

MAINE STATE LEGISLATURE

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

Volume II

First Special Session

May 26, 2005 – June 17, 2005

Second Special Session

July 29, 2005

Second Regular Session

January 4, 2006 - April 6, 2006

Pages 737-1487

UNFINISHED BUSINESS

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

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-878) - Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "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 the Fiscal Years Ending June 30, 2006 and June 30, 2007" (EMERGENCY)

(H.P. 1378) (L.D. 1968)

TABLED - March 27, 2006 (Till Later Today) by Representative BRANNIGAN of Portland.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-878)** was **READ** by the Clerk.

On motion of Representative BRANNIGAN of Portland, **House Amendment "D" (H-901) to Committee Amendment "A" (H-878)**, was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As you can see in the amendment and the summary, it is just a technical amendment. Sometimes people are having a hard time adjusting to the DHHS now and not DHS and things like that. There is a transfer that needs to be allowed, but it is strictly a technical amendment. I want to thank the people who helped all of us put this supplemental budget together. Even though it is just a supplemental budget, a "fix it" budget, what has still been quite a task this time and in the times past. I am really glad that we could pull together as Democrats and Republicans and Independents and Greens to pull off a budget that is not contentious. Certainly it is not everything that everybody wants, but when you put the budget together like this everybody gets something and some people get things that they don't want. It is compromise and this is the way that a budget should be put together in this body and I am pleased that we are able to do it this time and I commend everyone in leadership who greatly helped and the rest of our committee and the members both Democrat and Republican. Their leadership, our leadership and some of the people who were around to help us nights and weekends we appreciate your help and ask for your support. Thank you, Mr. Speaker.

House Amendment "D" (H-901) to Committee Amendment "A" (H-878) was **ADOPTED**.

Representative **KAELIN** of Winterport **PRESENTED House Amendment "A" (H-893) to Committee Amendment "A" (H-878)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Kaelin.

Representative **KAELIN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. First, I would like to echo the words of commendation that the good Representative from Portland just stated to us. I am very happy to be able to approve and support this bipartisan budget and I think that it is what the people of the State of Maine want us to do and I am looking forward to doing that later this evening with all of you. I also wanted to thank the committee and our own members on the

Marine Resources Committee for a section of this budget that is on page 87 concerning the bio-toxin monitoring and public health growing area programs that will benefit our shellfish industries statewide and those are extremely important dollars to preserve in this budget. I am bringing an amendment to take a portion of them because I have been here four years now and know how successful these budget amendments are. I know that my good seatmate, the Representative from Waterford will indefinitely postpone this amendment in just a few minutes and I expect it to go down in flames, but I think it embodies a very important issue, one that I have been working on for the last three years since before we were redistricted and it speaks to an issue in a town that I used to represent that the good Representative from Frankfort, Representative Lindell now represents.

What this amendment would do is resurrect a bill that is on the Appropriations Table that is the result of this Legislature sweeping clean a marine environmental trust fund of its money, \$53,000 and change, three years ago when we had the \$9 million budget shortfall. When the Maine Science and Technology Foundation was abolished, this fund was not protected and it was swept and disappeared. These moneys came from an environmental settlement, in fact two environmental settlements, one where sulfuric acid was spilled in Stockton Harbor and the Conservation Law Foundation and other people involved in that settlement agreed that those monies should go into this Marine Environmental Trust Fund and the Town of Stockton Springs had been engaged in a project to restore its clam flats and had created a proposal that they sent up to the state and when the proposal got here the money was gone. What we have been trying to do is restore that fund. What this amendment would do is take a portion of the shellfish monies establish that funding in the Maine DMR and make sure that Stockton Springs has the money for their clam program.

As I said, I expect this is not going to be successful tonight, but I wanted to highlight this issue for this Legislature because it is \$53,000. It's a one time fix and I hope that it is something that we can find the ability to do before we leave later this month or next month if we can't do it tonight. Thank you, Mr. Speaker.

Representative **MILLETT** of Waterford moved that **House Amendment "A" (H-893) to Committee Amendment "A" (H-878)** be **INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I do this without any degree of pleasure and yet I do, out of commitment to the process that we went through and the spirit that lead us to a two thirds expectation on this budget tonight and further, out of respect for my seatmate who has a legitimate issue reflected in this bill and has persuaded me, not only on this occasion, but last year that an injustice was done to a fund that affects one of his former towns and that bill lays on the Appropriations table still and could be dealt with before we leave here and I hope we do that.

I commend him also for being the champion of the account from which he went to take monies to do that. The Representative from Winterport has been a champion of getting positions restored to do the clam-flat monitoring and we fought very hard to get that done and he turns around and attempts to fund the bill without actually creating a problem within the budget, so I admire him for doing that, but I do feel that the agreement that we had throughout the working process was to attempt to work this bill without making it a mini Appropriations table bill. In other words, to not allow it to become a resting place for Christmas tree items that people had within the committee or

knew of outside of the committee and we stayed the course on that and, therefore, I would ask your support for my Indefinite Postponement motion.

The SPEAKER: The Chair recognizes the Representative from Frankfort, Representative Lindell.

Representative LINDELL: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to this motion to Indefinitely Postpone this amendment. I, too, believe that the spirit of this budget needs to be honored, but this is a grave injustice that needs to be taken care of and by indefinitely postponing it once again we are leaving this matter to be resolved at a later date.

If you will bear with me for just a second, Mr. Speaker, I would like to tell a little fantasy story if I may? It is about the people of Stockton. These are diligent people and they work hard. Again, I am telling you a fantasy story if I may, bear with me. In this magic land, they grow magic pumpkins. These magic pumpkins require fertile soil to grow in. Well, the alchemist; the wizard gack who lives out in the hinterlands nearby is casting spells and creating great wealth in undertaking his wizardry and employs many local people as well. One day a spell went awry and it ruined the land upon which these pumpkins grow. Well, the people took him to the high council and they won a judgment. In that judgment, 50,000 gold pieces were set-aside in the village strong box to be used at a later time to restore the pumpkin patches. This may sound like a fantasy story, but, in fact, if we just change a few facts this is what happened. Now the people of Stockton are, indeed the people of Stockton Springs and the alchemist is the GAC Chemical Company, a well-run company and they made an error and they paid for that error. They set aside money in a trust fund to restore, not a pumpkin patch, but the clam flats in Stockton Springs Harbor. That money was there and when the people went to the strong box, to the trust fund, it just so happened that a gang of invading marauders came. They didn't come through in the light of day and pillage the town; they came through in the dark of night and raided this strong box. Now we all know who the invading marauders are so I won't go any further, but the fact of the matter is that a terrible injustice was done and we have a responsibility here to restore those funds to that trust so that the people of Stockton Springs can use that money to restore their clam flats. Thank you Mr. Speaker.

Representative TARDY of Newport REQUESTED a roll call on the motion to INDEFINITELY POSTPONE House Amendment "A" (H-893) to Committee Amendment "A" (H-878).

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 Indefinite Postponement of House Amendment "A" (H-893) to Committee Amendment "A" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 405

YEA - Adams, Austin, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Cain, Campbell, Canavan, Carr, Churchill, Clark, Collins, Craven, Crosby, Cummings, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Edgecomb, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Grose, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Joy, Koffman, Lerman, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, Miller, Millett, Mills, Moody, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Richardson D, Richardson E,

Richardson W, Rines, Sampson, Saviello, Shields, Simpson, Smith N, Smith W, Tardy, Thomas, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Ash, Bryant-Deschenes, Cebra, Clough, Cressey, Crosthwaite, Davis K, Duprey, Emery, Fitts, Fletcher, Flood, Glynn, Hall, Jacobsen, Jodrey, Kaelin, Lewin, Lindell, McKenney, McLeod, Moulton, Plummer, Richardson M, Robinson, Rosen, Schatz, Seavey, Trahan, Vaughan.

ABSENT - Berube, Bierman, Bishop, Burns, Greeley, Hotham, Lansley, Merrill, Moore G, Ott, Percy, Rector, Sherman, Stedman, Sykes.

Yes, 105; No, 31; Absent, 15; Excused, 0.

105 having voted in the affirmative and 31 voted in the negative, with 15 being absent, and accordingly **House Amendment "A" (H-893) to Committee Amendment "A" (H-878) was INDEFINITELY POSTPONED.**

Representative BEAUDETTE of Biddeford PRESENTED **House Amendment "B" (H-898) to Committee Amendment "A" (H-878)**, which was READ by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Beaudette.

Representative BEAUDETTE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My amendment proposes to recapitalize the Maine Downtown Center in the amount of \$150,000. There was a bill presented earlier in the session to recapitalize at the amount of \$300,000, but unfortunately that did not make its way into the supplemental budget. I have reduced the amount to \$150,000. As I understand it there is a strong possibility that at the end of the fiscal year we will have a surplus of approximately \$750,000. My hope is that with passage of this amendment the \$150,000 for this fund will be taken out of that \$750,000. This program is proven to be an effective tool in promoting downtown revitalization and it has been very effective in the cities of Bath, Gardiner, Saco and Waterville. The City of Biddeford is currently entertaining, or I should say that they have actually filed their application to become a Main Street Maine Community and I would hope that you could find a way to support this amendment and I thank you very much.

Representative BRANNIGAN of Portland moved that **House Amendment "B" (H-898) to Committee Amendment "A" (H-878) be INDEFINITELY POSTPONED.**

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

Representative BRANNIGAN: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As the proponent mentioned he talked about the end of the session. That is a time to consider this again. This is on the table I believe and this was considered by our committee, but this was one of the many things that people need or want and we wish that we could have, but it is one of the things that is not attached to the budget. Thank you, Mr. Speaker.

Representative BEAUDETTE of Biddeford REQUESTED a roll call on the motion to INDEFINITELY POSTPONE **House Amendment "B" (H-898) to Committee Amendment "A" (H-878).**

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 Indefinite Postponement of House Amendment "B" (H-898) to Committee Amendment "A" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 406

YEA - Annis, Ash, Austin, Babbidge, Barstow, Bierman, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Churchill, Clark, Clough, Collins, Craven, Cressey, Cummings, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle, Eder, Edgcomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Goldman, Grose, Hall, Hamper, Hanley B, Harlow, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lerman, Lewin, Lundeen, Makas, Marean, Marley, Mazurek, McFadden, McKane, McKenney, McLeod, Miller, Mills, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Pineau, Pingree, Pinkham, Piotti, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Sampson, Saviello, Schatz, Shields, Simpson, Smith W, Tardy, Thomas, Thompson, Trahan, Tuttle, Vaughan, Walcott, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Adams, Beaudette, Cebra, Crosby, Crosthwaite, Davis K, Emery, Glynn, Hanley S, Hogan, Lindell, Marraché, McCormick, Millett, Moody, Moulton, Percy, Pilon, Robinson, Rosen, Seavey, Smith N, Twomey, Valentino, Watson.

ABSENT - Berube, Bishop, Greeley, Hotham, Lansley, Merrill, Moore G, Ott, Perry, Rector, Sherman, Stedman, Sykes.

Yes, 113; No, 25; Absent, 13; Excused, 0.

113 having voted in the affirmative and 25 voted in the negative, with 13 being absent, and accordingly **House Amendment "B" (H-898) to Committee Amendment "A" (H-878) was INDEFINITELY POSTPONED.**

Representative **BEAUDETTE** of Biddeford **PRESENTED House Amendment "C" (H-899) to Committee Amendment "A" (H-878)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Beaudette.

Representative **BEAUDETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have submitted this amendment because I believe that there is an inequity within the community college system. What this amendment would do is pay off the mortgage on the York County Community College in the amount of approximately \$3.6 million. By paying this \$3.6 million and paying off the mortgage in the long term, we would realize a savings of approximately \$1.8 million in interest that would not be paid. It also would address an inequity in that, at York County Community College, because there is a mortgage fee associated with the tuition that is paid by students there, they pay the highest tuition of any community college in the state. Conversely and, what I imagine would come as a surprise to some folks, the students at York County Community College have the lowest average family income of any of the community college systems. That is because the students that predominately attend York County Community College come from the interior towns, Newfield, Shapleigh, Acton, Lebanon, Parsonsfield and places like that. So I would appreciate your support to take care of this inequity and would thank you very much for your support of this amendment.

Representative **BRANNIGAN** of Portland moved that **House Amendment "C" (H-899) to Committee Amendment "A" (H-878) be INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Some of this \$3.5 million piece was considered in our deliberations but was seen as something that we could not include, as many, many other things

could not be included. I can't say that we will have a lot to work with at the end of the session, but it is one of those things that will possibly be assisted in some way. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. It is time to bring a little bacon home to York County. It is time to be fair. It is time to have the same opportunities in the York area because it is so unfair. Now it is just a matter of priorities, it is just a matter of priorities. You want to put money into research and development and you want to put money for savings offsets in Dirigo and it is just a matter of what your priorities are. Ours happen to be education and we are the lowest income and these people need help and it is time to do that now. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Waterboro, Representative Jacobsen.

Representative **JACOBSEN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We always talk about unemployment. The unemployment in that area is between 7,000 and 9,000 people. That's a lot of people. Look at the report from January on Maine labor. There are between 7,000 and 9,000 people out of work. Many of these people need to go to that community college. If anything we need to put more money in there. Not only to pay off the mortgage to reduce tuition that averages \$900 more than any other community college. You might think that southern Maine is a pot of gold, but you should ask these people if it is. We have the highest number of people unemployed, maybe not the highest percentage, but the highest number. We need this community college and we need the tuition reduced and the only way that we can do that is to pay off that mortgage. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from York, Representative Moulton.

Representative **MOULTON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this motion to indefinitely postpone. York County Community College is a very important godsend to York County. It has enabled a large number of young adults to acquire the skills necessary to keep up with the demands of a very high expense area in which to live. It is a very important priority for York County legislators and that is the reason why this amendment has been proffered. It is critical that our young people have those skills that will enable them to make a livable wage so I would encourage you to vote against the motion to indefinitely postpone.

Representative **BEAUDETTE** of Biddeford **REQUESTED a roll call on the motion to INDEFINITELY POSTPONE House Amendment "C" (H-899) to Committee Amendment "A" (H-878).**

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 Indefinite Postponement House Amendment "C" (H-899) to Committee Amendment "A" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 407

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Bierman, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Browne W, Bryant, Cain, Canavan, Carr, Churchill, Clark, Craven, Cressey, Cummings, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle, Eder, Edgcomb, Faircloth, Finch, Fischer, Fisher, Fletcher, Gerzofsky, Goldman, Grose, Hamper, Hanley B, Hanley S, Hutton, Jennings, Kaelin, Koffman, Lerman,

Lundeen, Makas, Marraché, Mazurek, McKane, McKenney, McLeod, Miller, Millett, Mills, Moody, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Percy, Perry, Pineau, Pingree, Pinkham, Piotti, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Sampson, Saviello, Shields, Simpson, Smith N, Smith W, Tardy, Thomas, Thompson, Trahan, Walcott, Watson, Webster, Woodbury, Mr. Speaker.

NAY - Beaudette, Brown R, Bryant-Deschenes, Burns, Campbell, Cebra, Clough, Collins, Crosby, Crosthwaite, Davis K, Emery, Farrington, Fitts, Flood, Glynn, Hall, Harlow, Hogan, Jackson, Jacobsen, Jodrey, Joy, Lewin, Lindell, Marean, Marley, McCormick, McFadden, Moulton, Pilon, Rines, Robinson, Rosen, Schatz, Seavey, Tuttle, Twomey, Valentino, Vaughan, Wheeler.

ABSENT - Berube, Bishop, Greeley, Hotham, Lansley, Merrill, Moore G, Ott, Rector, Sherman, Stedman, Sykes.

Yes, 98; No, 41; Absent, 12; Excused, 0.

98 having voted in the affirmative and 41 voted in the negative, with 12 being absent, and accordingly **House Amendment "C" (H-899) to Committee Amendment "A" (H-878) was INDEFINITELY POSTPONED.**

Representative **SOCKALEXIS** of Penobscot Nation **PRESENTED House Amendment "E" (H-902) to Committee Amendment "A" (H-878)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from the Penobscot Nation, Representative Sockalexix.

Representative **SOCKALEXIS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of my amendment and I want to speak to my amendment, to the document that was handed out yesterday or the day before, the Maine Supplemental Budget 2006/2007 Overview and it said that the budget represents Maine's state investment in Maine's people and the economy. It says that the state is expecting a healthy budget surplus estimated at over \$150 million as the result of a strong economy and this budget reflects democratic values and Maine values and in this it says how this budget builds on a Democratic agenda through jobs, jobs and jobs and investing in people, innovation and Maine small business. My amendment proposes funding of \$75,000 to support economic development for the Penobscot Indian Nation and if additional funds are available, \$300,000 to support economic development for other Maine tribal communities.

The Penobscot Indian Nation embarked on an economic and business strategy in 2003 because of the loss of the casino revenues and we worked very closely with the Chief Executive to see what he could do to help us in developing businesses. He threw several bones in our favor and these bones resulted in economic ventures, and, as a result of going into these businesses we found that we needed money to do feasibility studies to bring these projects to a tipping point. It is no good to have the Chief Executive's Office submit businesses when we need money to get them to the point of making them economically viable.

I feel that this budgetary process had left out a significant segment of Maine society, the Maine Indian people. I ask for your support for this budget amendment and I ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "E" (H-902) to Committee Amendment "A" (H-878).**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

Representative **BRANNIGAN** of Portland moved that **House Amendment "E" (H-902) to Committee Amendment "A" (H-878) be INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Certainly we were very conscious of economic development at the time that we put this budget together. There are bills on the table, which we hope to be able to fund, that will help economic development. This is certainly one that will contend well. However, this is one that we could not have in the budget at this time and I hope that you will support Indefinite Postponement. Thank you, Mr. Speaker.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "E" (H-902) to Committee Amendment "A" (H-878).**

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 the Penobscot Nation, Representative Sockalexix.

Representative **SOCKALEXIS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would just like to make one more comment about the jobs, jobs, jobs. The Penobscot Nation, under its own initiation and as a result of the Chief Executive's support, now have a partner in Trans-Canada, one of the worlds largest wind power, oil and gas companies in the world. We were partners with them for a \$100 million wind project on our lands and all the streams. Jobs, jobs, jobs, 110 to a 2120 jobs would be created during the construction phase with 30 to 40 full time jobs and for every 10 megawatts of power there is \$1 million dollar generated for the rural economy in Franklin County once this project is on board. We ask for more support to continue these projects. Jobs, jobs, jobs. With the MEPS program now we are negotiating with the precision and manufacturing parts company in Lakewood, Florida which plans to relocate to the Penobscot Indian Reservation. These are 70 highly qualified positions and good paying jobs with contracts to make parts for submarines and security ships that cannot be outsourced to foreign countries. Jobs, jobs, jobs. We created the Preonix Pharmacy with 17 highly qualified jobs in the beginning. We mortgaged a \$2 million subdivision in Stuben, Maine and now we have licensed the Preonix business, which has now been in business for six months in eight other states. These are the result of our initiative and we do need that support. I am sorry, but can you give this consideration if there is a small supplemental budget? Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "E" (H-902) to Committee Amendment "A" (H-878) All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 408

YEA - Ash, Austin, Babbidge, Barstow, Beaudette, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Browne W, Bryant, Cain, Canavan, Carr, Churchill, Clough, Collins, Craven, Cummings, Curley, Curtis, Davis G, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Gerzofsky, Goldman, Grose, Hall, Hamper, Hanley B, Hogan, Jennings, Jodrey, Koffman, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McKenney, Millett, Mills, Nass, Norton, Nutting, O'Brien, Patrick, Percy, Pineau, Pingree, Piotti, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Saviello, Seavey, Shields, Simpson, Smith N, Smith W, Tardy, Thomas, Thompson, Tuttle, Valentino, Watson, Woodbury, Mr. Speaker.

NAY - Adams, Annis, Bierman, Blanchard, Brown R, Bryant-Deschenes, Burns, Campbell, Cebra, Clark, Cressey, Crosby, Crosthwaite, Daigle, Davis K, Driscoll, Dugay, Eder, Edgecomb, Emery, Fletcher, Flood, Glynn, Harlow, Hutton, Jackson, Jacobsen, Joy, Kaelin, Lewin, Lindell, McFadden, McKane, McLeod, Miller, Moody, Moulton, Muse, Paradis, Perry, Pilon,

Pinkham, Rines, Robinson, Rosen, Schatz, Trahan, Twomey, Vaughan, Walcott, Webster, Wheeler.

ABSENT - Berube, Bishop, Greeley, Hanley S, Hotham, Lansley, Lerman, Merrill, Moore G, Ott, Rector, Sampson, Sherman, Stedman, Sykes.

Yes, 84; No, 52; Absent, 15; Excused, 0.

84 having voted in the affirmative and 52 voted in the negative, with 15 being absent, and accordingly **House Amendment "E" (H-902) to Committee Amendment "A" (H-878)** was **INDEFINITELY POSTPONED**.

Representative **SOCKALEXIS** of Penobscot Nation **PRESENTED House Amendment "F" (H-903) to Committee Amendment "A" (H-878)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from the Penobscot Nation, Representative Sockalexis.

Representative **SOCKALEXIS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise to ask for your support in favor of this bill and for consideration in the supplemental budget as well. This \$96,000 is to support the continuation of the teaching and preservation of the Penobscot Indian language. This will also support an after school program so that the children will be involved in an immersion program and in conversational speech. This is critical because right now the tribe has a limited number of native speakers and they are working very hard to teach the young people this before our language gets lost. I thank you.

Representative **BRANNIGAN** of Portland moved that **House Amendment "F" (H-903) to Committee Amendment "A" (H-878)** be **INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Again, this is a very noteworthy piece, but, again, it is one of those kinds of things that we had all decided we would not attach to the budget. I believe that it has some opportunity for future funding before this session is over, but it is not something that we could include.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE**

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 Indefinite Postponement of House Amendment "F" (H-903) to Committee Amendment "A" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 409

YEA - Ash, Austin, Babbidge, Barstow, Beaudette, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Cain, Carr, Churchill, Clough, Collins, Craven, Cressey, Cummings, Curley, Curtis, Davis G, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Flood, Gerzofsky, Grose, Hall, Hamper, Hanley B, Hanley S, Jackson, Jennings, Koffman, Lerman, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McKane, McKenney, Millett, Mills, Moody, Nass, Norton, Nutting, O'Brien, Patrick, Percy, Pilon, Pineau, Pingree, Piotti, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Saviello, Seavey, Shields, Smith N, Smith W, Tardy, Thomas, Thompson, Valentino, Watson, Woodbury, Mr. Speaker.

NAY - Adams, Annis, Bierman, Blanchard, Bryant-Deschenes, Burns, Campbell, Cebra, Clark, Crosby, Crosthwaite, Daigle, Davis K, Eder, Edgecomb, Emery, Fletcher, Glynn, Goldman, Harlow, Hogan, Hutton, Jacobsen, Kaelin, Lewin, Lindell, McFadden, McLeod, Miller, Moulton, Muse, Paradis,

Perry, Pinkham, Robinson, Rosen, Schatz, Simpson, Trahan, Tuttle, Twomey, Vaughan, Walcott, Webster, Wheeler.

ABSENT - Berube, Bishop, Canavan, Dugay, Greeley, Hotham, Jodrey, Joy, Lansley, Merrill, Moore G, Ott, Rector, Rines, Sampson, Sherman, Stedman, Sykes.

Yes, 88; No, 45; Absent, 18; Excused, 0.

88 having voted in the affirmative and 45 voted in the negative, with 18 being absent, and accordingly **House Amendment "F" (H-903) to Committee Amendment "A" (H-878)** was **INDEFINITELY POSTPONED**.

Representative **EMERY** of Cutler **PRESENTED House Amendment "G" (H-906) to Committee Amendment "A" (H-878)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Emery, Representative Emery.

Representative **EMERY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This amendment transfers funds out of the Maine Budget Stabilization Fund to fund the recommendations of the Governor's appointed Economic Task Force for Washington County, a task force, which was chaired by the good Representative from Cherryfield and also involved membership from the entire Washington County delegation. The amount of money is for \$1.365 million and the money will be appropriated as follows: Three hundred and fifty thousand dollars for the Marine Technology Center at the Washington County Community College, otherwise known as the boat school, \$15,000 for the Downeast Institute for Applied Marine Research and Education. It will appropriate \$300,000 for operational support of the Downeast Heritage Museum in Calais. It will appropriate \$100,000 for the Incubator Without Walls Entrepreneurial Workshop in Washington County and it will appropriate \$500,000 for the endowment of the Sunrise County Council and an additional \$100,000 in one-time funds for the operation of the Council.

Just for everyone's benefit, this task force, as I indicated, was a governor appointed task force. This group worked for seven months in Washington County throughout the fall and winter months and early this spring and came back with recommendations to improve the economic situation in Washington County and, to my disappointment, during this supplemental budget process none of the recommendations were included in this budget package. So that is the basis for this amendment and I ask for the entire body's support. Thank you, Mr. Speaker.

Representative **BRANNIGAN** of Portland moved that **House Amendment "G" (H-906) to Committee Amendment "A" (H-878)** be **INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There are several reasons why I would oppose this amendment. For one, we spent two hours this afternoon in a hearing on a bill that deals with one of these elements. Other elements, we decided would not be included in the budget, but may be cared for in the future and one of the major pieces of our budget deliberations was that we would leave \$100 million in our reserves. This would reduce that below the \$100 million that we made absolutely sure that we had in hand. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to speak about this. The one bill that was about the boat school was heard today. The other parts of this request are from a bill that

came through as a recommendation from the economic task force that has been working and that was appointed by the Chief Executive and most of these requests are one time requests and this is really to help one of the poorest counties in this state that has consistently had double the unemployment rate of the state and the lowest average family income in the state on a regular basis. The recommendations of the task force did not ask for large amounts. We asked for one time funding on several things to give us the ability to do the economic development and to allow Washington County to pull itself up by its bootstraps. I think I have said this before and I said it when we were arguing for a casino and I am going to say it again because until something happens for Washington County you are going to hear me. The things that are one time funding are the Incubator Without Walls, the Sunrise Economic Council is a request for the other half of an endowment, which this county has managed to raise \$500,000 in order to get going. We are asking for the other half, one time, allow us and this organization to work at economic development within Washington County.

The Heritage Museum is something that is a linchpin around which the program of FERMATA that the Chief Executive had brought forward, and Washington County is a pilot project for, is in the process of possible foreclosure because the federal government did not come through with the \$1 million running funds when we were halfway through the building project. There was no way to turn around. We have been running on fumes and we are at a point at which this either goes or it doesn't. We are asking for \$300,000 out of this budget. I am going to ask that you vote against Indefinite Postponement and give Washington County a chance to pull itself up and if this does not happen then I am going to ask the Appropriations Committee to seriously consider what is on the table to follow up and give us something please. Thank you.

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "G" (H-906) to Committee Amendment "A" (H-878)**.

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 Indefinite Postponement of House Amendment "G" (H-906) to Committee Amendment "A" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 410

YEA - Adams, Ash, Austin, Babbidge, Barstow, Blanchard, Bliss, Bowen, Bowles, Brannigan, Brautigam, Browne W, Bryant, Cain, Canavan, Churchill, Clark, Craven, Cummings, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Grose, Hall, Hamper, Hanley B, Hanley S, Hogan, Jackson, Jennings, Jodrey, Koffman, Lerman, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McKenney, Miller, Millett, Mills, Moody, Muse, Nass, Norton, Nutting, O'Brien, Patrick, Percy, Pineau, Pingree, Pinkham, Piotti, Plummer, Richardson D, Richardson E, Richardson W, Sampson, Saviello, Shields, Simpson, Smith N, Smith W, Tardy, Thomas, Thompson, Tuttle, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Beaudette, Bierman, Blanchette, Brown R, Bryant-Deschenes, Campbell, Carr, Cebra, Clough, Collins, Cressey, Crosby, Crosthwaite, Davis K, Dugay, Eder, Edgcomb, Emery, Fitts, Fletcher, Flood, Glynn, Harlow, Hutton, Jacobsen, Joy, Kaelin, Lansley, Lewin, Lindell, McCormick, McFadden, McKane, McLeod, Moulton, Paradis, Perry, Pilon, Richardson M,

Robinson, Rosen, Schatz, Seavey, Trahan, Twomey, Valentino, Vaughan.

ABSENT - Berube, Bishop, Burns, Greeley, Hotham, Merrill, Moore G, Ott, Rector, Rines, Sherman, Stedman, Sykes.

Yes, 90; No, 48; Absent, 13; Excused, 0.

90 having voted in the affirmative and 48 voted in the negative, with 13 being absent, and accordingly **House Amendment "G" (H-906) to Committee Amendment "A" (H-878) was INDEFINITELY POSTPONED.**

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Unlike my colleagues I will not be offering a budget amendment this evening, but I do want to raise a concern of public policy that a lot of us are going to be getting telephone calls on over the summer and I wanted to bring it to your attention.

This budget that we are currently operating under, the Biennial Budget, currently has in it this law affecting a brand new kind of healthcare for MaineCare called a managed care program and its addressed in Part ZZZ of the budget. The decision to go to managed care here in the State of Maine and run the Medicaid system like an HMO is something that never received a public hearing in our state; this was never a bill that went before the Health and Human Services Committee and the Chief Executive has put in the budget \$10 million worth of savings by going to managed care. You may be asking yourselves why this is important, well the decision to go to managed care and effectively sell off a piece of the Medicaid business administration carries with it a change in service delivery to your constituents. What is going to happen is that under a managed care system very similar to an HMO program, you have decapitated services. There is going to be a decision made by a company to determine how many services are necessary in order to prepare somebody and help them with an ailment. You are going to see a reduction of services. You are going to see \$10 million worth of savings in the system through cuts in service delivery, as put in the budget.

Now, in the budget that is before us in Part ZZZ there is a recognition that there is no way that they are going to make the timetable deadline of July 1 to implement the Medicaid Service Program and they are extending that to January 1st. So what is going to happen is that between when we adjourn in a couple of weeks and when the next Legislature comes in this full model of managed care will be implemented. It has not had the benefit of a public hearing and it doesn't have input and, in fact, the RFP to go to managed care hasn't even gone out to bid yet. I raise this issue because this is a serious public policy concern of setting such a broad public policy decision in the budget as opposed to going through the policy committee and when we did it last time with the Department of Health and Human Services we did that with the non-categoricals.

The non-categorical service delivery, which is also in the supplemental budget, has been wracked with problems. We had people that were mentally ill that were going through treatment and didn't renew on time. They are managed care and they went to the end of the waiting list and as a result they are going to be a year or two years without services. There are some adjustments to that policy that we took up in an emergency bill and some of them that are in this budget, but these are the kinds of problems that happen when we do public policy through a budget and it is something that should really draw a lot of cause and concern for a lot of us because when you get calls this summer from your constituents and you get them from providers and they say, "Why did you vote to implement managed care?" All you can say is, "Well, it was in the budget." Thank you.

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

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to give a brief reminder on some of the topics that the good Representative from South Portland just addressed. The managed care initiative for mental health, which he was referring to, was actually passed in the major budget passed last year. The Health and Human Services Committee reviewed this option extensively. We heard public testimony and it was part of a savings initiative that concerned a lot of us. But, it's about figuring out how to control managed healthcare costs in the Medicaid program. We spend a great deal for very needing people and it is incredibly important, but it's a system that is not very well managed. A lot of other states have undertaken this kind of management structure for Medicaid and mental health and it was actually somewhat endorsed by the Mental Health Association when we were reviewing the budget last year. There was a change that happened at the final hours before the budget closed, which increased the savings from approximately \$7 million to \$8 million to \$10 million, which concerned providers and continues to concern me and others, but I believe that the move to managed care did not happen in the dark of night. It had a public hearing and it is an option that we have considered pretty extensively.

Part ZZZ of the budget I was not directly involved with; it was an amendment put on by the Appropriations Committee that, I think, came from the mental health providers. It continues to set the parameters for which, under managed care will go into place. I think none of us wants this to go into place in a hasty fashion. We certainly have seen what happens in the Department of Health and Human Services when things are prematurely adopted and I know that Representative Lerman from Augusta and others worked on this with the providers to try and ensure that this did not go into effect too early. So, I just wanted to give you that history. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This will be the last time that I speak about budgets and I am the conscience of the Maine House – so I have been told by my friends. Therefore, I will tell you that the supplemental budget reflects a lot of compromises. A lot of compromises that I do not like; a lot of compromises that I don't think are Democratic principles. The health savings account is not something that I have ever supported.

Are you ok?

That's too bad because it takes away from the sincerity that I am trying to convey here. This is very serious. This is not a joke. This is about a supplemental budget that does not represent what I think is a Democratic budget, but we have no other way to handle it because we are not in the Super Majority and so we have to compromise and that is something that I don't like to do, as many of you know, when it is things that I believe in. The health savings account of \$200,000 is not something that I have ever supported because the people that I represent have a hard time having a saving account period, never mind talking about a health savings account for their healthcare. You are pitting the poor against those who can afford it. It is totally not something that I support. But, let me tell you what I do support and let me tell you why I support it and what is really Democratic about this.

Because of George Bush's debacle on privatizing Medicare, my seniors are going to go without or they would have gone

without if we hadn't picked up the tab of \$6.1 million and, believe me, I tell them that at every opportunity. Six point one million dollars that would have made these people fall through the cracks. They wouldn't have gotten their Medicare and we still owe the federal government \$19.1 million for the claw-back because they picked up our drug costs. So who is really carrying the freight here? Who is really stepping up to the plate? Who is saving the seniors because of this debacle? This is really a Democratic budget because this Chief Executive – believe you me I have let him have it on every occasion when I didn't agree with him – needs to get all the credit he deserves because without him stepping up to the plate, these people wouldn't have what they need tonight.

Let me tell you about those seniors. One lady that I just spoke to last week, who is living in her little apartment that is nothing to write home about and who is living on fixed income and can barely see, cannot afford glasses, \$200 for a pair of glasses, and is living in silence and not complaining. Those are the people this budget is going to help. This is a Democratic budget because we are picking up the pieces of peoples lives that otherwise wouldn't have been picked up. This president privatized Medicare and he doesn't care who he hurts and John Baldacci, Chief Executive of the State of Maine, is saving them tonight. So this is a Democratic budget and for this, Mr. Speaker, I will be supporting the budget no matter how much I don't like other things, no matter how much Washington County is begging and Penobscot County is begging. York County Community College needs help. It makes you wonder where the money is going. It is a matter of priorities and our priorities are our seniors and for this, I am proud to say, this is a Democratic budget. Thank you.

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

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I appreciate the support from the conscience of the House, but let me say that this is a combined budget. This is a Republican budget and it is a Democratic budget. This is a budget that we all came together to put together and I appreciate everyone working on the drug piece and on many other pieces of the budget. When the vote is taken Mr. Speaker I request a roll call.

Representative **BRANNIGAN** of Portland **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-878) as Amended by House Amendment "D" (H-901)**.

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 Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I take it as an insult from the colleague across the aisle with her Democratic budget. This is a budget that we passed and we worked our tails off on both sides of the aisle. She attacked the Chief Executive and now she is preying on and attacking the President of the United States and I think that she is disgusting.

The SPEAKER: The chair reminds the body that we cannot take what people have said and make it personal here and I will admonish everyone in the room that we will adhere to the highest decorum and the highest degree of civility and those issues and making things personal will not be tolerated in the House. We need to be respectful of each other and respectful of the titles that men and women hold.

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

Representative HARLOW: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I wish that I could support this budget; my problem is that philosophically I am completely opposed to the health savings accounts. It is \$325,000 into our budget that we will be spending this year and what is going to happen in the future?

In our President's budget, the estimates are \$41 billion worth of debt because of health savings accounts. I am not blaming him or anybody else, but that is the result when you spend money. As Everett Dirksen once said, "A million here, a million dollars there, before long you are talking about real money." We are talking about real money here I think.

Health savings accounts: Generally, they are tax-free savings accounts combined with high deductible insurance policies that people obtain through their employers or independently from insurance companies. Most people are very passionate for them or against them and I can understand both sides very well. The only problem that I have with the health savings accounts is when you start giving tax deductions and the reason for that is that the health savings account will do the same thing for you whether you get the tax savings or not. It will cut your cost of insurance.

According to the Commonwealth Fund, health savings accounts are not likely to be important contributors to expanding coverage among uninsured people because most uninsured Americans do not face high enough marginal tax rates to benefit substantially from tax deductibility of HAS contributions. Another study by the center on budget and policy priorities finds that the number of people who would lose coverage due to employers dropping health insurance or reducing them. HSAs are likely to increase the numbers of uninsured. That is, again, according to the Commonwealth Fund. Anybody can argue it either way if you want to.

My problem is, again, that I think it is 41 percent of American's don't pay tax. The problem with that is that if they want HSA they are not going to get any tax advantage and it is not going to help them at all. The argument is always, "Well, what about the middle income people? What are we doing for them?" Middle income is, by definition, whatever you want it to be. Under \$50,000 it won't help you a bit. It will hurt you.

HSAs, as I said earlier, could cost the taxpayers \$41 billion over the next ten years. We have to pay that somehow. Now, the State of Maine will also lose money as the result of HSAs. Now, when you pay out a tax benefit to somebody then somebody else has to pay for it and that is what bothers me the most. The \$300,000 plus could help with our community colleges, it could help with Aroostook County, it could help with our Native Americans and I would hope that somehow we can get that out of the budget. I will not support any budget that has that in it. Thank you very much ladies and gentlemen of the House and Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-878) as Amended by House Amendment "D" (H-901). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 411

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Blanchard, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Cain, Campbell, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Daigle, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle,

Eder, Edgecomb, Emery, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Goldman, Grose, Hall, Hamper, Hanley B, Hanley S, Hogan, Hutton, Jacobsen, Jennings, Jodrey, Kaelin, Koffman, Lansley, Lerman, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Miller, Millett, Mills, Moody, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Saviello, Schatz, Seavey, Shields, Simpson, Smith N, Smith W, Tardy, Thomas, Thompson, Trahan, Tuttle, Twomey, Valentino, Vaughan, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Blanchette, Canavan, Harlow, Jackson, Joy, Lewin, Sampson, Walcott.

ABSENT - Berube, Bishop, Burns, Greeley, Hotham, Merrill, Moore G, Ott, Rector, Sherman, Stedman, Sykes.

Yes, 131; No, 8; Absent, 12; Excused, 0.

131 having voted in the affirmative and 8 voted in the negative, with 12 being absent, and accordingly **Committee Amendment "A" (H-878) as Amended by House Amendment "D" (H-901)** thereto was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-878) as Amended by House Amendment "D" (H-901)** thereto and sent for concurrence.

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

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

Representative PIOTTI: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In reference to roll call number 404 on LD 463 I voted no and I had intended to vote yes.

On motion of Representative RICHARDSON of Greenville, the House adjourned at 6:39 p.m., until 9:00 a.m., Wednesday, March 29, 2006 in honor and lasting tribute to George "Skip" Fairfield of Guilford.