

MAINE STATE LEGISLATURE

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When it comes to those people who are going to buy the Happy Meal, who are lining up in the corner store to buy their morning pack of cigarettes and a breakfast sandwich, Representative Wheeler is right, we need to educate those people. The stuff they are ingesting is not good food.

For a number of years we increased the cigarette tax because we knew these are the people that are driving the cost of Medicaid and Medicare because they continue to ingest poisons and we pay for it. Every member who is in this room, that is not a freshman, had a hand in that. Times were good and that was all right to do. Times aren't so good now and now we all want to point fingers and it is not a good thing to do. These people are still ingesting poisons. Where do we go? What do we do? I say what we need to do is take the good that is in this budget, let's run with it. Let's vote on it. Let's go home and let's come back in January and work with the next budget. Let's move on.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. I once said that I was a resident of Bushey Circle, which is in the Town of Lewiston, which is in the County of Androscoggin, which is in the State of Maine. When I was elected here, yes, I was elected to represent the people in a part of Lewiston. Goodness gracious, I think I am supposed to represent all of the people of Lewiston, all the people of Androscoggin County and all of the people of the State of Maine. When we have representatives that come up and say, I am representing the people of South Portland or I am representing the people in Biddeford or I am representing the people in Kittery, I say to you that you are being selfish. You are here to represent the people of Maine, nothing more, nothing less. It is all the people of Maine who will benefit from this budget. Some of us will probably benefit a little bit more than others. Some of us will benefit a little bit less. This is a budget that needs to be done and it needs to be done quickly now because we just messed up the first part. It should have been done back in April. It would have been done in April if across the way here, they would have been a little bit more cooperative. They weren't, so now we are stuck with this mess. It is fine. Maybe there will be other times that we can tinker with this in January of next year or what have you, but I want to remind people that these two little taxes that they keep talking about. When I was working in the mill in Lisbon Falls, I couldn't afford to buy the sandwich in the sandwich shop. I brought my own croissant sandwich from home. I used to smoke. I didn't smoke that much, just a pack of cigarettes a day. I quit 30 years ago and 30 years ago the nonsmokers were in the minority. Right now the nonsmokers are in the majority. We are not in the minority anymore. We are in the majority. Those people that want to continue smoking and kill themselves as they are going along, it ain't going to bother me any. It will probably bother them. They have a choice. They can save all that money just by quitting, which is exactly what I did 30 years ago. Those of you who think that children are going to continue smoking at a young age and that this isn't going to stop them, look at the statistics all around the country, it does stop them from starting to smoke. If it doesn't stop the kids, it is us that we have to blame because we are the ones that are giving them the allowance that allows them to buy those cigarettes at \$3 and \$4 a pack. If I had a child or a grandchild coming to me and asking for \$3 to buy a pack of cigarettes, I would tell them to go out and weed some in the garden then maybe I might consider it, but not until then. When are we going to start thinking that we are adults and that we have responsibilities, not just for two or three people or just a certain segment of the state, but the whole State of Maine. We are at

the cross roads now where we have to do something and the time is up. Thank you.

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

ROLL CALL NO. 433

YEA - Ash, Bagley, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Morrison, Muse C, Norbert, Norton, O'Brien LL, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Stanley, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Mr. Speaker.

NAY - Andrews, Annis, Belanger, Berry DP, Bruno, Bumps, Carr, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Davis, Duprey, Foster, Glynn, Goodwin, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, MacDougall, Madore, Mayo, McKenney, McNeil, Mendros, Michael, Murphy E, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Perkins, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Sullivan, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

ABSENT - Bowles, Buck, Duncan, Labrecque, Lovett, O'Neil, Peavey, Pinkham, Smith, Watson.

Yes, 83; No, 58; Absent, 10; Excused, 0.

83 having voted in the affirmative and 58 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-724) as Amended by House Amendment "I" (H-740), House Amendment "L" (H-747), Senate Amendment "D" (S-367) and Senate Amendment "E" (S-368) thereto in NON-CONCURRENCE** and sent for concurrence.

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

The following items were taken up out of order by unanimous consent:

ENACTORS

Acts

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for Fiscal Years Ending June 30, 2002 and June 30, 2003

(H.P. 655) (L.D. 855)

(H. "I" H-740, H. "L" H-747, S. "D" S-367 and S. "E" S-368 to C. "A" H-724)

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

On motion of Representative WATERHOUSE of Bridgton, 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: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. I know this is pointless, but I ask you to please think of the people of Maine and let's not punish them with new taxes just because they choose to live here.

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

ROLL CALL NO. 434

YEA - Ash, Bagley, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Hatch, Hawes, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Morrison, Muse C, Norbert, Norton, O'Brien LL, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Stanley, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Mr. Speaker.

NAY - Andrews, Annis, Belanger, Berry DP, Bruno, Bumps, Carr, Chase, Clough, Collins, Cressey, Daigle, Davis, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, MacDougall, Madore, Mayo, McKenney, McNeil, Mendros, Murphy E, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Perkins, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Sullivan, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

ABSENT - Bowles, Buck, Crabtree, Duncan, Hutton, Labrecque, Lovett, Michael, O'Neil, Peavey, Pinkham, Smith, Watson.

Yes, 83; No, 55; Absent, 13; Excused, 0.

83 having voted in the affirmative and 55 voted in the negative, with 13 being absent, and accordingly and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard who wishes to address the House on the record.

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. I offer a humble apology to the Representative from South Portland, the Representative from Biddeford and the Representative from Eliot for the remark that I used.

SENATE PAPERS

The following Joint Resolution: (S.P. 651)

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO SUPPORT STATES' EFFORTS FOR ELECTION REFORM

WE, your Memorialists, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, Maine citizens believe election outcomes are rightfully determined by voters, not state and federal courts of law; and

WHEREAS, in recent local, state and federal elections, outdated voting technology and numerous other problems concerning the election process in the nation as a whole have led to action in state and federal courts; and

WHEREAS, concerns about the integrity of the voting process, whether well-founded or not, point to the inadequacies of voting procedures that exist nationwide; and

WHEREAS, we wish to acknowledge the citizens' desire to channel these concerns into action to result in substantial election reform that will ensure nondiscriminatory equal access to the election system for all voters, including seniors and the disabled and minority, military and overseas citizens, and to ensure the complete and accurate counting of all valid votes cast; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request the Congress of the United States to support significant reforms to our nation's voting system; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of the Maine Congressional Delegation in support of major electoral reform in order to ensure that the true intent of the country's voters determines the outcome of all future elections.

Came from the Senate, **READ** and **ADOPTED**.

READ.

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

Representative **DUDLEY**: Mr. Speaker, Men and Women of the House. This Joint Resolution is similar in title to one that we saw earlier this session, but in content quite a bit different. It memorializes Congress, requesting Congress to devote resources toward election reform in the country, following some problems that were highlighted by the recent Florida election, but certainly weren't limited to Florida or to that particular election.

This was never intended either in the beginning or now to be a partisan effort. In keeping with that, I worked very closely with the Representative from Sanford, Representative Bowles, to hammer out some language that would gain the respect of both parties in trying to address the issue of confusing elections, of a confusing situation that might end up in the courts, a situation where judges are making decisions about outcomes of elections instead of the voters. I don't think it serves either party to have elections removed from the context of the voting booth. In keeping with that and working with my Republican colleague, I think we have hammered out some language that I am hoping that most of us can find agreeable. I want to let everybody know that the intention behind this is not partisan. It is bipartisan and I have worked very hard with members across the aisle to try and find language that we could all agree on. That is it.

I am having distributed right now an article that I read recently in the *New York Times* in that the Secretary of State from Florida, Catherine Harris, mentions that despite the great strides that the State of Florida has made in reforming its system. There is a need for resources to really finalize, really ultimately improve the inadequacies that they identify. Further, the Secretary of State from the State of Arkansas, who I believe is the Chair of the National Conference of Secretary of States, in the final paragraph of that article it mentions that it is very important for people to contact members of Congress to try and urge the Congress to devote resources to this very important issue, which is a bipartisan issue. I think this is a great way for the Maine State Legislature to do just that, to get the attention of our members of Congress and encourage them to enact some reform and to devote some federal resources to this issue. I