

# MAINE STATE LEGISLATURE

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making them prove that they are not doing something wrong. I think we have a better way of governing than that. I hope that we will defeat this bill. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Hancock, Senator Damon to Accept the Minority Ought to Pass as Amended Report.

The Chair ordered a Division.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#178)**

YEAS: Senators: ANDREWS, DAMON, NASS, ROTUNDO, SAVAGE

NAYS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COURTNEY, COWGER, DAVIS, DIAMOND, DOW, GAGNON, HASTINGS, HOBBS, MARTIN, MAYO, MILLS, MITCHELL, PERRY, PLOWMAN, RAYE, ROSEN, SCHNEIDER, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS

ABSENT: Senator: NUTTING

5 Senators having voted in the affirmative and 29 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **DAMON** of Hancock to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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Senator **SAVAGE** of Knox requested and received leave of the Senate that all members and staff be allowed to remove their jackets for the remainder of the Session.

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The Chair laid before the Senate the following Tabled and Later (5/24/05) Assigned matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Voters Control the Cost of Government

H.P. 986 L.D. 1422

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-437)** (5 members)

Tabled - May 24, 2005, by Senator **SCHNEIDER** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 23, 2005, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 24, 2005, Reports **READ**.)

**THE PRESIDENT:** The Chair recognizes the Senator from Senator **SCHNEIDER** of Penobscot.

Senator **SCHNEIDER:** Thank you, Madame President. I'd like to bring my colleagues' attention to the pink notice that was left on their desk regarding this bill. The reason why I oppose L.D. 1422, although I think the goal was to have more bi-partisan support, is because it's not the right way to achieve this. L.D. 1422 would require us to put forward two budgets. If two budgets were submitted, the public hearing process would be nearly impossible to manage. If one budget was submitted and a 2/3 vote was not obtained in both chambers, the public would have no opportunity to comment on the additional 5% reduction called for in this bill. Also if the budget received unanimous support in the Appropriations Committee, received 2/3 support from the Maine Senate, yet fell one vote short of 101 votes in the House, the bill would need to go back to the committee or be amended on the floor to reduce the budget down to 95% of revenues. In this case it would be the reduction of more than \$275 million. L.D. 1422 calls for no General Fund bonds unless the reserve account is equal to 5% of revenues.

This is clearly a bill to encourage bi-partisan support for biennial budgets. That's been made pretty obvious. However, if the ultimate goal of this bill is achieved and every budget from today forward is passed by a 2/3 vote, no money would go into the reserve account and General Fund bonds would be prohibited by law unless the legislature appropriated \$275 million to the fund. I am totally against this. I think it would be a horrendous problem for us in the legislature. It's not the right way to achieve bi-partisan support, to put forth an amendment to the Constitution of Maine in this way. I think that regardless of who's in power, whether it's a Democratic legislature or a Republican legislature, I think it would be equally difficult. You never know who is going to be in power. I would encourage you to support the majority Ought Not to Pass report. Thank you, Madame President.

On motion by Senator **ANDREWS** of York, 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 York, Senator Andrews.

Senator **ANDREWS:** Thank you, Madame President and fellow members of the Senate. This was an attempt to get some bi-partisan support. Let me tell you what this bill does and then I will deviate a little.

It requires, except in times of emergency, that the special reserve account exceed or be equal to 5% of the total budget. It

requires a 2/3 vote to expend money from that reserve account or by people's referendum. It requires a 2/3 vote for the state to borrow money that will not be put back in that biennium. It requires a 2/3 vote to bi-pass that 5% requirement in any budget year. It requires that there be 5% in the special reserve fund before the state can create any indebtedness. It allows for a transition biennium where the first year only needs to be 5% of the annual expenditures rather than the biannual expenditures.

I'd like to deviate and go back to talk a little history of what's gone on the past few years. It's become painfully obvious to me, and I'm sure to others in this body, that the citizens of the state have not been too pleased with our performance up here. They are beginning to govern by petition, as was observed with the MMA sponsored proposal that passed, which then required L.D. 1. If you look at L.D. 1, it's also painfully obvious to me that this did not meet the requirements to provide tax relief. We know that there are many districts that are not receiving their educational funding so that we are now obliged to set aside a little reserve account to help them. We also are aware that the transportation cost of education wasn't addressed in L.D. 1 and we are dealing with that. In my own committee yesterday we had another bi-product of L.D. 1 that had to deal with tax caps. I don't think that we are taking the time to fully think through some of the things we're doing. If you read the paper, I'm sure you are well aware that our bond rating has gone down. One of the critical things that they listed as part of that was the fact that we had no reserve.

I truly believe that if we are ever going to get back on the right track that we need to seriously consider this bill. If you are aware of the discussions that have gone in this body and in this building the past week or two, you are aware that we are looking at some serious spending and budgeting issues. Let's get Maine back on a sound financial track. I would ask you to vote against the Ought Not to Pass and to on to put the State of Maine's book back in order. Thank you.

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

Senator **STRIMLING:** Thank you, Madame President. I join my colleague from York County in encouraging you to vote against the majority report. This is, in my mind, sound fiscal policy. It is a good compromise. There are some who would say that we want to have a Constitutional Amendment on spending. There are some who would say we should do nothing. This is a good compromise. What it basically says is that we need to put money in a rainy day fund and we need 2/3 bi-partisan support if we ever want to use it for whatever it is. If one side wants to use it for tax relief, they have to get 2/3. If another side wants to use it to create new programs, they've got to get 2/3. That's a fair compromise. What it also says, which I think is very important, is that in order for us to take action like we took earlier on the borrowing, we need 2/3. We need to have enough people in this body who say, 'Look, this is an absolute crisis' and 2/3 of this legislature, which is the highest mark we have, would have to vote for it before we are going to borrow money that's going to have to be paid back by future generations. I think this is a good compromise. It brings folks together, which I have been trying to talk about quite a bit. It's sound fiscal policy. At the organization I run, one of the things we have been striving to do over the last 8 years that I've been there is slowly build a rainy day fund. We have been diligent about it. The Board of Directors has been adamant about it and we have forced ourselves to do it. What

this does is help us get there even faster. It doesn't put limitations. It doesn't go that far. It's just a compromise saying, 'Hey, let's make sure we put some money away and let's make sure we don't borrow unless it's the kind of crisis that 2/3 of this body says we must do.' Thank you, Madame President.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President, men and women of the Senate. I rise to join with the Senator from Cumberland, Senator Strimling, in asking that you reject the pending motion so we can move on and pass this legislation. This is a bi-partisan effort. That is something we've a little too little of around here. This is truly a bi-partisan effort to impose fiscal discipline on state government. For those of us in this room who are unhappy and uncomfortable with where we are at this moment in history, facing the people's veto of this borrowing package, we wouldn't be in this position if this were the law of the land. I hope that we will come together on a bi-partisan basis, as those of us who have co-sponsored this legislation have, to rally around having a 2/3 majority to borrow on the current legislature. This makes sense and I think the people of Maine would agree. Having a reserve account, a 5% reserve account, to help bail us out when times are tough, makes sense. The people of Maine would agree. I hope that we can join together on this and not have a partisan vote in this body today, but to work together across party lines. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. I must first agree that this probably is not going to be a partisan vote. My good friend from Cumberland certainly seems to indicate that he's going to be voting for it. I just don't know where to begin to debate this issue. I have enough areas that I'm going to try.

Let me just remind you that, in good times, Maine has actually put away 5%. We actually did it in 2000. We did it in 2001 and 2002. We were above 5%. We had that money. I think what we're trying to do here is to develop a system of government like California were it is completely governed by the voters, because of their Constitutional initiative ability and their statutory ability. The voters have done these things to them. We have now reached about that same level. We got there with MMA last June. If the voters had been asked, 'Do you want to raise taxes to deliver \$250 million for education?' the answer would have been no. Oh no, it was, 'How would you like to have more money for education?' I don't know of anyone that would want to vote against that. For those of you who have town meetings, what is the voter's reaction when you say, 'Let's put money in reserve'? They say, 'If you don't need the money, why tax us for it?' If you have been to a town meeting recently you know that feeling. They don't say, 'Oh, now is the time, let's raise our property tax and let's just put that money into reserve.' It was easy for the voters to buy what they did last year. I, personally, would have liked to have a second question asked. I pushed for that to be an alternative, to say, 'Do you want to raise taxes in order to achieve 55% or whatever 55% happens to be?' I look at where we are. Someday someone, by the way I am working on it if I ever get to it, will have a sheet for you that lays out how much money goes to

the municipalities in this state. We are simply a pass through. We raise the money and give it. By the way, I would say our overview isn't very good. How many superintendents do you want? Not a problem. How many town managers do you want? Not a problem. How many fire trucks do you want? Let's give them some more. Don't ever forget that in this country we have decreased the size of government at the state level. We've decreased the size of government at the federal level. However, look at the figures from the municipalities.

Then we talk about the bond rating. Well, I want to talk about the bond rating. You may have seen the bond rating results that were passed out yesterday, where we were downgraded from AA2 to AA3, which probably will mean \$10,000 or \$15,000 more on bonds when we go out to bid on them. What this bill does is to make it even more difficult. We've heard arguments that this limits our ability to issue bonds. Well I'm one of those that wish we'd never heard of revenue bonds. I will do everything I can in order to get rid of revenue bonds but this was an idea that came. I want to talk about something else that bothers me. In my 24 years in leadership, it is something I never would have thought of doing. I've heard reports that a member of this body contacted the New York bond houses prior to the rating decrease in order to talk about what Maine was doing. We're going to do this lottery bond. What did that do to potentially lead to a downgrade? In my 24 years in leadership, there was never a question raised about who should be talking to bond houses. It was left to the Treasurer and the Governor. I remember when Governor McKernan served as Chief Executive. The Treasurer and the Governor asked the President and Speaker to accompany him to New York. Maine's bond ratings have a direct impact on the rates that we pay. A downgrade, obviously, has a negative impact. If it is true that a member of this body did that, I want to know whether it played a role in raising the cost of Maine's borrowing. So, Madame President, I pose a question through the Chair?

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

Senator **MARTIN:** Does any member of this body have any information as to whether or not bond houses were contacted directly and what information was provided and also the content of these conversations? It is critical, in my opinion.

**THE PRESIDENT:** The Senator from Aroostook, Senator Martin poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you, Madame President and men and women of the Senate. It came to the attention of a number of us not very long ago that there was some information being conveyed to bonding houses that I think was very possibly false and misleading. It was information coming from this Administration with the intention of raising the specter that a people's veto of this profligate borrowing, which the good Senator from Aroostook, Senator Martin, has rightfully condemned, could somehow create an uncertainty in the borrowing or bond market that would have an impact on our bond rating. In other words, there was a transparent effort to try to convert public opinion into thinking that an effort to veto this awful bond was somehow detrimental to our bond rating and an effort to solicit that opinion from bond councils, bond salesmen, and bond rating houses in New York. I suggest that it is the Administration and the

Treasurer who were attempting to impact our bond rating, perhaps inadvertently, in an effort to find political cover for this embarrassing bond that they've sponsored and endorsed and have, themselves, possibly contributed to downgrading of this state's bond rating. I have to tell you that this effort on their part and the damage that they may have done was undone by communications that I've had with all three bond houses to assure them that the people that were initiating this people's veto were doing so in order to preserve our bond rating, or to salvage it, and to undo the substantial damage that was done when, on January 7, 2005, this Administration proposed to sell of the lottery for \$250 million and give up \$45 million of annual revenue for years to come at great detriment to social services and the management of future budgets for legislators that have not even been elected yet, on top of having sold the liquor business two years ago for \$125 million, depriving this institution of \$26 million in annual revenue, and on top of having given away tax resources to Pine Tree Zones that were being dolled out willy-nilly like playing cards to anybody who wants one. It's no wonder that this state is heading towards a state of bankruptcy. The incompetence in which this Administration has managed our revenues is unspeakable. Until we, as a legislature, both sides of the aisle, Democrats and Republicans and Independents, begin to reassert ourselves and regain control over fiscal prudence, I think we are going to continue heading in a downwards spiral. I think time that this legislature took back its control over the budget process, the revenue process, and began to reassert itself and do the job that the people elected us to do.

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

Senator **ANDREWS:** Thank you, Madame President and fellow members of the Senate. I would like to respond to the northern most Senator on a remark he made regarding reserve accounts in your towns. I am proud and pleased to say that we have quite a few reserve accounts in my town and we call this sound fiscal responsibility in preparing for the expense of perhaps a new fire engine, a new fire station, or in our case, we frequently have to pay for all our schools. In my town, reserve accounts are considered sound fiscal policy.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President, men and women of the Senate. I rise to respond. I heard a moment ago the Senator from Aroostook, Senator Martin, say that we have decreased the size of state government. The biennial budget in the last biennium was \$5.4 billion. The biennial budget in this biennium is over \$5.7 billion. Only in Augusta could a \$300 million increase be considered reducing the size of state government. I'm also amazed at the suggestion that the downgrading of our state's credit rating by the bond houses could somehow be attributed to a member of the minority in this body. That is a prosperous statement. I would also point out that if we had this money put aside in a reserve account it is doubtful we have been downgraded. That is at the center of this debate. As for the notion of reserve accounts, it is apparent that even the Chief Executive believes in the importance of reserve accounts. The difference is that he did it with borrowed money.

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

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. When I went to college I paid money to listen to people lecture me. When I went to graduate school I paid money, I paid more money, to have people lecture me. When I was elected to the Maine State Senate, with 34 other peers, I did not come here to be lectured to. In the previous debate, I have been lectured to about fiscal responsibility, and about what the Administration might be doing or not doing in terms of where this state is going. I'm not sure if these lectures that I've gotten today are worth the money that I'm getting paid to be here now. With that being said, I think that this debate is important. It's very important to me, this particular issue of amending the Constitution. The Constitution is a very important, if not one of the most important, documents that we have in the state. We should not amend it as a matter of political tactic or political rhetoric. It's something that governs everything that we do here everyday. We should be very careful about when we choose to amend it and if we choose to amend it. We most certainly should not be amending it for the proposal that is before us today. Equally important to me, in terms of the Constitution, is the concept of democracy. Quite frankly, I'm tired of all these proposals that continue to come forward to undermine democracy in this state. We will get to a point where we won't need a Legislature. We won't need representative people to be here because it's all going to be decided, what we can vote for, what we can't vote for, what decisions we make, and what decisions we don't make. We are elected as representatives of democracy to make the best decisions we possibly can for how this state should go forward. Now we have a title here that this is going to help the voters control the cost of what we're doing up here. The control that the voters have is in electing us, or not electing us, to represent their interest. We don't need artificial political gimmicks to amend our Constitution to do that. I believe that part of debate in a democracy is the debate that we have right here on this particular item. I appreciate the fact that I was elected here, with 34 other colleagues, to have that debate, but we don't need a Constitutional Amendment to tell us what decisions we can make or shouldn't make when we're representing our constituents. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. I just don't understand what it is we don't understand. The good Senator from Washington, Senator Raye, talks about the cost of government going up. Have we looked at the amount of money going to GPA from last year to this year? From four years ago to now? In the next biennium we have \$837 million for GPA. In the second year of 2006 - 2007 we have \$892 million. That's \$1.7 of the entire \$5.4 billion budget. That does not even take into account the money that we put in for the state retirement for municipal employees, that is our teachers. Doesn't take into account revenue sharing. I can go on and the list goes on. That has increased every single year. That's what I'm talking about. We can't say no to our municipalities, and I share that, don't get me wrong. We can't say no so we increase the state budget. I haven't heard anyone say anything. Look at the outcry yesterday. We meant 5% but we didn't mean it on education for

elementary and secondary. We meant it on everything else. We're all in the same boat. Then I want to point out that the sheet that the good Senator from York, Senator Andrews, passed out, if you've looked at it, which you probably didn't, shows the good years and it shows in 1999 the 5.8% in the reserve, 2000 had 6%, and 2001 had 6%. We had some good years and we put the money aside. Then, and some of us would say it's the fault of the Republican administration in Washington, we went in the hand basket. I won't say that. Look at the figures. Okay. We had a problem. I admit to the fact that we passed the budget at the end of March which turned out to be, obviously, a partisan budget because members of the other party wouldn't join us for their own reasons. I'm not attacking that, but I can if you want me to. The point remains, in my opinion, that we're kidding ourselves if we want to put this government on automatic pilot. That's what I think is the mistake we're making because if the will lies here, it can be done. If the will lies here. I've told members of my own caucus that I would have preferred to have a 2/3 budget, but it was not to be. I don't think it is there now and I think that whatever we choose to do, which I believe we have to do on this side of the aisle, we will do because I don't see the other side aisle, in both chambers, being willing to do what needs to be done in order to get to that goal. That's unfortunate. I wish it were different. When we are given an ultimatum that there will be no borrowing, no taxes, and no cuts, that really doesn't leave you much room to maneuver. Granted there are some who are willing to do that. When I see seven come forth and raise their hands to join us, I'll eat my words.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Penobscot, Senator Schneider to Accept the Majority Ought Not to Pass Report. 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 (#179)**

**YEAS:** Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COWGER, GAGNON, HOBBS, MARTIN, MAYO, MITCHELL, PERRY, ROTUNDO, SCHNEIDER, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

**NAYS:** Senators: ANDREWS, COURTNEY, DAMON, DAVIS, DIAMOND, DOW, HASTINGS, MILLS, NASS, NUTTING, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, STRIMLING, TURNER, WESTON, WOODCOCK

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **SCHNEIDER** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **FAILED**.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in **NON-CONCURRENCE**.

**READ ONCE.**

Committee Amendment "A" (H-437) **READ**.

On motion by Senator **STRIMLING** of Cumberland, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-437).

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The Chair laid before the Senate the following Tabled and Later (5/24/05) Assigned matter:

An Act Regarding Identity Theft Deterrence  
S.P. 190 L.D. 581  
(C "A" S-187)

Tabled - May 24, 2005, by Senator **GAGNON** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, May 19, 2005, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-187)**, in concurrence.)

(In House, May 23, 2005, **PASSED TO BE ENACTED**.)

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

Senator **BROMLEY:** Thank you, Madame President, men and women of the Senate. This won't be nearly as long or as exciting as the prior debate. This bill is flying through here because, one, it is a good idea, and two, it was a unanimous committee report. I wanted to quickly put some remarks on the record so that when you get asked, 'What did you do up here that was good?' this is something you can talk about. We hear a lot about identity theft every day now. This is, perhaps, the best consumer protection thing that we'll be doing this session. It's a really important step in helping us reclaim control of our own information. Simply, what it does is, if you are a victim of identity theft, you get to put a freeze on your report free of charge so that no one, for any reason, can lift that information because there is likely something incorrect in it. If you happen to be just interested in privacy, through the use of a pin number, you can secure that information, can freeze that information, so that, again, no one can have access to your credit information without your permission. If you want to buy something, you lift it temporarily and then it is secured again. I just wanted to let you know something that you did that was good up here. Lots of times we don't get to look up these unanimous reports. We are fourth in the nation to do this legislation, along with California, Texas, and Vermont. There was no opposition except modest objections from the credit bureaus who then came on board. It's a good thing and I recommend that you let your constituents know in your newsletters. Thank you, Madame President.

**PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Repeal the Tax on Private Nonmedical Institutions" (EMERGENCY)  
S.P. 52 L.D. 146

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-173)** (5 members)

Tabled - May 25, 2005, by Senator **MAYO** of Sagadahoc

Pending - motion by same Senator to **RECEDE** and **CONCUR**

(In Senate, May 19, 2005, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In House, May 24, 2005, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-173)**, in **NON-CONCURRENCE**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#180)**

YEAS: Senators: **ANDREWS, BARTLETT, BRYANT, CLUKEY, COURTNEY, COWGER, DAMON, DAVIS, DIAMOND, DOW, HASTINGS, HOBBS, MAYO, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, SULLIVAN, TURNER, WESTON, WOODCOCK**

NAYS: Senators: **BRENNAN, BROMLEY, GAGNON, MARTIN, ROTUNDO, SCHNEIDER, STRIMLING, THE PRESIDENT - BETH G. EDMONDS**

27 Senators having voted in the affirmative and 8 Senators having voted in the negative, the motion by Senator **MAYO** of Sagadahoc to **RECEDE** and **CONCUR**, **PREVAILED**.

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The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Hospital Tax"  
S.P. 224 L.D. 687

Majority - **Ought Not to Pass** (8 members)