

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session

May 27, 2003 – June 14, 2003

First Special Session

August 21, 2003 – August 23, 2003

Second Regular Session

January 7, 2004 - January 30, 2004

Second Special Session

February 3, 2004 - April 7, 2004

Pages 777-1562

(S.P. 624) (L.D. 1692)

Signed:

Senators:

HALL of Lincoln

BROMLEY of Cumberland

YOUNGBLOOD of Penobscot

Representatives:

RINES of Wiscasset

FLETCHER of Winslow

LUNDEEN of Mars Hill

ADAMS of Portland

MOODY of Manchester

BERRY of Belmont

BLISS of South Portland

RICHARDSON of Skowhegan

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-447)** on same Bill.

Signed:

Representative:

GOODWIN of Pembroke

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-446)**.

READ.

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

The SPEAKER: The Chair recognizes the Representative from Pembroke, Representative Goodwin.

Representative **GOODWIN**: Mr. Speaker, Men and Women of the House. I urge you to vote against the motion to accept Committee Amendment "A" (S-446). When the vote is taken, I request a roll call.

First off, I must report to you that we have no shortage of power in this great State of Maine. Starting yesterday in California they had power outages. They will be having rolling blackouts for the rest of the year. We don't have that problem in Maine. This bill, as it was proposed, exempts a business that is certified in a qualified Pine Tree Development Zone business from the stranded cost portion of the businesses utility bill. The title of the bill is "An Act to Enhance Pine Tree Development Zones". I read it differently. This is an act to fund Pine Tree Development Zones when there were no funds put into the program.

When the program was first proposed it had a gigantic fiscal note. It did not go through this body. It went through as a budgeted item and, again, with no money. We, the people of Maine, are paying, we have a bill with stranded costs, \$100 million. We pay for that in a monthly bill. Every month you get a bill and added to it is 1.5 cents. It is one of the added items that we see on our utility bill.

The Pine Tree Zones were proposed for eastern Maine in areas of nasty unemployment numbers. So far we haven't seen any results of the Pine Tree Zones. This was for new business, to entice new businesses to come to areas of under employed people.

We have 600,000 ratepayers in the State of Maine who will be forced to pay stranded costs if you allow this measure to go as it is proposed. The 25 or 30 years of stranded costs may be expanded and moved out to 35 or 40 years. Even the commission chair can't tell you how long the stranded costs are going to be out there. We just continue to pay. The last Pine

Tree Zone Development paperwork I received, the State of Maine is peppered with dots where Pine Tree Zones are going in. I am not certain those are new developments, creating new jobs where they are entitled to these developments.

The cities and towns across the state in the Pine Tree Zones will have to absorb the costs of deleting all of the taxes in the Pine Tree Zones. That is quite a benefit to an industry that you are enticing into your city, town or village.

I ask you to vote against the motion and accept another version that will do it without a charge to the ratepayers. I thank the Speaker and I thank the body.

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

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

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Bliss.

Representative **BLISS**: Mr. Speaker, Men and Women of the House. Of course we haven't seen any results from the Pine Tree Zones yet. They have only just been established. The bill that first came to us did indeed ask for elimination of stranded costs for these businesses, but the committee didn't like that at all. That is why we are asking to approve this as amended by Committee Amendment "A". Committee Amendment "A" does three things. Committee Amendment "A" authorizes T & D utilities, the utility that brings the power from the plant to your business or your home, it authorizes those T & D utilities to offer discounted rates to businesses that locate in Pine Tree Zones. It is one more enticement to bring businesses to those parts of the state that need business the most.

The second thing it does is it authorizes the Public Utilities Commission to take into account the overall benefits to all ratepayers when approving these discounted rates. The third thing it does is automatically sunsets in five years. This is not a boondoggle. It is an opportunity to help bring businesses to those parts of the state that we think most need business and most need economic development.

Mr. Speaker, with your permission could we ask the Clerk to read the committee report. Thank you.

Representative **BLISS** of South Portland **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

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

The SPEAKER: The Representative may pose his question.

Representative **CLARK**: Mr. Speaker, Ladies and Gentlemen of the House. If a new business relocates in a Pine Tree Zone and they are a big business that consumes lots of power in Maine and they negotiate a contract with a T & D company, would they also be eligible for getting another discount if this bill was to pass?

The SPEAKER: The Representative from Millinocket, Representative Clark has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from South Portland, Representative Bliss.

Representative **BLISS**: Mr. Speaker, Men and Women of the House. The answer is no. That is precisely the point of the second of the three things that this amendment does. This amendment authorizes the PUC to take into account the overall benefit to ratepayers and those special circumstances before approving these discounted rates.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 372

YEA - Adams, Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bryant-Deschenes, Bull, Bunker, Campbell, Canavan, Carr, Churchill J, Clough, Collins, Courtney, Craven, Crosthwaite, Cummings, Curley, Daigle, Davis, Dudley, Dunlap, Duplessie, Duprey B, Duprey G, Earle, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Glynn, Greeley, Hatch, Heidrich, Hotham, Jacobsen, Jennings, Jodrey, Kaelin, Kane, Ketterer, Koffman, Landry, Ledwin, Lemoine, Lerman, Lessard, Lewin, Lundeen, Mailhot, Makas, Marley, McCormick, McKee, McKenney, McLaughlin, Millett, Mills J, Mills S, Moody, Murphy, Muse, Norbert, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Perry A, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson J, Richardson M, Rines, Rogers, Rosen, Saviello, Shields, Smith N, Smith W, Snowe-Mello, Suslovic, Tardy, Thomas, Thompson, Tobin D, Trahan, Usher, Vaughan, Walcott, Watson, Wheeler, Woodbury, Wotton, Young, Mr. Speaker.

NAY - Churchill E, Clark, Cressey, Eder, Goodwin, Honey, Hutton, Joy, McGowan, Peavey-Haskell, Percy, Sherman, Simpson, Stone, Sukeforth, Tobin J, Treadwell.

ABSENT - Beaudette, Bruno, Cowger, Dugay, Grose, Jackson, Maietta, Marraché, McGlocklin, McNeil, Moore, Pellon, Perry J, Sampson, Sullivan, Sykes, Twomey.

Yes, 117; No, 17; Absent, 17; Excused, 0.

117 having voted in the affirmative and 17 voted in the negative, with 17 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-446)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 31, 2004.

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass** on Bill "An Act To Amend the Licensing Laws for Hearing Aid Dealers and Fitters"

(S.P. 747) (L.D. 1908)

Signed:

Senators:

BROMLEY of Cumberland
SHOREY of Washington
HALL of Lincoln

Representatives:

SULLIVAN of Biddeford
AUSTIN of Gray
DUPREY of Medway
BEAUDETTE of Biddeford
O'BRIEN of Lewiston
PELLON of Machias
SMITH of Monmouth
ROGERS of Brewer

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

Signed:

Representatives:

BERUBE of Lisbon
JACOBSEN of Waterboro

Came from the Senate with the Majority **OUGHT TO PASS**

Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.
READ.

On motion of Representative SMITH of Monmouth, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 31, 2004.

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-814)** on Bill "An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations" (H.P. 996) (L.D. 1354)

Signed:

Senators:

GAGNON of Kennebec
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
LANDRY of Sanford
HOTHAM of Dixfield
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds

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

Signed:

Senator:

LEMONT of York

Representative:

GLYNN of South Portland

READ.

Representative CLARK of Millinocket 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.

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

CONSENT CALENDAR

First Day

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

(H.P. 447) (L.D. 584) Bill "An Act To Strengthen the Maine Certificate of Need Act of 2002" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-816)**

(H.P. 1275) (L.D. 1753) Bill "An Act To Improve the Quality and Safety in the Delivery of Personal Care Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-817)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.