to put together some minor fee increases. In looking at the budget over the weekend, it's been told to me, if we pass this budget, you're going to have an awful hole in two years. Well, I can tell you right now, Men and Women, if you look in the budget, there's going to be a lot of holes down the road in two years, not only IF & W. If you talk about a rainy day account, the carrying account in Inland, Fisheries and Wildlife exceeding \$700,000 plus dollars, the committee wanted to take some of the money, a little over \$300,000, and soften the blow for the sportsmen here in the State of Maine who hunt and fish and trap or whatever they may do, men and women, so we took some of the carrying account. To me, it is raining into the Department of Inland, Fisheries and Wildlife. We needed the revenue. We cannot keep going to the men and women or the sportsmen of the State of Maine asking for a fee increase. This will give us a two year look down the road of what we're going to do to fund the department. It balances the budget over those two years. Yes, we will have a hole, I admit that. I think every department ought to admit there is going to be holes in their budget, not only in the budget of IF & W. I feel a little guilty putting this amendment in at the eleventh hour, but I can tell you right now, Men and Women of the House, the committee we represent went tireless hours in trying to put together something to make it appropriate for the people you represent back home. I hope when you vote today, and I ask for a roll call, you vote in favor of this amendment. Thank you very much, Men and Women.

Representative CLARK of Millinocket **REQUESTED** a roll call on the motion to **ADOPT House Amendment "C" (H-394) to Committee Amendment "A" (H-350)**.

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

Representative CAIN of Orono moved that **House Amendment "C" (H-394) to Committee Amendment "A" (H-350) be INDEFINITELY POSTPONED**.

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

Representative **CAIN**: Thank you, Madam Speaker. This amendment essentially reverts back to an earlier version of the IF & W budget as it came before us in the Appropriations Committee. In fact, it's one of several additions of the budget that came back to us, because the Inland Fisheries and Wildlife Committee worked so very hard. But the bottom line is that all of the policy committees worked very hard to help the Appropriations Committee build LD 353 as it sits before you now. We all know how hard this work is and have all shared in pieces of it to arrive at the balanced budget today. The IF & W Committee did work especially hard on their portion of the budget, working between the resources of the General Fund and their carrying account, but the bottom line is that the numbers just didn't quite work when they came back to us in the final versions, and so the IF & W Committee Report was treated exactly the same way as all of the other reports that came back to us with holes or with areas that still needed work in order to fit them into the puzzle that is the big budget. We worked hard to honor the spirit of the work of the IF & W Committee, but changes had to be made in order to fit the IF & W budget into the rest of the budget that's on your desk.

I would like to especially thank the Representative from Eagle Lake, Representative Martin, and the Representative from Winthrop, Representative Flood, for their work in working on the IF & W budget, in order to fit in to LD 353. So again, thank you to the IF & W Committee for their hard work. I look forward to working with them on future budgets and future work with the Appropriations Committee and the IF & W Committee, as I do

with all policy committees, and I request that all members please support the motion to Indefinitely Postpone. Thank you, Madam Speaker.

Representative DAVIS of Sangerville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "C" (H-394) to Committee Amendment "A" (H-350)**.

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 House Amendment "C" (H-394) to Committee Amendment "A" (H-350). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 114

YEA - Adams, Beaudette, Beaudoin, Berry, Blanchard, Blodgett, Boland, Bolduc, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Celli, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Curtis, Dill, Dostie, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Flood, Gilbert, Giles, Goode, Harlow, Haskell, Hayes, Hinck, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Langley, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Pratt, Priest, Rankin, Robinson, Rosen, Rotundo, Russell, Sanborn, Schatz, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Welsh, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Beck, Bickford, Briggs, Burns, Cebra, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Fossel, Gifford, Greeley, Hamper, Hanley, Harvell, Hill, Hogan, Johnson, Joy, Lewin, McFadden, McKane, McLeod, Nass, Plummer, Prescott, Richardson D, Richardson W, Sarty, Saviello, Shaw, Sykes, Thibodeau, Thomas, Wheeler.

ABSENT - Driscoll, Knapp, Knight, Legg, Webster.

Yes, 99; No, 47; Absent, 5; Excused, 0.

99 having voted in the affirmative and 47 voted in the negative, with 5 being absent, and accordingly **House Amendment "C" (H-394) to Committee Amendment "A" (H-350)** was **INDEFINITELY POSTPONED**.

Representative CLARK of Millinocket **PRESENTED House Amendment "D" (H-395) to Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

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

Representative **CLARK**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I hope you accept this friendly amendment to the budget. We worked hard at trying to come up with another little compromise. It does not affect the budget, it keeps everything in tact. Money wise, it does not unravel the fabric. What it does is on outboard motor registration, there was a \$5 increase across the board. I feel that's a little bit too much and what we want to do is, 50 horse or less, there would be no increase. Anything about 50 horse will be \$5 increase, and that keeps the money and it keeps everything the same that it was in the original budget, it just gives the sportsmen a little bit more break on the other end, Madam Speaker. When the vote is taken, I request for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "D" (H-395) to Committee Amendment "A" (H-350)**.

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

Representative CAIN of Orono moved that **House Amendment "D" (H-395) to Committee Amendment "A" (H-350)** be **INDEFINITELY POSTPONED**.

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

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. The issue of fees is a very sensitive one in all areas of state government, and all of the fees that are in the budget have been carefully thought out by many policy committees, including the Inland Fisheries and Wildlife Committee and the Appropriations and Financial Affairs Committee, therefore, I do not believe this is an appropriate timing for this particular fee, and I would ask support for a motion to Indefinitely Postpone.

Representative DAVIS of Sangerville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "D" (H-395) to Committee Amendment "A" (H-350)**.

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 House Amendment "D" (H-395) to Committee Amendment "A" (H-350). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 115

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Curtis, Dill, Dostie, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Flood, Gilbert, Giles, Goode, Hamper, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Priest, Rankin, Richardson D, Richardson W, Robinson, Rotundo, Russell, Sanborn, Schatz, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Tilton, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Burns, Cebra, Celli, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Fossel, Gifford, Greeley, Harvell, Johnson, Joy, Langley, Lewin, McFadden, McKane, McLeod, Nass, Plummer, Pratt, Prescott, Rosen, Sarty, Saviello, Shaw, Sykes, Theriault, Thibodeau, Thomas, Tuttle, Weaver, Wheeler.

ABSENT - Driscoll, Knapp, Knight, Legg, Webster.

Yes, 101; No, 45; Absent, 5; Excused, 0.

101 having voted in the affirmative and 45 voted in the negative, with 5 being absent, and accordingly **House Amendment "D" (H-395) to Committee Amendment "A" (H-350)** was **INDEFINITELY POSTPONED**.

Representative PRATT of Eddington **PRESENTED House Amendment "F" (H-411) to Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Eddington, Representative Pratt.

Representative **PRATT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. Many of the amendments that you're going to hear today, in terms of amending the budget, are asking for money or saying, hey, we need this to do what we want to do. What I offer you today, everyone here in this House, is \$70,000, and I ask every single person here in this House what you'd like to do with that \$70,000,

because I guarantee there's not a person here in this House who would say there's not something in this budget that I would like to see \$70,000 spent on. I guarantee you. I am offering this up: \$70,000.

Currently, right now, and my personal opinion is there's probably more than this, but in our little bit of time that we had digging around, the State of Maine spends over, according to OFPR, \$70,000 on bottled water. I'm asking you folks right now, seriously, when we are asking the Legislature to say, hey, we're going to back off our COLA, we don't need that, but we're asking state employees to put money in towards their insurance, and we're asking a lot of very heavy duty cuts that I think people here, some have issues with. I'm offering you \$70,000 for a luxury item. Does the state need to be spending \$70,000 on bottled water? I'll ask you this. We did a bunch of digging. Some folks came up with an \$82,000 number, some folks came up with a bunch of other money, but OFPR would say we have \$70,000 that we're spending in bottled water. Do you think right now, in these times that we're talking about and all of these cuts and these cuts to programs, that you think the state should be spending \$70,000 on bottled water?

I'm not kidding myself. I know the good Representative from Orono is going to stand up and we're going to move Indefinite Postponement on this, and I'm not convinced that I'm going to succeed in this, but I ask you to think about it, because if there is \$70,000 in bottled water, do we honestly believe that we have done all the due diligence that we need to say, hey, have we found the savings that we need to find? We have some great water in the State of Maine. We're very lucky. So many other states don't have what we have. You can open the tap here in Augusta or in Waterville or in Bangor or in my neck of the woods, back home in Eddington, and you get good water right out of the tap, alright? So why on God's green earth are we spending \$70,000 on bottled water? How many pitchers, how many ice machines could you buy for \$70,000? With what we're dealing with right now, I understand people are going to laugh and they're going to joke and say, Come on, Pratt, are you kidding me; why are you wasting my time on \$70,000 worth of bottled water? But I'm telling you, I talked about it earlier, this water issue is not going away, and if we bury our heads in the sand and say don't worry about it, everything's going to be fine, then I think you're kidding yourself, and \$70,000 is \$70,000. At this point, I'd say it's a pretty frivolous waste of taxpayer dollars, considering all the stuff that we're doing right now with cutting \$590 million out of the budget, and, if I haven't asked for it yet, I'd ask for a roll call, and I'd appreciate anyone here who believes spending \$70,000 on bottled water while we're hitting some very important government programs to vote with me. Thank you very much for your time.

Representative PRATT of Eddington **REQUESTED** a roll call on the motion to **ADOPT House Amendment "F" (H-411) to Committee Amendment "A" (H-350)**.

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

Representative CAIN of Orono moved that **House Amendment "F" (H-411) to Committee Amendment "A" (H-350) be INDEFINITELY POSTPONED**.

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

Representative CAIN: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I do appreciate the sentiment of this amendment, and I know that all issues surrounding all bottled water in general are immersed in intense debate during this very legislative session. The truth is that some members of the Appropriations Committee worked very hard to see if adopting an amendment like this one was practical, but the

truth is that it is not. So while I greatly appreciate that the good Representative from Eddington, my friend, Representative Pratt, is offering us a \$70,000 deal tonight, the bottom line is that, really without a lot of further work and careful consideration, there are too many potential unintended consequences with support of this amendment, for example, where there might be state buildings where the tap water is unsafe to drink, or, for many of our workers who are out in the field working in the hot sun, where we cannot simply install a drinking fountain wherever we would like. It is for those reasons that I would ask support of the Indefinite Postponement motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Robinson.

Representative **ROBINSON**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **ROBINSON**: Thank you, Madam Speaker. How much did it cost the people of Maine to draft this amendment and to print it?

The SPEAKER: The Representative from Raymond, Representative Robinson has posed a question through the Chair to anyone who may care to respond.

The Chair recognizes the Representative from Scarborough, Representative Flaherty.

Representative **FLAHERTY**: Thank you, Madam Speaker. Having lived in an area that did not have great water, I will tell you the truth: We have great water in the taps of Maine. The reality is that we have \$70,000, which we'd save right here, right now, if we vote for this amendment. So I will ask you to vote for this amendment to save a lot of money from the state budget. The reality is we've got great water in Maine from the tap and not from the bottle. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Celli.

Representative **CELLI**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This is a great amendment: save \$70,000 over the biennium. I offered legislation this morning that would have save \$300,000 over the biennium. Perhaps we all need to get out priorities straight on what we're trying to do here. Our goal is to give the best possible services to the people in the State of Maine with the least amount of money, and there shouldn't be any party politics going on here. That should be our number one goal and what we strive to succeed at.

Representative PRATT of Eddington **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "F" (H-411) to Committee Amendment "A" (H-350)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "F" (H-411) to Committee Amendment "A" (H-350). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 116

YEA - Beaudette, Beck, Berry, Blanchard, Blodgett, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant, Chase, Clark T, Cleary, Cohen, Connor, Cotta, Crockett J, Crockett P, Curtis, Cushing, Dill, Dostie, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood, Gilbert, Goode, Hamper, Hanley, Harvell, Haskell, Hill, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kruger, Lajoie, Langley, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McKane, McLeod, Miller, Millett, Nelson, Nutting, Peoples, Percy, Perry, Pieh, Pilon, Pinkham, Piotti, Priest,

Rankin, Richardson W, Robinson, Rotundo, Russell, Sanborn, Sarty, Shaw, Sirois, Smith, Stevens, Strang Burgess, Sutherland, Tardy, Theriault, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Welsh, Willette, Madam Speaker.

NAY - Adams, Austin, Ayotte, Beaudoin, Beaulieu, Bickford, Boland, Cebra, Celli, Clark H, Cornell du Houx, Crafts, Cray, Davis, Flaherty, Fossel, Gifford, Giles, Greeley, Harlow, Hayes, Hinck, Johnson, Joy, Kent, Lewin, McCabe, McFadden, Morrison, Nass, O'Brien, Pendleton, Peterson, Plummer, Pratt, Prescott, Richardson D, Rosen, Saviello, Schatz, Stuckey, Sykes, Thibodeau, Wagner R, Watson, Weaver, Wheeler, Wright.

ABSENT - Carey, Driscoll, Knapp, Knight, Legg, Webster.

Yes, 97; No, 48; Absent, 6; Excused, 0.

97 having voted in the affirmative and 48 voted in the negative, with 6 being absent, and accordingly **House Amendment "F" (H-411) to Committee Amendment "A" (H-350) was INDEFINITELY POSTPONED.**

Representative CROCKETT of Augusta **PRESENTED House Amendment "G" (H-415) to Committee Amendment "A" (H-350)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Crockett.

Representative CROCKETT: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I want to first join others and say thank you to the Appropriations Committee members for their many long hours of hard work. These are terrible times, not only for Maine but for other states, and we know that many states are in far worse financial condition than we are. That still doesn't make it any less painful to make some of the cuts we're making in this budget. I'm certainly pleased that we were able to restore at least some funding that had been proposed to be cut. I think, for the most part, we have spread the sacrifice. I do think our municipalities have been hit hard, harder than I would liked to have seen, but with the stimulus money we were able to help the local schools to alleviate some of those cuts.

The one area that I have real concern with are the cuts we are proposing to our state workers. I live in an area that has a number of families working for state government. This weekend, I heard from a single woman, who told me she can barely afford to keep a roof over her head and an automobile on the road. She tells me state workers work for less money than the private sector and they depend on their benefit packages. She reminded me that in order to survive in Maine we need not only groceries and gas, but we need to heat our homes and that's a tremendous cost in Maine. With the loss of payment from shutdown days, she feels she will not be able to pay any portion of her medical insurance, and she told me about the hardship of freezing the merit increases on top of the shutdown days.

Another couple I know both work for state government and, because of this, they will be hit twice as hard. They will both be hit by the suspension of longevity pay, as well as requirements to contribute to their health insurance, and shutdown days. To get by, this couple is making plans to give up their internet service, drop their newspaper subscription, cut out visits to local restaurants, and cut back on repairs to their home. Now, to me, this means that my local businesses will suffer more than they are now. Our local restaurants won't have as many state workers drop in for lunch or dinner; our local hardware store, our local paint store, our local sandwich shops are all going to be hit by these cuts to state workers. I don't think that it's fair to hit businesses in my community simply because our area is near state government.

I just can't see how anyone feels it's fair to take away a longevity payment that someone has been getting for a number

of years. To me, that's not freezing or suspending. To me, that's a taking. These workers have built their home budgets around these longevity payment increases that they have received and their families plan on this money. That's not a future raise that they might or might not get, that's pay that they have had in their paychecks. Now for the next two years that longevity payment will no longer be in their paychecks. I can tell you that if someone was entitled to get a longevity payment during the next two years, that it might be necessary to freeze that until the two years are up and then the economy will hopefully be better. I think most people understand not getting a new increase, but it takes away the longevity payment they get now, and it's simply wrong. State workers work hard and serve Maine people well, and through the years they have negotiated to get the benefits they have now. With any negotiation, there is a give and a take. To get their health benefits, they gave up something; probably that was a pay increase. Now we are not giving them the opportunity to negotiate what they will give up. We're saying take it or leave it, when we cut their pay, give them shutdown days and make them pay for health insurance. I say we can and we should do better by our loyal state workers. We need to let their unions negotiate the cuts that will reach the bottom line that we need for our state budget.

This amendment simply changes the suspension of longevity payments to apply only to those employees who are newly eligible for payments or eligible for an increase in longevity pay for the period of July 1, 2009 to June 30, 2011, and the amendment takes the offset for the costs by reducing their reimbursement limit under the BETR program to 88 percent of the 2009 and 2010 figures. I ask for your support. Thank you.

Representative CAIN of Orono moved that **House Amendment "G" (H-415) to Committee Amendment "A" (H-350) be INDEFINITELY POSTPONED.**

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

Representative CAIN: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. State employees are hard working. State employees are the people who keep the vital services that people in Maine depend on from our government going and operating every single day. The package of proposals relating to state employees in LD 353 was a difficult one to craft. We worked hard to make it as equitable as possible and to recognize that the impact on lower, middle and higher paid workers is different, but it is a package. Shutdown days, merit and longevity pay, health insurance, wellness programs, none of these proposals, none of these decisions were taken lightly. In fact, some of them evolved quite intensely in the last several days of the budget. I think it's safe to say that this portion of the budget took up more energy and more time for the Appropriations Committee and those involved in negotiating this budget, because of the human impact of this particular area. No one on our committee and I would hope that no one in this Legislature takes this package of proposals lightly. I know that I certainly don't, and I do not take for granted the hard work of state employees throughout Maine on any given day.

In regards to longevity pay and, in fact, to merit pay as well, I would draw members' attention to Committee Amendment "A" to LD 353, page 731, Section SSS-4, lines 35 to 42. This is the section that relates to the "freezing" of merit and longevity pay for the next two years. The last line of this section is the most important, in my opinion. It reads: These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees. That means that these areas are areas that could possibly be part of collective bargaining; they could possibly be part of a

discussion, within available resources, that various bargaining agents could have with the administration. But none of it is easy; it's not supposed to be. None of this budget has been easy. But this particular part is part of a package trying to, again, address points of equity and address disparity in earnings for various state employees. It was not taken lightly, it was not done in a flip motion; in fact, it was done and redone and clarified several times. I am hopeful that merit and longevity, both, will have an opportunity to be reinstated sometime during this upcoming biennium, should resources be available, and that is why it's important that members consider part SSS-4.

Finally, I just want to reiterate that this is a package. It's part of the bigger package of the budget, but particularly the pieces relating to state employees were done with a lot of thought, with a lot of heartache and with a lot of careful consideration, and I look forward to continued work in this Legislature to continue to allow as many opportunities as possible for state employees to thrive in the State of Maine. That being said, Madam Speaker, I ask for support for the Indefinite Postponement motion.

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 want to concur with the motion that's been made by the House Chair and agree with her comments, but take this brief opportunity to share my thoughts regarding the motivation and the approach taken by Representative Crockett. I concur with her concern, and I have wrestled with this issue all weekend long, when I learned for the first time that the package that deals with state employee reductions, while it was negotiated over the weekend of the 13th through the 18th and appeared before our committee in the closing day and the language occurred late in the evening, it was not my understanding nor my intent to make the longevity suspension retroactive. When I learned of this, I began to look at the impact of some of the lower waged employees in our state service, and I learned a lot over the weekend and I learned more today. I had proposed an amendment very similar to this one and a method to pay for it, albeit, at a high cost. I learned today that the maximum cost to the Executive Branch employees, covered by collective bargaining, is 50¢ per hour, when applying the retroactivity proposal. That's a lot of money for a lot of hardworking people, and I sincerely hope that the sentence, which the House Chair referred to you and read literally to you, will be taken to heart by the administration and the employee bargaining agents in the course of bargaining so as to minimize the impact on our lower wage employees.

Throughout our discussions of collective bargaining and the impact of this \$33.8 million package, I particularly have gone out of my way to be very careful not to talk about influencing the collective bargaining process, and I will try very seriously not to do that tonight. I do want the process to work. I do think there is an impact here that ought to be addressed, I hope the parties at the table will do so, and I express that only as a hope. I do not want my comments to be expressed in any way as indicating legislative intent. This has been a very difficult choice. I agreed not to offer my amendment after serious conversations with the administration, assuring me that the collective bargaining process is seen by them as the proper vehicle for providing whatever regress can be afforded within the limits of our resources. So with heavy heart, I support the motion, even though my amendment would have accomplished a similar outcome with a different funding source. Again, I hope that we can all acknowledge that there is pain and suffering in this budget for everyone. Here, we are attempting to spread the pain and to do so in a fair way and I hope the collective bargaining process will

provide some regress to those who are most aggrieved.

The SPEAKER: The Chair recognizes the Representative from Mount Vernon, Representative Jones.

Representative JONES: Thank you, Madam Speaker. Madam Speaker, Members of the House. I stand in support of Representative Crockett's amendment to reduce the impact of the budget cuts on state workers. I think we all read the concerning articles in our newspaper this weekend about the impact that this will have on our state workers' families, particularly those that have two members of the family working in state positions. I've heard from a number of them about not losing their longevity pay. Some state workers have served in their position for 15 to 20 years and have earned this longevity pay. Just to reiterate, again, they're getting 20 shutdown days, they're cancelling their merit pay, and they're paying for part of their health insurance premiums.

I have a 70 year old state worker in my district who is a janitor. His salary is not high, he has an ill wife, and he is paying \$4,000 a year for her health insurance premium. These cuts, plus the additional insurance he's going to be paying on his own insurance, is very hard for him to absorb. He has put many years into state service, he's not able to retire because of his family situation, and I think he deserves that longevity pay.

I recommend that we support this amendment and that, if it doesn't pass, we give serious consideration of working through the bargaining process to try to find the resources to support longevity pay for state workers. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Blodgett.

Representative BLODGETT: Thank you, Madam Speaker. Madam Speaker, Members of the House. I also rise in support of Representative Crockett's amendment. I also appreciate all of the hard work that is done by Appropriations. I'm new here, so I also appreciate that nothing is perfect, mostly me. But when I understood that the longevity pay that they have already earned, they're not going to get, I don't think that that is the right thing to do. For the two years, yes this makes sense, this is what we're doing, but what they have already earned. Merit was not taken away, what they had already earned, and I don't believe longevity should be retro either. Thank you very much.

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 was a difficult area that we dealt with. Actually, we went home finally on a Friday night because on that issue, because we hadn't reached a consensus between the parties, and that's parties within the parties as well, not only for cross political parties. So one of the things that I was concerned about was that, and I'm always concerned about when we go over the weekend because sometimes things tend to get progressively worse and, in this instance, in my opinion, it did. At one point through the negotiations and discussion, not only did we keep longevity in, but we had also kept in the steps and that would have resulted in the 5 percent across the board cut to state employees. That was rejected over the weekend and this is the plan that came forth, and the net result of that, in my opinion, made it worse for state employees. The one thing that is a blessing from what we have, that the Representative from Waterford pointed out, is the language we have in the budget which clearly allows the administration to go back and negotiate that with the unions, and this allows the flexibility so that when money comes in to the picture that this will be one of the first items that will be discussed by the administration with the union. We don't want to get involved in the middle of collective bargaining, but unfortunately

that's where we were. So much as I hate to do it, I think, well, I know that we have no choice but to Indefinitely Postpone this amendment and wait for a better day.

On motion of Representative CAIN of Orono **House Amendment "G" (H-415) to Committee Amendment "A" (H-350) was INDEFINITELY POSTPONED.**

Representative MARTIN of Eagle Lake **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408)** 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 Adoption of Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408) thereto. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 117

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Celli, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Cray, Crockett J, Crockett P, Curtis, Cushing, Dill, Dostie, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Greeley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Langley, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Robinson, Rosen, Rotundo, Russell, Sanborn, Sarty, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Chase, Clark T, Crafts, Davis, Edgecomb, Finch, Fitts, Fletcher, Gifford, Hamper, Hanley, Harvell, Johnson, Joy, Lewin, McFadden, McKane, McLeod, Pinkham, Plummer, Prescott, Richardson W, Saviello, Sykes, Theriault, Thibodeau, Thomas, Weaver.

ABSENT - Driscoll, Knapp, Knight, Legg, Webster.

Yes, 116; No, 30; Absent, 5; Excused, 0.

116 having voted in the affirmative and 30 voted in the negative, with 5 being absent, and accordingly **Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408)** 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 **TARDY** of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408)** 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 Passage to be Engrossed as Amended by Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408) thereto. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 118

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Celli, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Cray, Crockett J, Crockett P, Curtis, Cushing, Dill, Dostie,

Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Greeley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Langley, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Robinson, Rosen, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Chase, Clark T, Crafts, Davis, Edgecomb, Finch, Fitts, Fletcher, Gifford, Hamper, Hanley, Harvell, Johnson, Joy, Lewin, McFadden, McKane, McLeod, Nass, Pinkham, Plummer, Prescott, Richardson W, Sarty, Saviello, Sykes, Thibodeau, Thomas, Weaver.

ABSENT - Driscoll, Knapp, Knight, Legg, Webster.

Yes, 115; No, 31; Absent, 5; Excused, 0.

115 having voted in the affirmative and 31 voted in the negative, with 5 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-350) as Amended by House Amendment "E" (H-408)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-375)** - Minority (1) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify the Municipal Jurisdiction of a Portion of Saco Bay"

(H.P. 774) (L.D. 1119)

Which was **TABLED** by Representative **PIOTTI** of Unity pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Representative **BEAUDETTE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This issue came before the State and Local Government Committee during the 123rd Legislature. It is essentially a question of boundary between the City of Saco and the Town of Old Orchard Beach. In the 123rd, we had a resolve to send the two communities to talk to one another and try to come up with a consensus solution between the two communities, and, in fact, we even invited the cities of Biddeford and the Town of Scarborough to engage in a conversation about boundaries within the Saco Bay. The parties came back to the 124th Legislature, or I should say the State and Local Government Committee of the 124th, and did not come back with a resolution. Consequently, this bill came forward and the State and Local Government Committee, by a 12-1 vote, reported Ought to Pass on this bill. The amendment that is included with this Ought to Pass Report is to make sure that the two islands, Bluff and I can't remember the name of the other islands, the two islands that have been previously under the jurisdiction of the City of Saco would remain with the City of Saco. Again, as I said before, the committee vote was 12-1, and I would urge passage of this bill. Thank you very much.

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