

MAINE STATE LEGISLATURE

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

Daily Edition

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pages 1 - 1067

for all government employees including the Judicial and Legislative branches, and the special and confidential employees. We reviewed and extended hospital ambulatory patient classifications through July 2012. We modified and accepted a study and cost reduction at Dorothea Dix Center. We received a significant reduction in costs from the Legislative Council for which we are very grateful. We established a funding mechanism beginning in 2014 for infrastructure improvements to our sewage treatment plants, drinking water facilities, and our highway paving programs. We developed a working group to study and make recommendations about our retirement system. All of the above were supported unanimously.

Significant changes were proposed in this budget by the Executive, and as you've now heard some were modified by the Appropriations Committee with the hope of receiving your approval and the approval also of the Executive. And that is a tight tightrope to walk. We hope we were successful. We respect and upheld the Executive's wishes to maintain support for education and programs for the developmentally disabled and those suffering from mental illnesses as priorities.

Some of the policy changes in this budget were long overdue – particularly as they related to our pension system – and are very, very important for our long term structural stability. There is always a certain degree of sadness mixed in with the accomplishments of a budget document. Not everything goes as planned, not everything gets accomplished, and I apologize for any oversights along the way, but we hope that you see the need for the policy changes that we have brought to you along with the associated funding changes. We hope that we have met your expectations and the expectations of the Executive Branch. Thank you for your leadership Mr. Speaker, and thank you to all our caucus leaders for their support as our work came to an end. Thank you Ladies and Gentlemen of the House. It is an honor to serve you.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-620)** was **READ** by the Clerk.

On motion of Representative CURTIS of Madison, **TABLED** pending **ADOPTION of Committee Amendment "A" (H-620)** and later today assigned.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photograph Identification for the Purpose of Voting" (H.P. 176) (L.D. 199)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-385)** in the House on June 6, 2011.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ and ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **RECEDE**.

On motion of Representative BEAULIEU of Auburn, the Bill and all accompanying papers were **COMMITTED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Non-Concurrent Matter

Resolve, Directing the Maine Center for Disease Control and Prevention To Conduct a Review of Wood Smoke Laws (EMERGENCY)

(H.P. 430) (L.D. 547)

(C. "A" H-407)

FAILED of **FINAL PASSAGE** in the House on June 9, 2011.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-407) AND SENATE AMENDMENT "A" (S-296)** in **NON-CONCURRENCE**.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect Young Children from Sex Offenses"

(S.P. 357) (L.D. 1182)

Signed:

Senator:

GERZOFSKY of Cumberland

Representatives:

PLUMMER of Windham

CLARKE of Bath

HANLEY of Gardiner

HASKELL of Portland

LAJOIE of Lewiston

LONG of Sherman

MORISSETTE of Winslow

SANDERSON of Chelsea

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-295)** on same Bill.

Signed:

Senators:

MASON of Androscoggin

WHITTEMORE of Somerset

Representatives:

BLODGETT of Augusta

BURNS of Whiting

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-295)**.

READ.

On motion of Representative PLUMMER of Windham, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Help Deter Youth Smoking and To Help Smokers Quit" (EMERGENCY)

(H.P. 419) (L.D. 536)

Signed:

Senators:

TRAHAN of Lincoln

HASTINGS of Oxford

Representatives:

KNIGHT of Livermore Falls

BENNETT of Kennebunk
BICKFORD of Auburn
BURNS of Alfred
WATERHOUSE of Bridgton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-616)** on same Bill.

Signed:
Senator:
WOODBURY of Cumberland

Representatives:
BERRY of Bowdoinham
BRYANT of Windham
FLEMINGS of Bar Harbor
HARMON of Palermo
PILON of Saco

READ.

Representative KNIGHT of Livermore Falls moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative **KNIGHT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This report and the title is an excellent one. It is "An Act To Help Deter Youth Smoking and To Help Smokers Quit" and I'm sure that would be a worthwhile goal for each and every one of us here in the House. Certainly I would support that goal. Unfortunately, what this bill does to accomplish that is to bring forth another tax. In this case, a \$1.50 tax per package of cigarettes, moving our cost from \$2 to \$3.50. It would make this indeed one of the highest in the nation. I think in light of the severe economic circumstances that this state is in and the fact that this is an extraordinarily regressive tax hurting those who could least afford it despite, as they say, the good title of the bill, this is not the time to be adding another tax burden to our citizens and I would ask you to follow my light and vote green. Thank you very much.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Bring the State's Laws into Compliance with the National Instant Criminal Background Check System"

(H.P. 623) (L.D. 827)

Signed:
Senators:
MASON of Androscoggin
GERZOFKY of Cumberland
WHITTEMORE of Somerset

Representatives:
PLUMMER of Windham
BURNS of Whiting
CLARKE of Bath
HANLEY of Gardiner
HASKELL of Portland
LAJOIE of Lewiston
LONG of Sherman
MORISSETTE of Winslow
SANDERSON of Chelsea

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-612)** on same Bill.

Signed:
Representative:
BLODGETT of Augusta

READ.

On motion of Representative PLUMMER of Windham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-610)** on Bill "An Act To Update the Maine Wind Energy Act To Include Low-emission Energy" (EMERGENCY)

(H.P. 1005) (L.D. 1366)

Signed:
Senators:
THIBODEAU of Waldo
BARTLETT of Cumberland
RECTOR of Knox

Representatives:
FITTS of Pittsfield
BEAVERS of South Berwick
CORNELL du HOUX of Brunswick
CRAY of Palmyra
DION of Portland
HAMPER of Oxford
HINCK of Portland
LIBBY of Waterboro
LUCHINI of Ellsworth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-611)** on same Bill.

Signed:
Representative:
DUNPHY of Embden

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-610)** was **READ** by the Clerk.

Representative DUNPHY of Embden **PRESENTED** House **Amendment "A" (H-630)** to **Committee Amendment "A" (H-610)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. For those you who may not have received an email over the past few weeks, please let me explain the need for the amendment to LD 1366.

The poor sighted regulations of wind development in Maine have caused many serious issues. This amendment is a very reasonable and workable answer to two of these problems. Each and every one of these wind developments which are constructed close to homes have caused and continue to cause issues associated with flicker and noise.

Ladies and gentlemen, this is not about the poor economics of wind or the inefficiencies and unreliability of wind, which should