

# MAINE STATE LEGISLATURE

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**One Hundred and Twenty-First Legislature**  
**State of Maine**

**Volume II**

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Pages 777-1562

**REPORTS OF COMMITTEE  
Committee of Conference**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Revise the Reimbursement by the County Jail Prisoner Support and Community Corrections Fund and To Provide Additional Support to County Jails"

(S.P. 390) (L.D. 1186)

has had the same under consideration, and asks leave to report:

That the Senate **RECEDE** from **Passage to be Engrossed as Amended by Committee Amendment "A" (S-227)** and **COMMIT** the Bill and accompanying papers to the Committee on Criminal Justice and Public Safety in **Non-Concurrence**.

That the House **RECEDE** and **CONCUR** with the Senate.

Signed:

Senators:

STRIMLING of Cumberland

DAVIS of Piscataquis

Representatives:

BUNKER of Kossuth Township

BLANCHETTE of Bangor

RECTOR of Thomaston

Came from the Senate with the Committee of Conference Report **READ** and **ACCEPTED** and the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

The Committee of Conference Report was **READ** and **ACCEPTED**.

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

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

**SENATE PAPERS**

Bill "An Act To Improve the Maine Rx Program"

(S.P. 590) (L.D. 1634)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

Representative **CURLEY** of Scarborough **OBJECTED** to suspending the rules in order to give the Bill its **FIRST READING WITHOUT REFERENCE** to any Committee.

The Chair ordered a division on the motion to give this Bill its **FIRST READING** pursuant to Joint Rule 308.

Representative **RICHARDSON** of Brunswick **REQUESTED** a roll call on the motion to give this Bill its **FIRST READING** pursuant to Joint Rule 308.

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 give First Reading pursuant to Joint Rule 308. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 231**

**YEA** - Adams, Ash, Barstow, Blanchette, Bliss, Brannigan, Breault, Bull, Bunker, Canavan, Clark, Cowger, Craven, Cummings, Dudley, Dunlap, Duplessie, Duprey G, Earle, Eder, Faircloth, Finch, Gagne-Friel, Gerzofsky, Grose, Hatch, Hutton, Jackson, Jennings, Kane, Ketterer, Koffman, Landry, Laverriere-

Boucher, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, McGlocklin, McLaughlin, Mills J, Mills S, Norbert, Norton, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Pineau, Pingree, Piotti, Richardson J, Rines, Sampson, Saviello, Simpson, Smith N, Smith W, Sullivan, Suslovic, Thomas, Thompson, Twomey, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

**NAY** - Andrews, Austin, Berry, Berube, Bierman, Bowen, Bowles, Brown R, Browne W, Bruno, Bryant-Deschenes, Campbell, Carr, Churchill E, Churchill J, Clough, Collins, Courtney, Cressey, Crosthwaite, Curley, Daigle, Dugay, Duprey B, Fletcher, Glynn, Heidrich, Honey, Hotham, Jacobsen, Jodrey, Joy, Kaelin, Ledwin, Lewin, Maietta, Marraché, McCormick, McGowan, McKenney, Millett, Moody, Moore, Murphy, Muse, Nutting, O'Brien J, Rector, Richardson E, Richardson M, Rogers, Rosen, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Sykes, Tardy, Tobin D, Tobin J, Trahan, Treadwell, Vaughan.

**ABSENT** - Annis, Bennett, Davis, Fischer, Goodwin, Greeley, McKee, McNeil, Peavey-Haskell, Perry J, Usher, Wotton, Young.

Yes, 74; No, 64; Absent, 13; Excused, 0.

74 having voted in the affirmative and 64 voted in the negative, with 13 being absent, and accordingly the motion to give this Bill its **FIRST READING** pursuant to Joint Rule 308 **PASSED**.

The Bill was **READ ONCE** and assigned for **SECOND READING** Thursday, June 12, 2003.

**REPORTS OF COMMITTEE  
Divided Report**

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-258)** on Bill "An Act To Implement School Funding Based on Essential Programs and Services"

(S.P. 575) (L.D. 1623)

Signed:

Senators:

DOUGLASS of Androscoggin

BRENNAN of Cumberland

MITCHELL of Penobscot

Representatives:

CUMMINGS of Portland

GAGNE-FRIEL of Buckfield

LEDWIN of Holden

NORTON of Bangor

FINCH of Fairfield

THOMAS of Orono

FISCHER of Presque Isle

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

Signed:

Representatives:

DAVIS of Falmouth

ANDREWS of York

MURPHY of Kennebunk

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-258)**.

**READ**.

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

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

Representative CUMMINGS: Mr. Speaker, Ladies and Gentlemen of the House. Before you is a bill to implement the school funding based on essential programs and services. Many of us have been discussing this over the last few weeks. Many in the Education Committee have actually been discussing it over the last few years.

Please let me summarize briefly what it does. I think it is necessary to summarize what it does not do. What it does very simply is it says how much money should be behind every child who goes to school K-12 in our education system. It tries to get a handle on what kids need to reach the learning results that we, as a Legislature, said they ought to learn. It shifts the conversation away from topics that I think are less fundamental to more fundamental, what do kids need to succeed? We hope good public policy.

We should be careful what EPS does not do. EPS is simply a model for getting a handle on what is needed by our students. It is a method by which taxpayers can feel some level of accountability. It is a method we hope, in which teachers and educators can succeed.

I do want to say what it does not do. What it does not do is it does not change the funding formula as we know it. Other groups are discussing that and other committees are discussing it. The EPS could be coupled with any version of the school funding formula that you want. The present school funding formula could be coupled with conversations around a 10 mil expectation or a 9 mil expectation or an 8 mil expectation. All of those things could be coupled with this. That is not what EPS does. I just want to make sure that we are clearly discriminating in our conversation between that and other plans to fund it. The way I have described it is it is really the first 50 yards of the football field. The other 50 yards of the football field is how you distribute and what is your formula for distribution?

I want to say a few other things. The elements of EPS are to determine what are the conditions in your school system or conditions of your students that would merit certain amounts of money and those issues would include transportation, special education, free and reduced lunch, etc. Those weights we have put in. We do not know what the weights yet will be for transportation and special education so we have simply used the present expenditure, which means no district will lose money in each of those areas.

Let me conclude by saying this. The committee felt strongly that the Legislature should maintain its fingers in the pie of EPS. We have put in an amendment that would require us to review within the first year, the original document asked us for three years. We wanted to do it immediately. Secondly, we moved it to major substantive so that the Legislature will be able to change any weights as necessary.

I want to make a case that as we asked the taxpayers of Maine to fully fund K-12 education. I think we have an obligation to them to determine how much. As many of you know, there has been a lot of discussion since the early 1990s about funding education at 55 percent. The fair question on the part of Maine taxpayers is 55 percent of what? EPS gets us to that foundation. It helps us make ourselves accountable. It also makes us accountable to the children of Maine.

At this point, we have a choice in front of us. If we do not seek to use EPS, we have to ask ourselves the basic question, how will we determine how much should be raised for Maine kids and that, I think, after six years is in front of you. I ask you for

your support of the Majority Ought to Pass as Amended Report. Thank you.

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

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House. First, I am very sorry that this very important issue has come to you late in the evening when some members aren't here and many are tired. It probably is one of the most important, whether you have one year left to serve or you are beginning your service here in the Maine Legislature. It is probably one of the most important decisions you will make.

My good friend from the committee, the good chair, has talked about that you need a handle on education spending. Part of getting a handle is you have to have a yardstick in order to do that. What is before you is called essential services and it is projected as a new model, but it really is a hybrid. Part of it does have schedules or models or yardsticks within it, but 20 to 30 percent of it is current formulas. The current way of determining how a local spends and how you are going to evaluate that. I think a very tragic thing happened. I think you could call it a hijacking. This has been studied for quite a while. It had just moved from the academic side where they looked at an academic model of saying that these are the indexes or the bonuses that you should get for English as a second language or if you have children that are eligible for free and reduced lunch, special ed, looking at those categories, those youngsters that are more expensive to educate. That was the academic side. What would have happened normally is that for the next six months, the committee would have had an opportunity to look at those indexes and say, are they valid of being able to go into four or five different regions of Maine and saying, here is the labor index on labor costs for your teaching staff. Here is the index or model for the number of administrators. We didn't have that opportunity. It was presented and then immediately taxation seized it and because of the MMA referendum, it left our committee about six months early.

We have seen the academic theory. We have not been able to take those indexes and look at your district or your region and is it a fair yardstick? If it isn't a fair yardstick and we find that out, then locally your taxpayers are picking up 100 percent beyond that yardstick in a variety of categories. If we do proceed to keep moving so quickly on this without taking the close look, we will discover whether it is fair as it gets applied to your district. If it turns out each of those indexes to be wrong, then locally they will have two choices, raise the property taxes or slash the programs and staff that are involved.

The other problem with this being here before us tonight is that vocational ed, which in many of your local budgets is extremely important, growing ever more important, special ed and transportation are not in this. Outside committees, separate from the Legislature, are studying those trying to come up with the index with the understanding that they would be bringing those to the committee in late fall. The committee would review it and then bring a complete package out to the Legislature. What you are being asked to do because of the MMA referendum is rush this out without a full analysis, wait and see when we come back in the second session how those other components will work. Some of you have seen printouts. A printout is based on the hybrid. As the special ed and the transportation of those components come in, the printouts you have seen will change. As every one of those move to go into, if you enact this and put it into the statute, every one of those will be a political decision, rather than an educational decision. It will affect your subsidy. There are at least three or four items if they are dealt with after

the fact, that are going to be political and financial fights rather than educational policy.

If you are from a rural district, transportation is not in here. In the short discussions that we had, we saw wide discrepancies from high to low in units that had the same kind of square mileage, same number of students, same miles of bus travel. The word that we are getting is that as that index comes back after we go home and before we meet again, that is going to be drawn as tightly as possible, which means if you are in a rural district and you have high transportation costs, then you are beyond the yardstick and you are going to pick up 100 percent of that cost. If we are talking about reorganization and having school units reach out and maybe draw in other units, shouldn't we decide that factor first, which is going to drive up education costs. There is a handful of us on this that are opposed to the process, not to essential services.

I will have people ask me, do you support essential services? I will say yes with what I have seen so far, but I haven't seen the rest and I want to be able to take it out into three rural areas, be able to take it to a Maine city, take it to the south and have superintendents and nurses. Many of you have received communications from school nurses saying that the yardstick of 1 to 800 doesn't reflect the needs of what are in the schools. With that yardstick per 800 population, if you have more than one nurse, then you will pick up 100 percent of that cost because it doesn't get into the box. You will also hear that the 55 percent, which ranges from the first state dollar to the last local dollar deals with the whole spectrum of what is spent on K-12. We have heard in the last week that under this plan the state will do 50 percent or maybe 53 or 55 percent of what is inside the box, but not what is outside the box.

It was our hope to be able to keep this in committee, get the rest of the indexes done, be able to look and see. This is what the academic side said, can we go out and see in a school districts, does it apply? Is it a real index? Will it work?

If you enact this this evening, that will not occur. You will not find out until this goes into affect whether those are accurate indexes. If any of those indexes are wrong, whether you are Portland, rural, north, south, east, west, it will be too late. When you go and meet with your school boards, the first issue that always comes up, no matter what part of the state you are in, is special education. They always tell you about the federal government, but they also tell you about the State of Maine. That is not in here. An important element of this is as you look at staff and do ratios it tries to separate out title 1 teachers and your regular staff. We don't have that information, because every year when teachers fill out a form in September or October they list their years of service, their degree and the district writes in the dollar amount and we currently don't ask if you are title 1 or a regular classroom teacher. If you see a printout, that is not included, because we don't have the information. We are not going to have the information until October or early November with that information coming if this is in committee as another tile in the mosaic of what would be a brand new school distribution formula.

What has happened and I know people think the sky is falling because of the MMA referendum and that you have to do something, even if its hasty and even if it bringing out something that is only halfway done and creating a promise on your part to your districts what a change will do when, in reality, the old tiles are in there, a couple new tiles are in there and you really don't know how it is going to run until January or February.

I think we were moving toward a unanimous committee report. The three of us had the attitude, show us, make sure it works, make sure the indexes are right, because there are going

to casualties out there. The first immediate casualties will be the young people K-12 in your district and the second casualties will be the property taxpayers. You would be committing a fraud to something that is coming out too early and it is not the full program. It is a partial. It is an attempt to throw something up and making people think there is an alternative to something they are going to vote on. Maine voters are pretty smart and they will pick their way through.

Mr. Speaker, I move that LD 1623 and all its accompanying papers to be committed to the Education Committee.

Representative MURPHY of Kennebunk moved that the Bill and all accompanying papers be **COMMITTED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Representative RICHARDSON of Brunswick **REQUESTED** a roll call on the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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 Bangor, Representative Norton.

Representative **NORTON**: Mr. Speaker, Ladies and Gentlemen of the House. In due deference to what the good Representative from Kennebunk, Representative Murphy, just had to say, I need to let you know why I went the way I did. In spite of the fears that the good Representative has, we are at a strange time in our history right now. We are truly in danger if we don't make decisions of having other bodies make decisions around our educational funding. It is very important that we have some control over the kind of funding that we want Maine's children to have for their public education. I believe that we have tried to see to the fact that we had some of these dangers covered. That is the reason for the one-year review. We have known that this would be a work in progress for several years to come. I think that is good, rather than writing something in stone and then having to deal with it, I think it is much better for us to realize that it is simply a work in progress.

Those parts of EPS that we all embrace dearly, the one that means the most to me is that it truly gives all of Maine's children an equitable opportunity to access the resources, which they need to meet the Maine Learning Results. This funding mechanism ultimately is the funding part of the Maine Learning Results. We do need to get on with the program if we want our children to be meeting those high standards. The children going into high school next year are going to have to fully meet those learning standards. By the time they graduate from high school, they have to be on board with the MEAs and everything. We do need to get on with some of this material. I think that even though some of the things that the good Representative from Kennebunk told us, weren't fully in place, I think that is fine. The reality is, we are continuing to work on that. This is why we have asked for the one-year review and the major substantive rule changes. I urge you to support our essential programs and services. Thank you.

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Representative DUPLESSIE of Westbrook 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 Van Buren, Representative Smith.

Representative **SMITH**: Mr. Speaker, Ladies and Gentlemen of the House. In the minutes that this matter has been debated, I

have started to look at this bill, all 18 pages of it. I have quite a few concerns that will lead me to support the motion to commit it. I have not had the chance to consult with superintendents in my area as to what the impact will be in my area. I look at the ratios, especially on Page 10, students to staff ratios. I see where you need to have for health staff, you are entitled to have one health staff for 800 students. You are entitled to have a librarian if you have 800 students. There are many of us out there where schools don't have 800 students. Is this going to mean that we are not going to be funded for a librarian or not going to be funded for a school nurse or we are not going to be funded for whatever other kinds of services that the larger schools are funded for?

This is an important bill. I understand that, but I feel that we do need far more opportunity to be able to consult with our districts to find out what the impact of this bill will be before we move ahead and implement something and then hear the screams from our districts.

The SPEAKER PRO TEM: The Chair recognizes the Representative from York, Representative Andrews.

Representative **ANDREWS**: Mr. Speaker, Ladies and Gentlemen of the House. Contrary to the report, I do support essential programs. Like my fellow person on this side of the report, it is the process with which I have the problem. I would like to give you a little analogy. I am known on this side of the aisle somewhat for my cooking abilities. I do bring treats every Monday to eat. One of the things that the people enjoy the most is blueberry cake. I will use that as an example. What would happen if I brought a cake in when I follow the recipe and you know the cake takes flour, but it doesn't tell me how much or it doesn't tell me how much baking power or it just says sugar, but it doesn't tell how much.

This is the problem with this bill. It has some excellent points. I believe very strongly in the concept, but there are many things that are left undone. We are putting forth a cake that may not rise, a cake that may not taste very well. We all know that the MMA proposal proposes funding 100 percent of special education. How do you think the public and our districts are going to react when we don't deal with how we are going to fund special ed in this proposal, but MMA is? This is a very big part of all our school budgets. I know that because I have served on town councils. We do not deal with transportations. I am not going to go into all those things because my good friend, Representative Murphy, did elude to that.

Back in the '80s there was a law passed that we would fund 55 percent of education. We have not done that yet. We are putting forward in this program and we say we are going to fund 55 percent of education, but we are not doing it right off. We are not fully funding it. We are starting off at only an 85 percent of working towards that 55 percent. What is the guarantee that we are ever going to reach that full commitment that we have made in these trying budget times? I just think that we need to have all of the ingredients in this cake before we put it into the oven. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Buckfield, Representative Gagne-Friel.

Representative **GAGNE-FRIEL**: Mr. Speaker, Ladies and Gentlemen of the House. We don't need to commit it to Education again. This has been worked on for over six years. We had plenty of time to look at it. Of course there are always questions and there are always unknowns. There are unknowns with the GPA formula right now. The superintendents wait in the spring hoping to find out how much they are going to get. At least here we know essentially this is the amount you are going to look forward to. This will be your responsibility. This will be

the state responsibility. Of course you are not going to have every detail to answer. We haven't had a detailed answer about money and education ever. This does not go into affect until 2005-6. We are going to check it one year after that and every three years thereafter. I think we have looked at it quite a bit. I was on Taxation last year. We looked at it on the Taxation Committee even last year. It was worked by the Education Committee last year. This is an education bill. I think it is time we go ahead. We have studied it. We have looked at it. It has been around a while. This is, as was mentioned earlier, the funding for Learning Results. Let's go ahead and kill this commit idea.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Holden, Representative Ledwin.

Representative **LEDWIN**: Mr. Speaker, Ladies and Gentlemen of the House. The good Representative from Buckfield just said everything that I wanted to say. However, I would like to add that this is the second part of the Learning Results. We have studied the Learning Results. We have put the Learning Results into the programs in the schools. This is Part B as far as I am concerned. We have given the mandate to the school now we need to fund that mandate. Please do not commit this back to committee. We have been studying this for several years and as far as our superintendents go, in my opinion, they have been vocal. They have been a part of the process for seven years and if they had questions, they should have come forward before. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. I would urge you to commit this back to committee. At the hearing, the bill had not been printed yet. The bill did not arrive until the week after the hearing. Superintendents, representatives of school boards had said it was impossible for them to comment on the bill because they didn't have the bill. On the first day that the hijacking pressure began to build from outside was the first opportunity representatives and superintendents had to meet with the commissioner and have printouts. They met for three hours. I had a point that there was a push for us to vote on this. There had not been one public comment made by a superintendent or the representative of the teachers' union. We stopped and got the comment. The spokesman for the superintendent was, there are too many unanswered questions here. I don't think I could explain it to my school board. I don't have enough information. That information is from all these outside reports that are still coming to us.

If you vote to commit, then we will be waiting for the other tiles to arrive. You give the committee the opportunity to be able to go out into the school units and have them look and say, are those realistic models or indexes in each of those categories? We heard concern raised already on libraries. You give it more time and in January you have a complete package that comes back. When you get a printout at that time, it is an honest printout. I think if we can step back and not be in a panic situation regarding the MMA and take our time and do it right, because this is going to be the formula that will continue five or six years beyond the eight years that you are going to serve here if you are a freshman. This is going to be with you for a long time. I hope we can get it right. The only way you can do that is to commit it back.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Cornville, Representative Mills.

Representative **MILLS**: Mr. Speaker, Men and Women of the House. We have passed an essential programs and services bill I think each biennium for the last five or six or seven years. This

bill is simply one more step in a continuum of pieces of legislation that we have passed overwhelmingly every year to make progress toward a goal that is extraordinarily worthy. I may be misconstruing something, but this bill, as far as I know, has nothing to do with the MMA referendum. It is true that there is talk about using this concept and implementing it more quickly and melding it with a mil rate cap and doing some other things that would provide a rather interesting and significant tax reform for the people of Maine, but that is not this bill. This is an education bill. It says that the EPS System will go into affect for the first time July 1, 2005, two years from now and it is merely an implementation of previous acts of this Legislature that have been considered with great deliberation and with a great deal of study over five or six or seven years, most of the time that I have been part of this institution.

Yes, there are two major building blocks of this bill that are going to be funded separately in accordance with the old system unless we elect to change that in the next year or two. Those two major elements are, special ed and transportation costs. There has been an implication by prior speakers that somehow those are left out and that you won't get any money for special ed or transportation costs, quite the opposite is true. They are left out because they will be separately funded as they are presently outside the formula.

Your actual costs for transportation, most of those actual costs for rural and poor districts are paid now by the state and they will continue to be paid by the state in this bill, separately from the general allocation of money for operating costs and the like. The same is true for special ed. Why are these two issues so difficult? Because they do vary considerably from one school district, one town to another. These are difficult concepts to grapple with and for a good many reasons. They need, at the present time, to be considered outside of a more general formula.

This bill is such a vast improvement over what we are presently doing. Right now we have something called the per pupil guarantee. It is a fixed number of about \$5,000. We say that no matter where you live or how many kids or how many teachers with master's degrees, it costs the same in every single town to educate a child. It is the same across the state. It is the same regardless of your conditions. It doesn't matter how many poor kids you have or how many rich. It doesn't matter how many English as a second language kids you have got. There are no variables. You get the same amount of money per child no matter where. That is a crude system that we now presently have. It doesn't function well. It doesn't treat districts fairly. That is why we have hired people from the University of Maine to look at what other states are doing, more advanced states. We have studied this thing for years and that is why this system is slowly coming into being, because it will create a tailor made cost for your district so that when you go back home you can go back home and say based on statewide widely accepted standards, this is what it should reasonably cost to educate children in this town and in this district. You know what that will do for us eventually? It will get us out of that warfare that is going on now between the school committee on the one hand and the town council or the selectmen on the other. Haven't you seen that warfare going on? I see it all the time. It makes for a lot of press. They both get together and blame the state, because we are not supplying them with enough money and then they blame each other. The school committee is in the pocket of the teachers and they are trying to raise money that we don't have taxes to pay. They are sending the bill over to the municipal side and they are trying to get the town manager and the selectmen to raise taxes and they won't raise them. They are in this constant bickering. Why? There is no state standard that establishes, objectively,

what it should reasonably cost for education in your town. The beauty of this is that it will get us to a point where we will be able to say, look, this is what it reasonably costs in the State of Maine to educate a kid like the kids you have got in your town, given your teacher's staff and so forth.

Is it perfect? No. Is it superior to the current system? Vastly, even if only partially implemented.

The Chair reminded Representative MILLS of Cornville to stay as close as possible to the pending question.

Representative MILLS: Point well taken, Mr. Speaker. This leads me to my final point. Thank you for reminding me. This is a stage in a progress that needs to keep going. It doesn't need to be committed back to the Education Committee. They will meet again in January. They will be taking this up again. There will be some further elements to be added to this building block, but it is an ongoing building process and this bill that lies before us this evening, it is a crucial element to keep that train moving down the track. To commit it back to education will derail that train. I urge you to vote no. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is to Commit the Bill and all accompanying papers to the Committee on Education and Cultural Affairs. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 232

YEA - Andrews, Austin, Berry, Berube, Bowen, Bowles, Bruno, Campbell, Carr, Churchill E, Churchill J, Courtney, Cressey, Crosthwaite, Curley, Daigle, Duprey B, Duprey G, Glynn, Jacobsen, Jodrey, Joy, Kaelin, Landry, Lewin, Maietta, McKenney, Murphy, Nutting, Richardson M, Rosen, Sherman, Shields, Smith W, Snowe-Mello, Stone, Sykes, Tobin D, Treadwell, Twomey, Vaughan.

NAY - Adams, Annis, Ash, Barstow, Bennett, Bierman, Blanchette, Bliss, Brannigan, Breault, Brown R, Browne W, Bryant-Deschenes, Bull, Bunker, Canavan, Clark, Clough, Collins, Cowger, Craven, Cummings, Dudley, Dunlap, Duplessie, Earle, Eder, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Grose, Hatch, Heidrich, Hotham, Hutton, Jackson, Jennings, Kane, Ketterer, Koffman, Laverriere-Boucher, Ledwin, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, Marraché, McCormick, McGlocklin, McGowan, McLaughlin, McNeil, Millett, Mills J, Mills S, Moody, Moore, Muse, Norbert, Norton, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson J, Rines, Rogers, Sampson, Saviello, Simpson, Smith N, Sukeforth, Sullivan, Suslovic, Tardy, Thomas, Thompson, Tobin J, Trahan, Walcott, Watson, Wheeler, Woodbury, Wotton.

ABSENT - Davis, Dugay, Goodwin, Greeley, Honey, McKee, Peavey-Haskell, Usher, Young, Mr. Speaker.

Yes, 41; No, 100; Absent, 10; Excused, 0.

41 having voted in the affirmative and 100 voted in the negative, with 10 being absent, the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **EDUCATION AND CULTURAL AFFAIRS FAILED**.

Subsequently, the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-258)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, June 12, 2003.

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

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