

MAINE STATE LEGISLATURE

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House of Representatives
One Hundred and Twenty-Third Legislature
State of Maine

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

ROLL CALL NO. 98

YEA - Babbidge, Barstow, Beaulieu, Berry, Brautigam, Browne W, Cebra, Connor, Conover, Cotta, Craven, Dill, Driscoll, Duchesne, Eaton, Eberle, Faircloth, Finch, Fisher, Flood, Grose, Hamper, Hanley S, Hayes, Hill, Hinck, Hogan, Lansley, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Pendleton, Peoples, Pilon, Pingree, Prescott, Samson, Silsby, Sirois, Strang Burgess, Thibodeau, Treat, Tuttle, Valentino, Wagner, Walcott, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Adams, Annis, Austin, Ayotte, Beaudette, Beaudoin, Blanchette, Bliss, Boland, Bryant, Burns, Cain, Campbell, Canavan, Carter, Chase, Clark, Crockett, Crosthwaite, Dunn, Edgecomb, Farrington, Finley, Fischer, Fitts, Fletcher, Gerzofsky, Gifford, Giles, Greeley, Harlow, Jackson, Jacobsen, Kaenrath, Knight, Koffman, Lewin, Lundeen, McDonough, McKane, McLeod, Millett, Muse, Nass, Perry, Pieh, Pineau, Pinkham, Piotti, Plummer, Priest, Rand, Rector, Richardson D, Rines, Robinson, Rosen, Savage, Saviello, Schatz, Simpson, Sutherland, Sykes, Tardy, Theriault, Thomas, Tibbetts, Trinward, Walker, Watson, Weaver, Webster.

ABSENT - Berube, Blanchard, Casavant, Cleary, Cray, Cressey, Curtis, Duprey, Emery, Gould, Haskell, Hotham, Joy, Marean, McFadden, Moore, Patrick, Percy, Pratt, Richardson E, Richardson W, Smith N, Vaughan.

Yes, 55; No, 72; Absent, 23; Vacant, 1; Excused, 0.

55 having voted in the affirmative and 72 voted in the negative, 1 vacancy with 23 being absent, and accordingly the **RESOLUTION FAILED PASSAGE TO BE ENGROSSED as Amended** and was sent for concurrence.

Bill "An Act To Establish the Regional Greenhouse Gas Initiative Act of 2007"

(H.P. 1290) (L.D. 1851)
(H. "A" H-380 to C. "A" H-321)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative AYOTTE of Caswell, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended**.

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 Caswell, Representative Ayotte.

Representative **AYOTTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, honorable members of the House of Representatives. The eloquence here this morning has been impressive; I probably will not be able to match it. Although I will not quote Madison, Thomas Paine, or Patrick Henry, I will quote a couple of my fellow Representatives.

When I first entered the House last January, I received two bits of advice from a couple of veteran Representatives, which I thought made a lot of sense. An old timer said, "Bernard, if you do not know what you are voting on, vote no." The other piece of advice was if you are not quite sure how to vote on a certain bill, just watch the light on the certain elder statesman, which I will not name, and see how he votes. Well, I do not necessarily follow that advice anymore, but it was still solid advice. As a matter of fact, I think that elder statesman watches my light.

I am not going to make any Troy Jackson/Ben Pratt wagers of \$100; I will figuratively wager that a lot of us here do not know enough about RGGI, to cast an informed vote. A number of years ago in the 1970's, the leading celebrated cause was global cooling. Millions of people were going to die according to Paul Ehrlich, because of all the complications caused by global cooling. Then came the AIDS scare of the 1980's; then Mad Cow Disease, bovine spongiform encephalopathy; then it was ZARS, or the Avian Flu; goodness knows what else. Now the celebrated cause is global warming.

When you hear someone say that the studies are all done, the science is in; you can bet right way that their evidence is on very shaky grounds. Science is never done. Also, in reference to RGGI, no one mentioned the fact that when the Soviet Union broke up in the 1990's, literally hundreds of temperature monitoring stations went offline, while temperatures at monitoring stations in warmer parts of the world stayed online. That in itself would cause statistics to show a climb in temperature.

Seriously, there are several items about this bill, LD 1851, that concern me greatly. First of all, the bill is misnamed to the extent that it is gravely misleading, so much so that it borders on the ludicrous. It is misnamed because the bill has nothing to do whatsoever with reducing greenhouse gases in the atmosphere. Rather, the purpose of the bill is to attain an amount of money, a fee, from each electric ratepayer in the State of Maine, and it be placed in an account referred to as Efficiency Maine, or given some other name. This money would then be redistributed to various individuals, some industries, and commercial enterprises, to purchase more efficient equipment. A good idea until analyzed.

Secondly, the bill is misleading because LD 1851, or the RGGI Initiative, would do absolutely nothing to reduce the amount of CO2 put into the atmosphere by the electric generating plants that use fossil fuels. As a matter of fact, it may prove to be a disincentive to the electric generating facilities, as they would simply bid higher for the carbon credits and pass the cost on to the consumer. Basically, the money would be raised by charging a fee to each electric generating plant of approximately \$5 per ton of CO2, or carbon dioxide, that their plants would be discharging into the atmosphere.

Thirdly, it has been determined, by whom I do not know, that the ten states included in RGGI are allowed to discharge a total of 187 million tons of CO2 per year; of that, Maine is allowed 5.9 million tons per year. If one multiplies 5.9 million or 6 million, by \$5 per ton that would amount to \$30 million per year that the ratepayer would be expected to pay, compliments of the Maine State Legislature.

Fourthly, it is quite certain that generating plants would not bear the burden of this huge amount of money, but rather pass it on to the ratepayer at a time when they have just experienced a tremendous increase in their bills.

There are a number of other concerns such as the administrative cost of such a bureaucracy, another layer of government, and most certainly a life of its own with not an end in sight. I firmly believe that a workshop for the Legislature should be conducted, a more open discussion to be held before such an expensive project be undertaken. I could not, in good conscience, support this bill. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I wanted to rise, actually because the debate on this yesterday, I cannot remember if there was one—if there was, it was somewhat limited, and I just wanted to take this opportunity to thank this

Chamber for their vote. I wanted to thank the good Speaker, the Chairs of the Committee, and the bipartisan members of the Committee who worked so hard on this initiative. There were literally countless hours of work that went in before the bill even came to this Legislature, between industry, between the environmental community, between all of those in this state who care so much about our environment, about the future of our community, and understand that reducing the amount of carbon we put into the atmosphere is incredibly important. I just wanted to acknowledge those contributions. This is an incredibly important bill for this Legislature to pass, I believe it is monumental. I just want to acknowledge the hard work of so many legislators who made it happen.

Representative SAVIELLO of Wilton asked leave of the House to be excused from voting on L.D. 1851 pursuant to House Rule 401.12.

The Chair granted the request.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative BERRY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to point out as a member of the Utilities Committee that the good work that we have done, and I credit everyone on both committees, including the good Representative from Caswell, with that work. It does not lose any water if we suppose, for the sake of argument, that global warming is not happening and that it is not caused by humans. Even supposing that, there is no fee to ratepayers as part of this, I want to correct that statement. There is a cost for carbon emissions to large generators, which is what we are talking about there. The Office of the Public Advocate, whose job it is to look out for small ratepayer, has made it very clear that they support this measure. The large energy users association has made it clear that they support this measure; they too look at this as a net good for them, for our state, and for our region.

The only opposition we heard was from the T&DB's, the transmission and distribution companies, whose profit depends on increased energy sales. They are concerned that we might become more efficient in our use of energy, and that would be a bad thing for their profit margin. I do not think that is a good enough reason to vote against this. When we voted yesterday, I think, many of us did so too with the knowledge that energy efficiency is extraordinarily, profoundly a good investment.

Right now, if you look at the cost of energy on the market, the ratio of buying a kilowatt-hour to investing in energy efficiency that will save you a kilowatt-hour is about 8 to 3. In other words, 8 cents right now, for a kilowatt-hour of electricity on the spot market, and 2.9 cents to invest in efficiency and save that kilowatt-hour and never use it at all. I think with the amendments we have put forward, and the excellent bipartisan work that has been done, and I really credit the Representative from Winslow, Representative Fletcher, with making it better, we should absolutely feel confident that our vote yesterday was a good one, and vote the same way again today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Annis.

Representative ANNIS: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This was initially a bill that I personally had a lot of problems with. Two committees worked on this: Utilities Committee and Natural Resources Committee. There was a lot of diversion initially. We got together and we worked very hard on this bill to make sure that both sides of whether the opponents or the supporters were for this bill. As far as I am concerned, it is a good bill and it should happen.

Like I said, we worked very hard on this, and many of us are very supportive of this particular bill at this particular time. I appreciate all the work that has been done by the leadership on both committees, to put it together and make it come out right. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative BABBIDGE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise with trepidation because anything I have touched lately has had the kiss of death.

I would like to just basically say that I spent two years on Utilities and Energy and am now on Natural Resources and have great concern about this country and energy efficiency. I know that I had some reservations about this initially, but upon examination, the Regional Greenhouse Gas Initiative was the brainchild of George Pataki of New York and it is designed to reduce the carbon imprint. It is a proactive statement that we can make; our European brothers are way ahead of us on this. This can make a real difference, and I urge your support. Thank you.

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

ROLL CALL NO. 99

YEA - Adams, Annis, Austin, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carter, Cebra, Chase, Clark, Connor, Conover, Craven, Crockett, Crosthwaite, Driscoll, Duchesne, Dunn, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Giles, Greeley, Grose, Hamper, Hanley S, Harlow, Hayes, Hill, Hinck, Hogan, Hotham, Jackson, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marley, McDonough, McKane, Miller, Millett, Mills, Miramant, Muse, Nass, Norton, Pendleton, Peoples, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Prescott, Priest, Rand, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Schatz, Silsby, Simpson, Sirois, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Treat, Trinward, Tuttle, Valentino, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Ayotte, Cotta, Gifford, Jacobsen, Joy, McLeod, Tibbetts.

ABSENT - Berube, Blanchard, Casavant, Cleary, Cray, Cressey, Curtis, Dill, Duprey, Emery, Gould, Haskell, Marean, Mazurek, McFadden, Moore, Patrick, Percy, Pratt, Richardson E, Smith N, Vaughan.

Yes, 120; No, 7; Absent, 22; Vacant, 1; Excused, 1.

120 having voted in the affirmative and 7 voted in the negative, 1 vacancy with 22 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Emergency Measure

An Act To Provide for the 2007 and 2008 Allocations of the State Ceiling on Private Activity Bonds

(S.P. 564) (L.D. 1620)
(C. "A" S-145)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and