

# MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session  
January 4, 2012 to May 31, 2012

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On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "A" (S-535) AND "B" (S-546)**, in **NON-CONCURRENCE**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED SENATE AMENDMENT "B" (S-546)**.

On further motion by same Senator, Senate Amendment "A" (S-607) to Senate Amendment "B" (S-546) **READ** and **ADOPTED**.

Senate Amendment "B" (S-546) as Amended by Senate Amendments "A" (S-607) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (H-535) AND SENATE AMENDMENT "B" (S-546) AS AMENDED BY SENATE AMENDMENT "A" (S-607)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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Senate at Ease.

Senate called to order by the President.

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On motion by Senator **ROSEN** of Hancock, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Provide Tax Relief for Maine's Citizens by Reducing Income Taxes

S.P. 252 L.D. 849  
(S "C" S-443, S "E" S-506  
to C "C" S-427)

Tabled - April 9, 2012, by Senator **ROSEN** of Hancock

Pending - **ENACTMENT**, in concurrence

(In Senate, March 30, 2012, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-427) AS AMENDED BY SENATE AMENDMENTS "C" (S-443) AND "E" (S-506)** thereto.)

(In House, April 9, 2012, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-427) AS AMENDED BY SENATE AMENDMENTS "C" (S-443) AND "E" (S-506)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED COMMITTEE AMENDMENT "C" (S-427) AS AMENDED BY SENATE AMENDMENTS "C" (S-443) AND "E" (S-506)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "E" (S-506) to Committee Amendment "C" (S-427) and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, Senate Amendment "F" (S-596) to Committee Amendment "C" (S-427) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN:** Thank you Mr. President. This is L.D. 849, the bill to work down the reduction of the rate, the personal income tax rate, top rate. The amendment decreases the percentage of excess revenue that is transferred to the Tax Relief Fund for Maine residents from 40% to 20% and revises the percentages of the excess revenue that are transferred to certain other accounts in the cascade. The effect of this change is to increase or enhance the dominance of the Budget Stabilization Fund to appear prior to the Tax Relief Fund in a more dominant manner. The effect of this is to, essentially, move the level of funding that would move to the Budget Stabilization Fund first and to a higher amount than the originally drafted amended version.

On motion by Senator **ROSEN** of Hancock, Senate Amendment "F" (S-596) to Committee Amendment "C" (S-427) **ADOPTED**.

On motion by Senator **ALFOND** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. I'm standing once again, which is probably no surprise to most of you in this room, in opposition to this bill. I'd like to point out a few more things before we consider its adoption. In the information before you regarding Maine's state and local effective tax rates over the last few years, I'd like you to note that it is the local tax rate that has been continuing to decline. Also note on the second page that overall tax burden falls inequitably more on the lowest 20% earning, which will not be effected by these income tax cuts, and falls least of all on the top 1% that will be effected by these income tax cuts. I'd also like you to note that although this information is a little bit old and our numbers are probably a little less, given the slight decline on the chart on the first page, and we compare favorably on a per capita basis with other New England states in terms of the overall burden of local and state taxes together. The problem I have is that we are not, as I had

suggested and attempted to put on an amendment to deal with that, dealing with the property tax burden, which would make all of our charts make more sense in terms of what we need to improve. Instead it's ratcheting down the income tax while not addressing the ways that that will inhibit our ability to fully fund the 55% for education and the revenue sharing circuit breaker program, things that would help with the burden that Maine people have in state and local taxes combined. I would say this is the wrong solution. It's the wrong decision. It is the wrong diagnosis of our problem that we need to fix and, therefore, the wrong cure.

We've got a lot of things that we need to invest in and we've heard that in various ways over the last day and a half. Our shortfall in funding for 55% of K-12 education is something in the order of \$200 million. Our shortfall in revenue sharing is something in the order of \$44 million. We need to spend hundreds of millions of dollars more, by a conservative estimate, to fund fiscally responsible capital road repairs. We are spending money on light capital paving, trying to hold the status quo because we haven't got enough investment in capital road work. Yet that is actually costing Maine taxpayers owning vehicles, and running them on these roads, more than that in the course of the year in repair costs. We're short classroom space in our community college system. That's one of the things that we partially subsidize in order to keep the tuition costs reasonable so that we have more students who go to our community college system. We turned away about 4,000 students this year and about 5,000 students last year. It's estimated that that would take about \$16 million, aside from the bonding, to expand the physical space and physical planned facilities for those important training opportunities for people to find work. Just to help with that subsidization of tuition to keep it affordable to Maine people, that's something in the order of \$16 million. It was pointed out earlier today that we should be investing about 3% of GDP in research and development. That would \$1 billion more than where we are today to make that wise investment in our economic future. Instead of applying surplus to accomplishing any of those worthy things, what this is doing is insuring that we will have less revenue to meet those needs and investing in Maine's future. The bill will reduce revenues in several years by about \$600 million through unfunded income tax cuts with no plan to pay for it. The non-partisan Fiscal Office of the Maine Legislature says, "Full implementation of L.D. 849 would cause losses to Maine's schools, roads, bridges, and towns totaling over \$1.2 billion per biennium." That's not what I want to leave as a future for my children and grandchildren. I would urge you to pass reducing spending before cutting revenues. If you are convinced that we can operate state government on less, then let's not just set ourselves up with a tax cut in revenues and then leave other legislators to figure how to make that work. Let's figure out how to make state government operate on less first and then reduce what we ask of Maine people to fund state government as a consequence of that. I think that's the responsible way to go about doing the people's business. L.D. 849 income tax cuts would give more than \$21,000 a year to that top 1% you see in the very right hand band that are paying less than the average Maine person in total state and local tax burden. Yet for struggling families it's somewhere around \$1 a year. I can't understand why people feel that this is the right direction for Maine's future. I understand the attraction of being able to cut taxes. I just think we ought to figure out how we're going to pay for it and how we're going to make the wise investments in

Maine's future before we bind future legislatures to ratcheting down the revenue stream. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. I think it's somewhat appropriate that we are finally disposing of this bill in the very final hours of the legislative session, as we are slipping something through that is extraordinarily dangerous for the future of Maine. If we're going to have a bill that essentially creates a slight of hand why not do it in the final hours. The sad part about this proposal is that it takes what many believe is positive, which is reducing our income tax, and pays for it by putting it on a credit card. We have no idea how we are going to pay for that when the bill comes. We know we're creating a huge structural gap that the next Legislature is going to have to deal with, and all future legislatures. It's about as fiscally irresponsible and unconservative an approach to taxes that one could ever come up with. This is the equivalent of someone on June 30<sup>th</sup> having \$1,000 sitting in a bank account and saying, "Look, I've got money at the end of the month. Let's have a party. We'll invite all our friends over. I'll spend all my money and we'll have a blow out bash with that \$1,000 that's left." Then on July 1<sup>st</sup> they wake up and realize the mortgage is due. They had money yesterday, but they never thought to put that towards today's mortgage. That's what ordinary people do. They look at their budget, month to month and year to year. What this does is simply say that if there is a little money left in the bank account at the end of the fiscal year we're going to have a tax cut no matter what bill comes due on the next day. That is irresponsible. It is not conservative. It is not balanced. It's stunning to me that this is the tax policy that the new Majority has chosen to take. It also hurts Maine in its ability to borrow money going forward. The bond companies have expressed great concern about the creation of a large structural gap through this proposal, and they have already pointed out a problem in Maine of having too low cash reserves in our accounts. This makes them lower. This compromises our ability to deal with emergencies that could arise. For that reason, the main bond banks are not going to be happy with this change. We could very well see our bond rating jeopardized as a result of this. It will cost the state of Maine more money to build every road, every bridge, and build every school. All the bonds we pass today are going to get more expensive as a result of this bill. This isn't really a tax cut. It's a tax shift. You are simply hiding the ball, moving it somewhere else. Until you identify how you are going to pay for it and what cuts are going to be achieved to achieve those savings, this is nothing more than a shift. It is a shift and it's a sham. Maine people have repeatedly rejected this approach. We've given it to them, people have given it to them time after time, and every chance they have rejected it. Yet we are going to shove it down their throat here in the very last minute of this legislative session, even though it is going to cost taxpayers more money in the long run. This is nothing more than credit card politics. The people of Maine deserve better. They deserve an approach that looks at the entire picture and makes sure that when we make promises to them that we can follow up on them. This is a promise that will be impossible to keep. I know it creates a great political statement. We've passed legislation that promises to lower your tax rate, yet we don't show them all the other places those costs are going to bubble up at and those taxes are going to bubble up. It's a disingenuous

approach and I think the people of Maine will see through it. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Courtney.

Senator **COURTNEY:** Thank you Mr. President. Men and women of the Senate, I rise reluctantly at the late hour, but I can't let some of these comments go unchallenged. Some of these comments would suggest that we are creating issues for the municipal bond bank. This Legislature, when we leave tonight, will not have a structural gap. When we came in it was \$1.3 billion. We're going to be lectured by the people that created a \$1.3 billion structural gap? I don't think so. I spoke to the municipal bond banks. Their biggest concern about the State's debt is the ongoing programs that have been created and not funded. Over the last decade there have been programs that have been created with no means to pay for them in the long term. It has created this situation where we've had to make some very difficult decisions. Not to get too emotional about this, but this is just a very small portion of tax relief going forward. It creates a priority within the cascade; 20% of the cascade, 20% above the extra money that flows in, gets used in a subsequent year for tax relief. My God, that doesn't sound very bold. It's nowhere near what it was originally. What this bill does is sets a target. It sets a target to put Maine on track to reduce the income tax to 4%. That's the real fear, that the Maine income tax will one day be 4% if the Legislature and future legislatures stay on track. That is a goal. That is a goal that I challenge future legislatures to strive towards. The other issue is about taking money from one year and using it to fund tax cuts in subsequent years. If you look at the history of the last 30 years, we've had, I believe, two years that we've had declining revenues. Yes, there may be two years if the pattern continues. There may be a couple of years that they have some difficult times to get through, just as we've had to deal with it in the last few years. Almost every year there is more money coming in from the taxpayers than there was the previous year. It's definitely a philosophical difference. I believe if we have extra money come in it ought to go back to the taxpayers. This is not a shift. This is just a commitment that the Legislature should be making. We need to have a target to reduce our income tax so we can be competitive not only with just our neighboring states, but across the country and across the world. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Woodbury.

Senator **WOODBURY:** Thank you Mr. President. May I pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose his question.

Senator **WOODBURY:** Thank you Mr. President. This is another example of a bill that is a bit of a moving target in these last minutes of this Legislature. I'll be honest. I'm having trouble figuring it out. I have an immediate question, but I may well have follow up questions. My immediate question is, is the tax reduction that is triggered in this bill based on having surplus revenues in a particular year or is it based on having revenues that go above the appropriations limit, which is the old L.D. 1 limit, which we are way, way below? As I read this, the description of

the fiscal note suggests that this only kicks in above the appropriations limit, but the actual text of the bill seems to suggest that this is actually in the cascade that kicks in far before the appropriations limit. I'm sorry to raise these issues on the floor, but this is just coming to us on the floor. That's my question. Thank you.

**THE PRESIDENT:** The Senator from Cumberland, Senator Woodbury poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. I am not rising to respond to the question. I do want to point out that the comment earlier that what the credit rating agencies have as a problem is that we're spending money that we're having a hard time covering. It strikes me that there are many ways to arrive at that problem. You can have too many programs that you are spending money on. This bill is also guaranteeing that we're going to be coming into the problem once again the other way around because we're going to be reducing the revenues to pay for the programs. Even if we hold stable on the level of what we're funding for programs, we will have less revenue than we need to pay for that. It's nice to think that we'll have rising revenues and that picture will be pretty. I would argue that if that's the solution to that not being a problem while we are ratcheting down our revenues, or at least our rates to return revenue, than that also be the solution to the problem right now where spending a lot and having a problem of how we pay for that. If counting on increasing revenues is a solution for next year or the year after, then why isn't it the solution today? I think the answer is that it simply isn't. Why should we expect that it will be next year? This bill is all about creating that problem over and over and over again. I think it's really irresponsible and I think that the bond agencies would understand that, for us to enforce that in law, there be diminishing ability to return revenue from whatever the income levels are of our citizenry. That's a great structural indicator of a problem looming in paying our debt obligations. I would expect any agency to have a problem with Maine's credit rating, credit worthiness, based on that and look at the situation. I've been moderating town meetings for many years now. It's a regular occurrence that you'll have a small article that says we're going to apply XX amount of dollars from surplus for the reduction of taxes. It's reducing the property tax rate that year by a little bit. For some reason, it probably has something to do with whether the town continues to operate and is able to borrow when they need to for cash flow at various times of the year, they don't decide that they are going to, based on that surplus, set a lower tax rate that year. They lock it in and if there is surplus another year they make sure that they lower the property tax, the mill rate, again and lock it in there. That would be irresponsible for any municipality to conduct their business like that. Why are we doing it at the state level? Why aren't we dealing year by year with what we have for surplus? If this mechanism is going to assure that we have rising revenues, then by all means write into law that you are going to put that into a fund that every year, if you have sufficient surplus, you are going to lower, for just the next year, the taxes by whatever the difference is between that surplus and what you would have set for a tax rate for Maine people. If you continue to operate government cost effectively, you will continue to be able to offer lower tax rates to the people. It relies on you being able to offer that good management. Here

we are deciding for a future Legislature that they are going to be bound by this without knowing what their challenges are going to be. I argue again that this is not only irresponsible, I think it's that sort of irresponsible policy the bond rating agencies rightly have a problem with. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I rise to make only one point. To my colleague from York County, Senator Courtney, I take some personal offense to the fact that we are the people that created, this party, on this side of the aisle, this. I would remind you that in the 124<sup>th</sup> session we had five budgets, all unanimously supported by Appropriations, which means that all of them. It was our budget, it was not your budget, it was not the Democrat's budget, it was everybody's. We had five because it is a moving target and every time, as we have found out this time, the revenues were projected, up or down, you had to create another balanced budget. It was done five times. It was done unanimously. I resent all of a sudden, after a unanimous decision by Appropriations, that we are standing here and pointing fingers at this hour. It's one thing to like or dislike what is in front of us. The 124<sup>th</sup> had five unanimous budgets. We stick together. I've heard an awful lot about it being a family in 14 years. Like families, many of us will be leaving this time around. As a family we stick together. In the 124<sup>th</sup> they were unanimous. I am somewhat offended by that. I we're trying to make points here, as we argue, but we have to remember that we did this together. We will go out of here doing things together. That's all I have to say. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. I do have to address one of the issues that have been raised. The idea that we are leaving this Legislature with a balanced budget. We are not. For the first time since I have been in this Senate we are leaving without a balanced budget. We passed a document yesterday that violated federal law in four key areas. That produces a \$22 million shortfall. We haven't paid for that. The budget is not balanced under current federal law. Secondly, we made significant tax changes in the initial budget that was passed. That creates a \$400 million structural gap for the next Legislature. It was a \$400 million tax cut that was not funded. We also made some changes in our tax treatment for pensions. That cost \$25 million that we have not paid for, but we've kicked to the next Legislature. By my count, that is \$447 million at a minimum that this Legislature has created in a structural gap for the next Legislature. We haven't even paid the bills in front of us and we're saying if there is any loose change at the end of the year we're not going to put it towards these bills that we created. To take my credit card analogy a little further, we've put \$447 million on a credit card with no ability to pay for it. Now we're taking out the credit card again and saying, "Let's just max that baby out," with no plan to pay for it. It is reckless. It is irresponsible. You might say that we're punting this issue down the field, getting to the next Legislature. I think a better football analogy is that we are throwing a Hail Mary up for grabs at the final seconds, hoping against hope that a miracle will break

through and money will rain from the sky and we'll be able to pay for this. I didn't see in the budget a plan for the State of Maine to buy a lot of lottery tickets or to play a lot of roulette, which is what this is. It is simply a gamble on a wing and a prayer, hoping that money materializes out of nowhere. It is irresponsible. It's unfortunate that it's not a prudent, responsible, or conservative approach. I think the people of Maine would be very upset if they realized how we are playing with their money. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I don't think I can add any technical analysis to this bill, but I'll give it a little bit of a different approach. To me, this is a "got ya" bill. Politically, the way I should vote is to support this because everyone is going to be saying, "Wow, it's a tax cut. Hurray. We did something good." Philosophically, I think it's the wrong thing to do. Politically, I know there is a huge difference, philosophically, between the Majority and Minority parties. Part of that irritates me and bothers me to this extent because we both want to do what's right for the State of Maine and the citizens of the state of Maine. I wish there was times when we could actually both come together and do something that's not going to hurt anyone and that's going to do some good for everyone. I really don't believe this is going to do it. I've heard so much about this bill that scares the heck out of me, just like many of the bills we passed here this year. I know L.D. 1333. I put in a paper that, just like my colleague from Aroostook said, if you are over 40 years old and you live in a rural area, you are going to have a huge increase in your healthcare costs. That came true. The Workers' Comp issue that is pending; a lot of people are going to be hurt down the road. Unemployment, we're going to be hurt down the road. I would have liked to have seen compromises on those that would benefit everyone. In all the things that I've seen, I'm going to be able to say, and I'm hoping I'm not able to say, "I told you so," because on a lot of my analogies to my constituents they are going to be angry at me for some of the issues that I took. I'm going to say it might not be today, it might not be next month, it might be before November, and it might be next year. Things are going to happen that's not going to be good for a lot of people. I am wishing that we could find ways, and I don't think this is one of the ways, that is good for all the citizens of the state of Maine. Many times there are winners and there are losers in the things that we do and the decisions that we make. There are a lot of decisions that I've made and votes that I've taken that I'd hoped that the decisions that I made were good decisions based on good judgment and good information that we had coming out of committee and good information we heard here on the floor. It just seems like there is so much near the end and so many things that have come along. I'm going to vote against this bill. I was actually thinking, politically, that all I've got to do is say, "Hey, I passed tax cuts," but I can't do that in good conscience. I'm going to vote against this bill and I'm hoping I don't tell the citizens of the state of Maine, "I told you so," because I want to see the State of Maine prosper. I'd like to have us be the greatest state in the United States of America, but I think we're headed into the abyss at an accelerated rate and I'm hoping that you will join me and vote Ought Not to Pass. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Woodbury.

Senator **WOODBURY:** Thank you Mr. President. I'm going to make an attempt to answer my own question and then I'm going to raise my biggest concerns with the bill. It does trouble me that I think those who have been trying to re-craft this bill at the very end know exactly which cascade this is applied to. As I now have read it, I actually think it's both. I there is a flow of funds into the Tax Relief Fund if we go above the appropriations limit; that is this big limit from the old L.D. 1 which we are not near right now. If we flow over that, I think there is a flow into the Tax Relief Fund. I think separately from that there is a flow in the regular cascade. I think that both are true, but it would be helpful to have confirmation from the people who worked on this. One issue, sort of, is the confusion about what exactly this thing does do. By the way, I really want a 4% income tax. I really a really want a funded 4% income tax. A restructured tax code that enables us to, in fact, have it legitimately and fairly. This sentence from the fiscal note, I find that this approach is the wrong approach. Let me read it. "Since the funding for the rate reduction is nonrecurring, and the rate reduction's permanent, it is possible that the bill could result in significantly reduced revenues for all years following the implementation of a tax rate reduction." That is using sort of one-time money to create a recurring future gap. That's the point that other speakers have made about why this is a concern for the debt agencies in thinking about our credit ratings and so forth. It's an issue. This is creating a permanent change in tax rates with a temporary blip in funding. That's a big concern. Again and again I come back to this. I think it's absolutely critical for the economic future of this state that we do, in fact, get to a 4% income tax rate in a way that works. I'm just as convinced that this particular bill is not the way to get there. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. I request to ask a question through the Chair?

**THE PRESIDENT:** The Senator may pose his question.

Senator **ALFOND:** Thank you Mr. President. When Commissioner Millett, our Commissioner in the Department of Financial Services, was asked the question of his opinion of L.D. 849 and the amendment that he was there to comment on; what was his response?

**THE PRESIDENT:** The Senator from Cumberland, Senator Alfond poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. I had not intended on speaking on this particular piece of legislation, but I happened to be present at the Appropriations Committee discussion this morning. I know that he probably didn't want to say this. He had what he brought up as "serious concerns" about this. I won't elaborate because I don't want to put words in his mouth and misquote him. I would say, at least from what I say in his face, that the concerns expressed here were probably some of his very own. I don't know. I would strongly urge you not to

support this bill. I think it sounds great. I'm actually not in opposition to having a 4% income tax myself. I just think that we need to do it in a very thoughtful way. I think that this is not the way that we ought to go about it either. Apparently the Commissioner, I don't want to say more other than he had serious concerns about the legislation. Thank you.

**THE PRESIDENT:** The pending question before the Senate is to Adopt Committee Amendment "C" (S-427) as Amended by Senate Amendments "C" (S-443) and "F" (S-596) thereto, in Non-Concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#508)

**YEAS:** Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, JACKSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITEMORE, THE PRESIDENT - KEVIN L. RAYE

**NAYS:** Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFISKY, GOODALL, HILL, HOBBS, JOHNSON, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, Committee Amendment "C" (S-427) as Amended by Senate Amendments "C" (S-443) and "F" (S-596) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-427) AS AMENDED BY SENATE AMENDMENTS "C" (S-443) AND "F" (S-596) thereto, in NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **ROSEN** of Hancock, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Reform Land Use Planning in the Unorganized Territory

H.P. 1325 L.D. 1798  
(H "A" H-926 to C "A" H-918)

Tabled - April 9, 2012, by Senator **ROSEN** of Hancock

Pending - **ENACTMENT**, in concurrence

(In Senate, April 10, 2012, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-918) AS AMENDED BY HOUSE AMENDMENT "A" (H-926)** thereto, in concurrence.)