

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Regular Session**

May 28, 2009 – June 12, 2009

**Second Regular Session**

January 6, 2010 - March 23, 2010

Pages 609-1214

Bill "An Act To Preserve Home Ownership and Stabilize the Economy by Preventing Unnecessary Foreclosures" (EMERGENCY)

(H.P. 994) (L.D. 1418)  
(C. "A" H-524)

TABLED - June 4, 2009 (Till Later Today) by Representative TREAT of Hallowell.

PENDING - **PASSAGE TO BE ENGROSSED.**

On motion of Representative TREAT of Hallowell, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-524)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-547)** to **Committee Amendment "A" (H-524)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT**: Thank you, Madam Speaker. This is an amendment that is endorsed by all of the Insurance and Financial Services Committee members. It is an amendment to the Unanimous Committee Report which establishes a court sponsored mediation program administered by the courts for residential properties in foreclosure, and on the back of the goldenrod sheet, there are a couple of bullet points on that program. The amendment does the following: First, it corrects a technical error and it also corrects a renumbering. You may want to know the details that due to a conflict with budget section Part AAAA, Section 4, there is a different number that we have to put in because they already used it. It clarifies that the mediation program is only for primary residences, not vacation homes, for example. Finally, it requires the court to report on the program and how it's working and whether it is still needed after it has been in operation for two years, and provides the committee with the opportunity to enact legislation or to propose legislation to address the recommendations of the court. I hope that you will support this and the bill as well. Thank you.

Subsequently, **House Amendment "A" (H-547)** to **Committee Amendment "A" (H-524)** was **ADOPTED.**

**Committee Amendment "A" (H-524)** as Amended by **House Amendment "A" (H-547)** thereto was **ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-524)** as Amended by **House Amendment "A" (H-547)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH.**

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HOUSE DIVIDED REPORT - Report "A" (11) **Ought to Pass pursuant to Joint Order 2009, H.P. 63** - Report "B" (5) **Ought to Pass as Amended by Committee Amendment "A" (H-505) pursuant to Joint Order 2009, H.P. 63** - Report "C" (1) **Ought Not to Pass pursuant to Joint Order 2009, H.P. 63** - Joint Select Committee on **MAINE'S ENERGY FUTURE** on Bill "An Act Regarding Maine's Energy Future"

(H.P. 1038) (L.D. 1485)

TABLED - June 3, 2009 (Till Later Today) by Representative MARTIN of Eagle Lake.

PENDING - Motion of same Representative to **ACCEPT** Report "A" **UGHT TO PASS PURSUANT TO JOINT ORDER.**

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

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Members of the House. To me, this is a great day because we are going to put in place an energy policy for the entire state for the first time, attempting to move us forward into

the next century. We will be one of the few states in the country to have accomplished this as quickly as we are doing. I first want to thank members of the special committee, who participated in putting this bill together, and then, in the last month, for all the people who have participated in making changes to this document and most of those I'll be offering as House Amendment "A" in a few minutes once we accept the Majority Report.

What this bill is, is an attempt to consolidate the Efficiency Maine, the RGGI Trust, Weatherization, and put it together in a commission or board that will then control and a board that will be appointed by the Chief Executive and confirmed by the committee and the other body. It creates for the first time a one stop, residential and business customers, where they can go and get information on efficiency programs. It is clear that we are moving to achieve the goal that the Chief Executive laid out to try to bring efficiency and weatherization to the vast majority of Maine homes in a 20 year period. The bill creates a study commission as well which of course has been the result of many discussions on what we ought to do with the corridors for transmission purposes.

This, in my opinion, is one of the more difficult issues that we dealt with, but it provides, I think, a mechanism for us to report back in January to deal and to try to determine what ought to be the value of that land that would be used through Maine for a corridor to bring power from another country to the Boston area. It is clear to me that, and there are some that wanted us to do more and you may remember that a number of the bills contain a funding mechanism of a surcharge on oil, but we felt that this time that it would be better to let it be studied and come back with a recommendation on how we do it for the long term. What we have now is the federal money which will be distributed through this process, and the new hope that we'll have a \$30 million, or somewhat close to, bond package to take us to the next level, and then that would help us to get, hopefully, through the next three or four years. But we do know, in the long run, we need to develop an ability to put money into this process to keep the efficiency of providing or improving our homes in the long run.

This also increases the amount of money that will be available for people to work on their homes and keep in mind that, and never should be forgotten, that more than 70 percent of our Maine homes rely on oil. We are the highest in the nation, second to us is the State of Vermont in the '60s, and after that everyone falls to 50 percent or below so we know we have to move in that direction.

One of the things I feel the happiest about in this bill is that we will stop weatherizing trailers that were built 30 years ago, because there is nothing you can do, nothing you can do to make them efficient. But what this bill does do is provide money so that we can move them out of those trailers into housing where, not only will they save money, but the State of Maine will save money by not having to provide oil for them at the rate that we do now. I know that some of you, and we all do in our various communities, have trailers like that and, to me, that was one of side things perhaps that maybe not you know for some people may not think that's a big victory, but to me it is. So I think I literally could go on all day and I don't want to do that, but I will leave with one last thing.

One of the other things we've done is to attempt to deal with coordination of the workforce development. That will be provided with Maine State Housing, the Public Utilities and the Department of Labor so that we have common standards and common direction on how these homes ought to be done. And so, with that, I am simply pleased to say that we have in the finally analysis, hopefully before it's all over today, almost a unanimous vote from every member in this body.

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Representative PIOTTI of Unity assumed the Chair.  
The House was called to order by the Speaker Pro Tem.

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

Representative PINGREE: Thank you, Mr. Speaker. Men and Women of the House. One of the most important and urgent priorities for this Legislature this session has been energy, especially to try to reduce energy costs for Maine's families and businesses. This past summer Maine got a vision of the future when the price of heating oil and gasoline skyrocketed. During your campaigns, each of you undoubtedly heard from countless constituents the plea to do something about energy costs, and I can say from a partisan perspective, each of you put on your campaign flyers that you would do something about energy costs. The reality is that Maine's heavy dependence on heating oil and our old, inefficient buildings makes us very vulnerable to volatile fuel prices. When we got a slight reprieve this winter, prices inevitably will rise again and they are already on the rise and our long-term economic security depends on our actions today. To that end, President Mitchell and I formed a Joint Select Committee on Maine's Energy Future. Today we have before us the work of that committee. I'd like to especially thank the Chairman from Eagle Lake, Representative Martin, for his leadership, and all of the members of the committee including the Republican lead, the Representative from Winslow, Representative Fletcher. They have worked incredibly hard, incredibly diligently. I will say that most of these members pulled at least double duty, if not triple or quadruple duty, as they served on many committees, but they sat through hours of testimony, work sessions, very difficult issues and they got us to this point, and I am hopeful we will have an overwhelming vote today.

The facts about Maine's energy speak for themselves. Last year Maine spent \$1.5 billion for heating fuel, 85 percent of which left the state. At the highest price last year, our total heating oil bill would have been over \$2 billion. Because 20 to 30 percent of our fuel is wasted due to the lack of weatherization in our homes and businesses, Mainers are paying nearly \$400 million a year more than they need to. This is a hidden tax we are currently paying, about \$750 per home on average.

As you all know and has been repeated, we have the oldest housing stock in the country and we are the most reliant on heating oil in the entire country. We have no choice but to take action. The reality is that we are taking action today on behalf of all of our neighbors: elderly people living in homes built in the early 1900s that lack insulation, young families who moved into new homes that are not properly insulated, small businesses who need to work on efficiency for electricity and heating costs, and large industrial corporations whose future survival depends on their ability to become more efficient and more profitable. They will all be positively impacted by this bill.

A major energy efficiency initiative is an opportunity also to put thousands of Mainers to work. Whether you are a builder, an installer, electrician and energy auditor, these will be good new jobs in Maine's emerging clean energy sector.

The committee drafted this legislation based on four basic elements of efficiency and weatherization. They said efficiency programs must help people reduce their whole energy bill, no matter what type of fuel they use. They believed administration of Maine's efficiency programs must be consolidated so that programs are more consumer oriented, effective and performance driven. They believed an effective and coordinated

approach to training and certification so that Maine can build its workforce and ensure that weatherization and efficiency are done well. They also considered an ongoing and sustainable revenue stream dedicated to support efficiency and weatherization efforts.

LD 1485 addresses three elements in an effective and very direct way. The new Efficiency Maine Trust created in this bill will provide a one stop shop for consumers and businesses to access so they can start weatherizing and improving their efficiency and reducing their costs. The new trust will formulate programs and structures to achieve the goals established in the bill, including weatherizing 100 percent of Maine homes, 50 percent of Maine businesses and reducing heating oil consumption by 20 percent.

You've probably heard some of the stats, but I think they bear repeating, because I think that what we've done this session is a big deal. Through an earlier bill we passed this session, we have a plan to spend \$79 million of federal stimulus money over the next three years on low income programs, on programs for the middle class, on programs for small businesses and large industrials. In this bill there is \$30 million for an affordable housing bond, for green housing, for a replacement of housing stock that is not able to be weatherized, like the trailers that we've heard about, building new green housing for those Mainers who can't afford homes. And as you all know, there is also a piece of unfinished business on our Calendar, a \$30 million bond to provide efficiency for the bridge year after we run out of the stimulus money in 2012.

But the point of why I step off the rostrum today is to remind you all that, even though we will be passing a significant bill, the state does need to deal with a sustained, dedicated revenue source for energy efficiency and weatherization work. We can't rely only on two years of federal stimulus money and the bond that will take us through the third year, although these are incredibly important steps. We need to find a long-term funding source to pay for these programs if we're going to ramp up Maine workers, Maine homeowners, Maine businesses to start depending on these programs. We need a long-term funding source. We know we already have a program like this in place for electricity, for natural gas, for oil cleanup, and even our gas tax, while ineffective, provides a funding source for the work on our roads.

This is an important first step. When the Legislature takes the important second step, which I know you will in the future, I may not be a member of this body, but I know there are incredibly committed and dedicated members on both sides of the aisle who see this and know this is not only a priority for Maine people but a crisis for Maine people. I urge you all to keep the pressure on. We can and will do many great things this session on the issue of energy—this bill, the Ocean Energy Task Force, our community wind initiatives, investment in alternative energy, a bond package—but the energy money we save through this bill and our future efforts is the very best investment for Maine people. Maine is among the worst states in terms of our position on keeping our people safe through cold winters. This bill puts us on a path to long-term sustainability, but I urge all of you to see this bill as a great and significant and important but first step. I thank you, Mr. Speaker, and I urge Acceptance of the Majority Ought to Pass Report.

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The Speaker resumed the Chair.  
The House was called to order by the Speaker.

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The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Fletcher.

Representative **FLETCHER**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the Majority Report. Now if you read the jacket, you will see I'm on the Minority Report, so I think I should give you a brief explanation of why I changed my position. The only significant distinction between the two reports is the process for legislative oversight, and as I gave the whole matter further consideration and read the Majority Report, I came to the conclusion that in fact the Majority Report does allow the level of legislative oversight that is needed and, in some ways, is an improvement over what I suggested in the Minority Report. Therefore, with a great deal of enthusiasm, I support the Majority Report. Now I think Madam Speaker and others have done a good job explaining what's in the report and I'd just like to make a few comments.

LD 1485 provides the opportunity to begin the transformation of Maine's energy position to one of greater fossil fuel independence and economic security, and just as it has been said, we must remember that this is the beginning of a process that will take many years, where Maine strives to become the most energy efficient state in the nation, as well as the state that has maximized the utilization of our indigenous alternative renewable energy sources. We can no longer risk the unsustainable position of relying on \$147 a barrel oil. While we may be experiencing a temporary reprieve from last year's unprecedented high gas and heating oil prices, we can be certain that prices will increase again as the world economy recovers. As I know you agree Madam Speaker, maintaining the status quo is not an acceptable option. In conclusion, we need to begin and LD 1485 is an important first step in a long journey to energy independence and security. Thank you very much, Madam Speaker, and I appreciate your attention.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I, too, am proud of the work of the Energy Committee and this legislation. For years, since the Energy Office was eliminated in budget cuts during the last really serious recession in the early 1990s, we have either entirely lacked a coherent energy policy and a structure for delivering energy efficiency programs, or we have tried to piece it together through disjointed committees or through agencies whose main purpose in life was not energy policy. This bill not only endorses a process for adopting a true, statewide energy policy and then following that policy, but it sets up an Efficiency Maine Trust that takes the best from our current PUC sponsored and hosted programs and learns from that experience and the experience in other states to make sure that we have a nimble, independent yet accountable entity, to make sure that we weatherize and make efficient all of the housing stock in this state, while we also plan and invest in a renewable future. This bill is the single most effective economic development tool that we have before us in this Legislature today. The workforce development provisions, the funding for subsidies and incentives to promote weatherization, green housing—all of these will jumpstart this growing green economy, not to mention the savings to businesses and homeowners who cut their fuel and electricity bills dramatically as the result of this legislation. I can but echo the clear and compelling words of our good Speaker that we must rededicate ourselves, however, as soon as we pass this bill to finding a long-term funding source.

Finally, on the study and short-term moratorium on transmission lines, I just want to state that I believe that this

provision is an essential if we are to really control our energy future, our economy, and to be able to shape the role of renewables in this state as we move forward. I urge your support of this forward-looking legislation, this thoughtful plan and appreciate the hard work of everybody who worked on this and who provided a testimony to us. It was a long process, but we learned a tremendous amount from the people who came before us and, because of that involvement, I believe we have a wonderful product before us here today. Thank you.

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. I want to talk a little bit about the energy corridor, or the proposed energy corridor. If Maine allows Irving Oil to build its proposed dc transmission line across Maine, a broad based variety of proposed energy generation projects within Maine will be in jeopardy of being built. Irving's proposed 1,500 megawatt transmission lines, along with wind and gas fired generation that Irving will build in New Brunswick, will prevent the development of at least 1,500 megawatts of similar generation in the State of Maine. Some New England utilities and their customers do not care if they buy power generated in Maine as opposed to the Maritime Provinces. All they care about is purchasing power at the least, lowest delivered cost. Irving's line would allow it to bypass Maine entirely and would give Irving's own Canadian generation a significant advantage over any generated power in the State of Maine. Renewable energy generation in Maine would be nearly completely halted by Irving's line. New renewable projects using Maine's resources, such as wind, solar, and tidal power would effectively find a lack of a market for their power because the market would be glutted by Irving's Canadian generation. Maine based renewable projects would require transmission line upgrades to transmit their output to markets, but will have no legal right to use Irving's lines to do so, nor would there be room on Irving's line, as Irving anticipates that the lines would be fully committed to transmitting Irving's own generation. Also, the lack of ac/dc conversion stations in Maine would mean that Irving's line will function as a private highway with no on ramps and no off ramps. Dc power flows in one direction only and ac power kind of bounces off of each other so it flows from both directions. If we allow Irving to leapfrog over Maine by permitting a dc transmission line, across the state we will have allowed Canada to take advantage of the southern market which, in turn, will close a potential market for Maine projects. We currently have tidal power, wind power and LG projects in the works. What do we do? Say you might as well discontinue any projects in Maine as we will have a market, as the Canadian transmission has already flooded the southern market.

Madam Speaker, this is all about jobs. Do we want these jobs in Maine, or do we want to give them to Canada and just continue to be economically depressed and accept the double digit jobless rate in Downeast Maine as it is today? The LG project alone would produce 150 full-time jobs and it would infuse millions of dollars into the Maine economy each year. Please support the proposed moratorium, the study or the adverse effect this project would have on Maine and Maine's economy. We need to do the right thing, we need to pass this LD 1485 and have the study committee and wait and have our own energy project going forth and bring the income into Maine instead of letting it go across the border into New Brunswick. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I want to first just echo the sentiments that other folks have said about the work that the Energy Committee has put into this bill. There were quite a few proposals on the table ranging from a wide myriad set of issues, and to pull those together and synthesize them into something that really resonates with people and really sets us up on a trajectory toward energy independence is something really remarkable, especially in such a short period of time. So I want to thank them, and I want to thank Mr. Chairman for his work and Madam Speaker, because she put a lot of work into this, as well as Representative Fletcher and all the members.

I did want to speak to a couple of things though. We talk about this from a moral imperative. We have a significant number of people who have homes that are not weatherized. We have more than 477,000 homes in Maine. Only about 5 percent, if that, have been properly weatherized, which sets us up toward a real crisis for Maine if we're not careful, and I think this bill is a very strong first step toward addressing that issue. I also think that the workforce development component of this bill is very, very strong and it allows our workforce, as a policy decision, to be able to be trained and prepared for future green jobs. But I want to talk a little bit about the importance of viewing this as an economic development tool.

Folks have consistently said that we need a sustainable funding mechanism and I want to echo that sentiment, but I see this; we're on the verge of a crisis. If we do not address our energy issues, our people are going to be literally be left out in the cold. But we don't have to use this as a crisis; we can use this as an opportunity to be able to invest in green jobs, create jobs around the state and to really boost our economy. The majority of, in fact, energy efficiency has a really remarkable return on investment for Maine because we have the oldest housing stock in the country, Madam Speaker, and because we're using oil the majority of the time, we also have the greatest capacity for return on investment. Every investment that we make in efficiency has significant returns in comparison to other states, so using this as an economic development tool allows us to create jobs and, within energy efficiency, there are more jobs created than in other parts of the energy sector and certainly in other parts of other sectors. So I see this as a strong economic development tool. We have an opportunity to create jobs, reduce our dependence on oil, reduce our energy costs, and we could help our climate as well. So I just want to thank the committee, they put so much work into this.

I do want to say, though, when it comes to the funding mechanism, on the one hand we have this great opportunity with the economic stimulus funds, and we have, I'm sorry, I'm losing my place here, but it's really hard for me to think about this. We have \$42 million over the next two years that are going to be channeled into low income. That means there is \$21.5 million a year. We have \$8.8 million that is going to be channeled toward the middle class. Only \$8.8 million is going to be focused on the middle class over the next two years and that should be a real concern for those of us in the body. There are safety nets in place and good safety nets and needed safety nets when it comes to the low income side of things, but our middle class is really suffering under the weight of the oil costs, Madam Speaker. So I would just remind people that if you really want to address this issue and you really want to create an economic development opportunity, we have to address the issue with the middle class and that is going to require sustainable funding, and it is going to require great courage on behalf of our Legislature when the times comes. So I just want to remind people that this is a huge first step and it sets us on a trajectory toward

independence, but if we do not fund a sustainable funding mechanism, not only will our low income and our elderly be in trouble, but our middle class will seriously be in trouble as well. So I want to thank the committee. This is a very good first step, I'm very proud of the work, but there's still unfinished business to do and we need to take that up as soon as possible. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Lincoln, Representative Gifford.

Representative **GIFFORD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise to give my support to the energy project that's going forth today. I want to thank the Energy Committee and everybody that's worked very hard on this. This is a very important project to our future development of energy and all this, and I'm not going to take up any more of your time.

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As the sponsor of one of the bills that went before this committee, I want to commend, first of all, the great leadership that all members of the Maine's Energy Future Special Select Committee demonstrated, in particularly the phenomenal leadership of the Representative from Eagle Lake, Representative Martin, and the Representative from Winslow, Representative Fletcher.

I also want to thank Madam Speaker, the Representative from North Haven, for her leadership on this issue. It is clearly not a partisan issue, and I think in a very real sense Mainers live not under half a million different roofs but under one roof. You know, to put it another way, I think the metaphor that Madam Speaker used with all of us in accepting the position that she now holds is very apt. Maine's energy economy is like a bucket, and it's a bucket that every year imports millions of gallons of natural gas and oil from across our borders and pumps out billions of dollars, \$6 billion all told, in our energy economy every year from this economy, from the pockets of Mainers. It's a concern that we share here, many of us, on both sides of the aisle. All we get for it is heat and much of that heat escapes from our buildings, our leaky buildings, our leaky bucket.

There are two ways that we can deal with this leaky bucket issue and one of them makes the news all the time, it's the issue renewables, the grand hope of renewables and the grand hope of offshore wind and of new transmission lines, and this is a grand hope, and it would help us to reverse, to some extent, the direction, the flow of the energy dollars into and out of that bucket that I spoke of. But renewable energy will only help to the extent that we own that resource or have a stake in that resource, a new transmission will only help to the extent that we own it or have a stake in it. The other option is efficiency, which is akin really to plugging the holes in the bucket, to fixing the bucket and making it less leaky. This bill puts us on a path to that important work. Efficiency doesn't make the news as much, but it is ten times as generative of jobs, as even renewable power. These are non-exportable jobs: blowing in insulation, sealing around chimneys, replacing windows. Mainers, only Mainers can do that work, and ten times as many Mainers will be put to work doing the efficiency jobs that are created by this bill and by future efforts that this state will make, as would be put to work in even the best renewable building projects and long-term maintenance of those renewable installations, ten times as many. It's a non-exportable resource in both senses of the word, in the jobs and in the harnessing of the energy. Efficiency is referred to as the first fuel because it is also the cheapest resource, roughly a quarter of the cost of even renewable energy, and because it's the cleanest

fuel, cleaner even than renewables. The cleanest kilowatt is the one you never use: the megawatt. This bill puts us on the path to that efficiency. It's not the final step on that path, but I promise you, Madam Speaker, that I certainly, and I know the majority of those here, will vote for this bill today, will be there making sure that we continue on this path for the sake of the businesses that will now step up and invest and grow their businesses in order to do the work that we make possible here today with our votes. Madam Speaker, I request a roll call. Thank you.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought To Pass Pursuant to Joint Order 2009, H.P. 63.**

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 Lewiston, Representative Carey.

Representative CAREY: Thank you, Madam Speaker. I'll be brief, and I want to first thank my colleagues on this committee. I've learned a lot from your leadership on both sides of the aisle and I appreciate the opportunity. We spent a lot of time in the last week talking about taxes and, as we all know, a tax is nothing more than taking of private assets by a government. It's that simple. But when Mainers turn on their furnaces, we're paying a tax. We're paying for oil that comes from other countries that is most often drilled by those governments. We're paying a foreign oil tax. Those governments are often not our allies and to make the matters worse, our foreign oil tax is 33 percent higher than the next highest state. Efficiency and weatherization are the first steps to lessening this dependence on foreign oil, but we have to go further, and once we do, these efficiencies in the homes across the State of Maine will lessen our dependence by about 30 percent, and in last year's money, that's \$400 million, \$400 million of stimulus in our Mainer's pockets and that's, Madam Speaker, why I'll be voting for this bill.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Hinck.

Representative HINCK: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'm pleased to speak in support of LD 1485. Maine's energy future is a large measure of Maine's future. How we generate, transmit and use energy will determine much about the health, environment and economic future of Maine. The bill, as has been mentioned, streamlines and improves Maine's energy efficiency and weatherization programs, it achieves the green energy workforce development, supports energy efficient affordable housing, and ramps up the state's heating fuel efficiency and weatherization efforts. All of these are commendable and very well done by a committee composed of some of the best and most resourceful minds in the Legislature on these subjects. Maine's energy future will involve a major change over time. We hope one day we'll have a modern smart grid that transmits energy, and that we are always assured of reliability of generation and transmission. We'd like to see greater indigenous resource development, homegrown Maine renewable energy as part of our future. But the steps right before us, the ones that we can do at a time when resources are tight, are the ones that relate to efficiency tackled in this bill. The cost to Mainers currently, as has been mentioned, of home heating oil is one of the great burdens on our economy. If you fly into the Portland airport and look down and see the tanks, you can also see, as you cross the Veterans Bridge between Portland and South Portland, one way of looking it is crude oil that comes to North America, comes to Maine, some of it going to Canada, powers our economy. Another way of looking at it is to imagine those tanks filled with the hard earned money of Mainers leaving this

state never to come back. We can't do much about the cost of a barrel of sweet crude here in Maine. We produce none of it. As far as anyone knows in the geological field, we never will. It really isn't sweet crude when it comes here because of its cost. The real cost of heating oil to Maine is an enormous burden. Basically \$1 billion leaves this state over purchases of heating oil when the price is just \$2.26 a gallon. We may not see \$2.26 a gallon in the future, so I join those who say that it's nice that we got the start with this bill, but we've really got to do the rest of the job. I think we know, since the oil shock of the 1970s, that if we leave the situation as is, we can expect more of the same. This is one of those times and I'm not sure that it's always true that government plays a key role. It's one of those times when we really have to, if we look at the evidence of what's gone on before. We are the people who get the presentations from energy experts, we are the ones who are aware of the actual cost to the entire economy, we really need to lead and this will require that the program that we set up with this bill gets resourced over time so that we can meet the goal of weatherizing Maine homes in 20 years.

I have a couple points to make that clarify the bill in matters that are important to some of the people who are part of the energy scene here in Maine. One point is the permits in the usual course of state business, such as road or river crossing permits, are not affected by the moratorium that was put in place in this bill. This is understood by those of us in the committee. The intent of the moratorium is not to apply to collection lines, which bring power from individual wind turbines to step up transformers at the wind farm substation. These are not contemplated to be part of the 75 miles on length that is exempted in the Part F moratorium in the bill. In fact, the committee wanted to clarify that the generator lead lines are not within the scope of the moratorium. A generator lead line ends at the point of interconnection with the transmission and distribution line owned by another party. Those points relate to what was mentioned as being sometimes contentious part of the bill. I think the committee, in the end, struck the right balance in protecting Maine's interest in transmission lines and allowing us to move forward in an efficient and effective way and have that major part of the promising energy future here in Maine. I am pleased to support this bill and to encourage Ought to Pass on this important measure. Thank you very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought To Pass Pursuant to Joint Order 2009, H.P. 63. All those in favor will vote yes, those opposed will vote no.

#### **ROLL CALL NO. 204**

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Chase, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Goode, Greeley, Hamper, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rosen, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino,

Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Wheeler, Willette, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Ayotte, Burns, Celli, Clark T, Cotta, Giles, Hanley, Jones, Lewin, Peterson, Pratt, Robinson, Sykes, Welsh.

Yes, 137; No, 0; Absent, 14; Excused, 0.

137 having voted in the affirmative and 0 voted in the negative, with 14 being absent, and accordingly Report "A" **Ought To Pass Pursuant to Joint Order 2009, H.P. 63 was ACCEPTED.**

The Bill was **READ ONCE.**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Representative MARTIN of Eagle Lake **PRESENTED House Amendment "A" (H-540)**, which was **READ** by the Clerk.

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, as an emergency preamble to the bill, makes a couple corrective mistakes to the drafting and what this emergency measure will do, as a result, the board will be able to be appointed immediately by the Chief Executive, the committee will be able to be appointed by the presiding officer and we can start moving as quickly as we adjourn.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Fitts.

Representative **FITTS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. The good Representative from Eagle Lake, Representative Martin, referred to all of the work that's been going on for the last month and this amendment is the product of all of that work, and I appreciate the hard work that everybody did put in. Being the one on a 16-1 report, for all intents and purposes, is a very difficult position for any legislator to be in, but I appreciate the good will, the good faith negotiations and the hard work that went into funding a middle ground. My preference would have been to have no moratorium, because I don't think that's a productive way for Maine to move forward. We, today, have an alternative that is manageable and acceptable to those who would have been negatively affected by the original language, and I certainly appreciate the hard work that everybody put into it. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-540)** was **ADOPTED.**

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-540)** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**ENACTORS**

**Acts**

An Act To Stabilize Funding and Enable DirigoChoice To Reach More Uninsured

(H.P. 883) (L.D. 1264)  
(C. "A" H-490)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative TARDY of Newport, was **SET ASIDE.**

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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 Enacted. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 205**

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

NAY - Austin, Beaudette, Beaulieu, Bickford, Browne W, Cebra, Chase, Cohen, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgcomb, Finch, Fitts, Fletcher, Flood, Fossel, Gifford, Greeley, Hamper, Harvell, Hayes, Johnson, Joy, Knapp, Knight, Langley, McFadden, McKane, McLeod, Millett, Nass, Nelson, Nutting, Pilon, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Rosen, Sarty, Saviello, Sirois, Strang Burgess, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Ayotte, Beck, Burns, Celli, Clark T, Cotta, Giles, Hanley, Jones, Lewin, Peterson, Pratt, Robinson, Sykes, Welsh.

Yes, 83; No, 53; Absent, 15; Excused, 0.

83 having voted in the affirmative and 53 voted in the negative, with 15 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources

(H.P. 874) (L.D. 1255)

(H. "A" H-454 to C. "A" H-440)

TABLED - June 3, 2009 (Till Later Today) by Representative PIEH of Bremen.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative PIEH of Bremen, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED.**

The same Representative **PRESENTED House Amendment "A" (H-551)** which was **READ** by the Clerk and **ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-440) as Amended by House Amendment "A" (H-454)** thereto and **House Amendment "A" (H-551)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

Representative PIOTTI of Unity assumed the Chair. The House was called to order by the Speaker Pro Tem.