

MAINE STATE LEGISLATURE

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Representative TARDY of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

On motion of Representative PINGREE of North Haven, **TABLED** pending **PASSAGE TO BE ENGROSSED** and later today assigned. (Roll Call Requested)

ENACTORS
Emergency Measure

An Act To Make Supplemental Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009

(H.P. 1566) (L.D. 2196)
(C. "A" H-865)

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

Representative TARDY of Newport **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**: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 282

YEA - Adams, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Cebra, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Giles, Greeley, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jacobsen, Kaenrath, Knight, Koffman, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, Miller, Millett, Mills, Miramant, Moore, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Sarty, Savage, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Chase, Gifford, Gould, Johnson, Joy, Lansley, Lewin, McLeod, Tibbetts, Weaver.

ABSENT - Duprey, Fisher, Hamper, Jackson, Jones, Muse, Nass, Pendleton, Perry, Pineau, Saviello, Thomas, Vaughan, Walker.

Yes, 126; No, 11; Absent, 14; Excused, 0.

126 having voted in the affirmative and 11 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act Making 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, 2008 and June 30, 2009"

(H.P. 1651) (L.D. 2289)

Which was **TABLED** by Representative PINGREE of North Haven pending **PASSAGE TO BE ENGROSSED**. (Roll Call Requested)

Representative LANSLEY of Sabattus **PRESENTED House Amendment "A" (H-875)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Sabattus, Representative Lansley.

Representative **LANSLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It seems like there was only a short amount of time that we discussed this on the floor, so I am not going to go in to detail. I have distributed through the House, the OPEGA Historical Budget Analysis, and wish that you take a look at this because, as you can see from here, OPEGA not only looks at other departments to look for opportunities, but they also practice what they preach.

During the appropriations, through fiscal 2007, they have been appropriated \$2,455,000; the actual expenses were \$1,563,000, which is variance of \$898,000. When you look at this, diminishing the department by taking away positions, I believe that the effectiveness will not be so strong. In short, what we are doing here is basically putting OPEGA on life support, which the plug can be pulled at any time because then it will be deemed that it is not effective enough, because they do not have the resources or the money to do so. I ask that you take a look at this; I ask that you look at this to ensure that you are going to be voting following my light, to ensure that we keep OPEGA totally in tact to what we have it right now, and maintain this independent and nonpartisan identity. Thank you, Mr. Speaker.

Representative FISCHER of Presque Isle moved that **House Amendment "A" (H-875)** be **INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Lansley's amendment. I was just sort of looking over the numbers when I was home over the weekend and realized that the OPEGA budget is about 1/50th of 1 percent of the state budget. With that small amount of money, they have been able to point to over \$22 million in potential savings, just by sort of changing the way we do things in some departments.

I do not relish the thought of losing valuable staffers from the State House, because I know we really cannot afford some of them that maybe would be on the chopping block, but these particular staffers are the ones that we need to find savings, that we can use in the future for whatever purposes we find and are most necessary. What we have in this budget is a cut of 60 percent of the analysts from that department. So I think it would be a great support for the Legislature and for our citizens, who we are asking to tighten their belts, to restore OPEGA, who can show us how to tighten our own. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative McDonough.

Representative **McDONOUGH**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I thought we pretty much solidified the deal on OPEGA and it comes back, and it concerns me greatly that we are doing this. As I indicated before—and I do not like to be repetitious but it concerns me—how many departments are in state government, even though this is a small one, that we created on behalf of the people of Maine, that we are cutting 40 percent of the staff out? I mean that is obscene to do that, and I would ask this body to stand up for what is right, once again, we did it before, and vote for

Representative Lansley's amendment. I think it is the right thing to do and I would ask to follow his light. Thank you, Mr. Speaker.

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-875)**.

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 Sabattus, Representative Lansley.

Representative **LANSLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. One thing that I did not point out on this amendment was that we put an additional \$195,000 of the OPEGA current budget back to the General Fund, and this will more than cover the cost of the positions that we have.

Also, if I could highlight again, OPEGA has reviewed activities of state government that represent over \$630 million in annual expenditures of taxpayer dollars. OPEGA has identified at least \$167,806 in unused and misused taxpayer dollars, including potential fraud. OPEGA has made suggestions to realize at least \$2,177,000 in government savings. OPEGA has made recommendations that, if implemented, would avoid further costs of state government of at least \$20,000,321. So this is a department that should remain in tact. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. At a time of growing cynicism on the part of citizens of this state, this is exactly the wrong thing to cut OPEGA at this moment. It is a window in to the operations into state government that is truly needed, it saves money, and we should support this amendment. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Indefinitely Postpone House Amendment "A" (H-875). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 283

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Brautigam, Briggs, Bryant, Cain, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Fischer, Fisher, Gerzofsky, Hanley S, Harlow, Haskell, Hayes, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Samson, Silsby, Simpson, Smith N, Sutherland, Theriault, Treat, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Boland, Browne W, Burns, Campbell, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Emery, Finch, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Grose, Hill, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, MacDonald, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Sarty, Savage, Schatz, Sirois, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Trinward, Vaughan, Weaver, Woodbury.

ABSENT - Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Walker.

Yes, 76; No, 65; Absent, 10; Excused, 0.

76 having voted in the affirmative and 65 voted in the negative, with 10 being absent, and accordingly **House Amendment "A" (H-875) was INDEFINITELY POSTPONED**.

Representative MCKANE of Newcastle **PRESENTED House Amendment "C" (H-879)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative McKane.

Representative **McKANE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This amendment affords this body another chance to vote in favor of working, fishing, low-income communities in the state, in favor of common sense and against a broken promise to the communities that are hardest hit by property taxes.

In this Supplemental Budget, we are cutting about \$36 million to the ramped up money of General Purpose Aid, but still a lot of money is going into General Purpose Aid, just not quite as much as we originally predicted, as we really wanted a year ago. It was felt that since the minimum receivers are not feeling any of that pain, shall we say, they are not getting any cut—the minimum receivers, by the way, are the ones that suffer under the highest property values and lower student enrollments—and because they are working families—that is why they have the lower student enrollments—they do not get any GPA money, they just get Special Ed money. But it felt that they were not going to feel any of this pain, this cutback in GPA, so the only way to make them feel some of the so-called pain was to cut back on the only money they get from the state, which is the Special Ed money. This is the money that the state demanded that all towns get with question 1a, back in 2004, that we would fund 55 percent of the cost of education and we would fund 100 percent of the cost of Special Education to all towns. It was promised that we would do that with LD 1 and we been doing it, we have been trying to ramp up to those amounts, but now we are breaking that promise right here in this budget.

It contains a tax shift from what are some of the lowest income communities in the state, the communities that are struggling the hardest with their high evaluation, and it is giving to some of the highest per capita income towns and cities in this state that are not getting this cutback. I mean, if you think of it, towns like Bristol and Bremen, Monhegan, Isle au Haut, Boothbay, Southport are getting this hit; the towns like Cape Elizabeth, Yarmouth, Scarborough, Cumberland, Cumberland Foreside, Falmouth are not getting the hit. It does not quite make sense to me. We are taking it from those with the lowest per capita incomes and we are giving to some with the highest. I would hope that you would vote in favor of this, just for these working, waterfront communities that are struggling as it is to have affordable housing, and to keep residents and working families in those communities. Thank you very much, Mr. Speaker.

Representative **FISCHER** of Presque Isle moved that **House Amendment "C" (H-879) be INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "C" (H-879)**.

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 North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to speak just very briefly on this amendment because Representative McKane has asked me several times, as has the good Representative from Blue Hill, why I would not support it.

I represent all minimum receiver communities. Some of them are very accurately described by Representative McKane, a town like Vinalhaven, a very working-class, fishing community. But what this amendment does is take \$6.5 million out of the rest of

the communities in the state and give them to the minimum receivers. There is nobody more than myself who has an interest in getting those minimum receivers back up to 84 percent of Special Ed, I plan to fight for that next year. I think it is an important priority, and it is something I attempted to even do in this budget process but I could not come up with \$6.5 million. So in order to come up with that \$6.5 million, you have to take it out of the rest of the state. I have made this argument to the good Representative from Newcastle that taking it out of the rest of the state has also a very negative impact on coastal, rural communities that are not minimum receivers.

It also has a very significant impact on rural communities in the rest of Maine. I saw some folks who voted on this amendment during our last round of the budget, whom I was very surprised that they would vote to make that kind of shift. I just want to read to you a list of the most negatively impacted communities in the state, when it comes to this budget, who are not minimum receivers: Eastport, losing 25 percent of their entire budget; Alexander, 27 percent; Lubec, 15 percent; Steuben, 13 percent; Machiasport, 15 percent; Lamoine, 15 percent; New Sweden, Nobleboro, the list goes on and on. These are non-minimum receiver communities who are going to take a further hit by this shift.

Again, I am absolutely interested in the future for getting these minimum receivers back up to 84 percent, but without a new funding source, you take money out of currently receiving districts and you take it out of those most rural, those most poor districts who are exactly as you described. There is no district probably more poor and more struggling than a town like Eastport, and to take money out of that town and send it to communities like mine, I cannot vote for in good conscience. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Indefinitely Postpone House Amendment "C" (H-879). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 284

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Crosthwaite, Dill, Driscoll, Duchesne, Dunn, Eberle, Faircloth, Farrington, Finch, Finley, Fischer, Flood, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hinck, Jones, Kaenrath, Koffman, Lundeen, Makas, Marley, Mazurek, Miller, Millett, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Samson, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Berube, Browne W, Burns, Cebra, Chase, Cotta, Cray, Curtis, Eaton, Edgecomb, Emery, Fitts, Fletcher, Gifford, Giles, Gould, Greeley, Hill, Hogan, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, MacDonald, Marean, McDonough, McFadden, McKane, McLeod, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Sarty, Savage, Schatz, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver.

ABSENT - Duprey, Fisher, Hamper, Jackson, Mills, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Treat, Walker.

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 **House Amendment "C" (H-879) was INDEFINITELY POSTPONED.**

Representative MILLETT of Waterford **PRESENTED House Amendment "B" (H-878)**, which was **READ** by the Clerk.

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 will be very brief, I promise. We are presenting, again, an amendment that would effectively present the Minority Report from last Thursday, which replaces six onetime reductions and a tax that is called the net operating loss carry-back, with structural changes that would, in the ongoing sense, achieve the same effect. You could either read the statements in the Summary, 1 through 16, starting on page 14 of the amendment; or, if you have the green sheets from last week, you can follow them along. So I will just highlight a few of them and not spend time on the bulk of them.

As you know, we do increase the amount of the Maine Clean Election reduction for '08, from 5 percent to 10 percent. We do remove the nuclear safety inspector language. We do request three government holidays spelled out the Fridays before Labor Day, Columbus Day, and Memorial Day. We do the structural changes in both the non-categorical and SCHIP parents that we talked about last week.

Beyond that, we start removing some onetime things, and, again, in the statement of fact you will see that we removed the \$2.5 million take back from the Capital Construction Reserve Fund. We provide \$100,000 in year two, in order that the Fund for the Efficient Delivery of Local and Regional Services has some money in it. We increase the amount of the transfer, from '09 to '08, to keep the biennial budget in balance, from \$10 million to \$10.2 million. We remove the tax issue on the recapture of carry-back net operating losses. We do impose the out of state travel limitation, saving \$250,000. We also do another change in the legislative budget by restricting step increases for employees earning \$75,000 or more, and imposing another travel reduction for the legislative branch. Then we reduce some more onetime take backs: \$3.2 million from Professional and Financial Regulations; \$2.6 million from Emergency Services Communication, or E-911. We do the health insurance savings from legislators and legislative staff, by decreasing from 100 percent to 90 percent, and the state share of the individual premium. We remove the \$9 million onetime stock sale that was proposed by the State Treasurer. We also removed the OPEGA language from the original bill, and I acknowledge that Representative Fischer's amendment reinstates part of that; we just debated another portion, and I believe there will be some language offered in the other body.

The other things that we do, they are minor; I will not go into a lot of detail. I will say that there is agreement between the Minority and the Majority on Appropriations to add some language that inadvertently got dropped in the original printing, and that is to do the Maine Public Employee Retirement study of the actuarial assumptions for determining the rate structure for the next biennium's Maine State Retirement contribution rates. You will find that in PPP at the very back of the newly printed bill.

I would just ask for your consideration of an attempt on the part of the Minority Republicans to do more structural changes, and to remove ourselves from the onetime savings that were offered up in the original bill and are basically repeated here today. One last thing, while I think of it, the tax and match issue was not in the budget bill when it was here last week, was reinstated with a floor amendment; it is not before us at this moment, but is coming before us in a bill that you just had circulated to your desks. So with those background comments and without any need for any further expansion upon them, I would urge your support of an attempt on our part to be

structurally in balance for the long haul, recognizing, as I am sure that you have all thought about and probably continue to read about over the weekend, further signs of deterioration in the Maine economy. My suggestion is that we will no longer be able to leave here this spring, whenever it is next month, with assurance that we will not be back here in the short term, and that is the reason for proposing the structural changes. Mr. Speaker, when the vote is taken, I request the yeas and nays.

Representative MILLETT of Waterford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (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 Presque Isle, Representative Fischer.

Representative **FISCHER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I, like the Representative from Waterford, do not wish to repeat the floor speech that I gave last week. But I would say, as I said then, we have a great deal of respect for the values brought forward by our friends in the Republican caucus on the Appropriations Committee, but we have a difference in opinion, and on our side we thought it was very important to protect health care for 20,000 Maine citizens and that is why there is a division. It seems to me that there is an irreconcilable difference between the two positions, and we simply respect that. So Mr. Speaker, I would indefinitely Postpone House Amendment "B."

Representative **FISCHER** of Presque Isle moved that **House Amendment "B" (H-878)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (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 to Indefinitely Postpone House Amendment "B" (H-878). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 285

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Burns, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgecomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

ABSENT - Boland, Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Walker.

Yes, 85; No, 55; Absent, 11; Excused, 0.

85 having voted in the affirmative and 55 voted in the negative, with 11 being absent, and accordingly **House Amendment "B" (H-878)** was **INDEFINITELY POSTPONED**.

Representative **MOORE** of Standish **PRESENTED House Amendment "D" (H-880)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Moore.

Representative **MOORE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be painfully longwinded, no really. Nonetheless, I would be longwinded if I were to read the 950 travel reports that were filed in a three-month period in this summer by University of Maine administrators and others, totaling in several hundred thousands of dollars.

As a former trustee in the University System and a school administrator and so forth, I am not insensitive to the, often times, beneficial travel of employees to further the goals of the University System and students thereof. Nonetheless, it has become painfully clear that the University System, under the direction of its current trustees, has strayed dramatically from the missions of that university, and does not adhere, or cannot, or will not adhere to the financial restraint as necessary, as we have heard it deflected here today by the various constituencies that are going under in this perpetually deteriorating Maine economy.

We have seen many, many students; many, many reports. Last summer, or prior to that time, I had the opportunity to work with the young people of Opportunity Maine. They went out in droves throughout the State of Maine complaining about the tuition. These are not dummies or stay-at-homes, these are intelligent young people who know that and are very offended by the luxuries that many of the university employees live in at their expense as tuition payers. We know that the university tuition is often used as a cudgel by the trustees or the administrators that go before the Appropriations Committee and held them blackmail, or I call it blackmail. Last year: Oh, if you don't do this, we are going to go up in tuition, and they did anyway. It just is not right. If you were to check it out you would find that youngsters from Presque Isle to Kittery and all over are contributing to the fact that Maine students have the highest loan defaults east of the Mississippi. They are going broke because of our economy and these high tuition rates; yet, as we discussed last week, these administrators are living in a luxurious lifestyle with automobiles and fancy houses and lawn care and home cleanings—oh, that's because they are public homes—please, spare me.

On top of that, when you have a university trustee system that sends 950 trips out last summer in a three month period of time and a huge percentage of them were to out of state travel. Again, I do not think any of us are naive enough to believe that some of this is not desirable. I pulled out a few, what I thought were colorful examples, of trips that at least were they not so egregiously expensive and so strange, at least they sound humorous: a fish symposium in China; Fog and Dew Conference; a research crew in Peru. This one really got me: guppy research in Trinidad, my lord. Now we have another one on research on Vietnamese women; another attended a conference in the United Arab Emirates, in Abu Dhabi—I think that is the richest nation in the world, I am not quite sure. Then we are working on the abolition of the slave trade, certainly a despicable activity. But this one really gets me: We have the largest and most advanced blueberry agricultural industry in the country and need to send people to Italy for blueberry research? Another person went to Turkey to read their paper; another was working on delicate citizenship and gender in Brazil—I bet that was fun. I saved one of the better here: They sent someone to England to study extraordinary experiences; I suggest serving in the Maine Legislature, that will top that any day; come here, it will be cheaper and oh brother.

Anyway, that is just a sampling of some of the trips and of course there are many of these endeavors that are important and make our University System strong. But in these days of restraint, 950 of these trips, that is disgraceful. I am ashamed of the trustees of our University System, I expect to be attending some of their meetings and expressing it directly to them. Please restore the \$1 million—\$500,000 from the travel account; \$500,000 from these administrators luxuries—restore that to the General Purpose Aid in Education, in these towns like Newcastle and other places that are going under with this stuff, or where, the House Leader over here spoke of other places that are having a serious problem with their school finance—\$1 million goes a long way. Mr. Speaker, I will be quiet now and thank you for the chance to speak. I hope that you will do this by the yeas and nays.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "D" (H-880)**.

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

Representative FISCHER of Presque Isle moved that **House Amendment "D" (H-880)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "D" (H-880)**.

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 to Indefinitely Postpone House Amendment "D" (H-880). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 286

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eberle, Faircloth, Farrington, Fischer, Fisher, Flood, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Richardson D, Rines, Samson, Silsby, Simpson, Smith N, Sutherland, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Browne W, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Eaton, Edgecomb, Emery, Finch, Finley, Fitts, Fletcher, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Kaenrath, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson W, Robinson, Rosen, Sarty, Savage, Schatz, Sirois, Strang Burgess, Sykes, Tardy, Theriault, Thibodeau, Tibbetts, Vaughan, Weaver.

ABSENT - Bryant, Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Walker.

Yes, 84; No, 56; Absent, 11; Excused, 0.

84 having voted in the affirmative and 56 voted in the negative, with 11 being absent, and accordingly **House Amendment "D" (H-880)** was **INDEFINITELY POSTPONED**.

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

The **SPEAKER**: The Chair recognizes the Representative from South Berwick, Representative Gould.

Representative **GOULD**: Thank you, Mr. Speaker. Mr. Speaker, I have an amendment pending at the Revisor's Office, as you well know since we happen to meet down there, but it has yet to materialize on the floor. My question, sir, is what are my rights as a member of this body to have that presented?

The **SPEAKER**: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you, Mr. Speaker. Just as a little bit of background, Mr. Speaker, this process has been hurried up by quite a bit, and I just would remind the body that under Mason's Rule, Section 720, under Required Reading of Bills, and I will quote, "The requirement that each bill be read on three separate days, prescribed by the constitution in some states, legislative rules or statutes, is one of the many restrictions imposed upon the passage of bills to prevent hasty and ill-considered legislation, surprise or fraud, and to inform the legislators and the public of the contents of the bill." I am concerned that this is a process that now, apparently, amendments are being restricted.

May I pose a question to the presiding officer, please?

The **SPEAKER**: The Representative may proceed.

Representative **SYKES**: Thank you, Mr. Speaker. Mr. Speaker, when this bill, LD 2298, comes back from the other body, may we have your assurance that it will be placed in a position to accept additional amendments that may not be ready at this time?

The **SPEAKER**: To respond to the Representative from Harrison, Representative Sykes' question, ultimately, the decision to allow those amendments or not allow those amendments is a decision of the body. As the bill comes back to us from the other body, we will determine whether that would be appropriate or not, and the will of the body would have to be whether, ultimately, this body would have to decide whether that is accurate or not, or that is reasonable or not.

Representative **SYKES**: Thank you, Mr. Speaker. It is my understanding that you would allow this body to place the bill in that position to allow additional amendments, is that correct?

The **SPEAKER**: Again, I would say to the Representative that really is up to the members of the House.

The **SPEAKER**: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative **JOY**: Thank you, Mr. Speaker. Mason's Rules and the House Rules indicate that a proposed amendment must be in writing, so in view of that, I have written down a brief amendment that I can forward to the Clerk of the House, and request the Speaker's assistance to lead me through the process of submitting a verbal amendment.

The **SPEAKER**: The Chair would respond that in order to have something not in writing or in print, it would require suspension of the rules, which will require a two-thirds vote for you to do a verbal amendment at this time.

The Representative may proceed.

Representative **JOY**: Thank you, Mr. Speaker. Written, I am not sure, means printed. I didn't see that anywhere in Mason's or in the House Rules, but if it is necessary to have a vote of the House, and I think it would be a matter of courtesy to allow a member of the House to put in a written amendment, I would request the vote.

The **SPEAKER**: It appears in Rule 507 of the Rules of the House, Printing and distribution of amendments: An amendment to a bill or resolve may not be acted upon by the House until the same has been printed and distributed to the members under the direction of the Clerk.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Gould.

Representative **GOULD**: Thank you, Mr. Speaker. I actually was looking at the same rule as you, and I agree with you that it says that the amendment to a bill or resolve may not be acted upon, but I think if you look at this together with the Joint Rules in Mason's, that a Representative in this good body can put forth their amendments, its just that we can't take action on it until it is printed. If you read this whole Rule 507 that would seem to be what it says.

The SPEAKER: The Chair would respond it also requires that it be tabled until printed.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Since we cannot determine whether verbal amendments are available and since we cannot get assurance that our amendments will be considered later, when the bill comes back from the other body, I move to table this until those amendments are available to us.

The SPEAKER: The tabling motion of the Representative is out of order. There cannot be an explanation or a description of a request to table.

Representative **TARDY** of Newport moved that the Bill be **TABLED** pending **PASSAGE TO BE ENGROSSED**.

Representative **PINGREE** of North Haven **REQUESTED** a roll call on the motion to **TABLE** pending **PASSAGE TO BE ENGROSSED**.

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 to Table pending Passage to Be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 287

YEA - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Campbell, Cebra, Chase, Clark, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

NAY - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Bryant, Burns, Cain, Canavan, Carey, Carter, Casavant, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

ABSENT - Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pieh, Pineau, Saviello, Thomas, Walker.

Yes, 56; No, 84; Absent, 11; Excused, 0.

56 having voted in the affirmative and 84 voted in the negative, with 11 being absent, and accordingly the motion to **TABLE** pending **PASSAGE TO BE ENGROSSED FAILED**.

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 Passage to Be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 288

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Boland, Browne W, Burns, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

ABSENT - Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Walker.

Yes, 85; No, 56; Absent, 10; Excused, 0.

85 having voted in the affirmative and 56 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Representative **SYKES** of Harrison **OBJECTED** to sending this matter **FORTHWITH**.

Subsequently, Representative **SYKES** of Harrison **WITHDREW** his **OBJECTION** to sending this matter **FORTHWITH**.

On motion of Representative **PINGREE** of North Haven, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

Representative **GOULD** of South Berwick **PRESENTED** **House Amendment "E" (H-881)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Gould.

Representative **GOULD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, I know I need not tell you about House Amendment "E," for House Amendment "E" is the very legislation that your Prosperity Committee is authorized to report out. It is the adoption of the Brookings Report suggestion of a government efficiency committee, an independent commission that is, charged with finding efficiencies and the savings in our government.

Mr. Speaker, as we call upon Maine citizens to sacrifice in these very difficult times, should we not be leading by example? And when we lead by example, we generate savings of \$75 million which this bill, in the form of an amendment to the budget, directs to a tax relief fund, a fund which over time will reduce the onerous burden which we all labor. We all know, especially those of us on the Taxation Committee, how important tax reform is to you and to all of us.

Mr. Speaker, my only regret in bringing forth this amendment is that it did not occur to me to do it earlier. As our Appropriations' colleagues struggled to find savings, as our citizens struggled to make ends meet, you, Mr. Speaker, through

your foresight in pushing for the Prosperity Committee, have played a pivotal role in providing us this tool, this Brookings' endorsed efficiency committee.

In January, in the very late evening when the committee reached agreement, you were there with us, Mr. Speaker, and it was your commitment to this that brought us all together. I look forward to following your green light, and when the vote is taken I request the yeas and nays.

Representative GOULD of South Berwick **REQUESTED** a roll call on the motion to **ADOPT House Amendment "E" (H-881)**.

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

Representative FISCHER of Presque Isle moved that **House Amendment "E" (H-881)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "E" (H-881)**.

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 South Berwick, Representative Gould.

Representative **GOULD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to be clear: We will all be following the good Speaker's red light on the Indefinite Postponement and the green light on the underlying substance.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Indefinitely Postpone House Amendment "E" (H-881). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 289

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Bliss, Boland, Brautigam, Briggs, Bryant, Burns, Cain, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Samson, Schatz, Silsby, Simpson, Smith N, Sutherland, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Campbell, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Emery, Finch, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

ABSENT - Blanchette, Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Rines, Saviello, Thomas, Walker.

Yes, 84; No, 55; Absent, 12; Excused, 0.

84 having voted in the affirmative and 55 voted in the negative, with 12 being absent, and accordingly **House Amendment "E" (H-881)** was **INDEFINITELY POSTPONED**.

Representative SYKES of Harrison **PRESENTED House Amendment "F" (H-883)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a relatively simple amendment. It removes, from the Capital

Construction Reserve Fund, \$1.7 million that would ordinarily have gone to the General Fund and specifically puts it to roads repairs.

Ladies and Gentlemen, a budget is an interesting document. A budget for anyone is an interesting document. It is actually quite a statement about an organization. It is a statement about a business; it is a statement about a town, a municipality, school, even your own household budget. That statement is a statement of priorities. All winter long I have heard nothing from my constituents but "Fix the roads. Fix the roads, they are terrible." Not just in Harrison and my district, but all over the state. I want to be able to go back to my constituents and say I tried. That is a priority of mine, and I hope when the vote comes it is a priority of yours.

Representative FISCHER of Presque Isle moved that **House Amendment "F" (H-883)** be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "F" (H-883)**.

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 to Indefinitely Postpone House Amendment "F" (H-883). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 290

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Bliss, Boland, Brautigam, Briggs, Bryant, Burns, Cain, Canavan, Carey, Carter, Casavant, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Samson, Schatz, Silsby, Simpson, Smith N, Sutherland, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Campbell, Cebra, Chase, Clark, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Emery, Finch, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Hogan, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, Marley, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Sirois, Strang Burgess, Sykes, Tardy, Theriault, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

ABSENT - Blanchette, Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Rines, Saviello, Thomas, Walker.

Yes, 78; No, 61; Absent, 12; Excused, 0.

78 having voted in the affirmative and 61 voted in the negative, with 12 being absent, and accordingly **House Amendment "F" (H-883)** was **INDEFINITELY POSTPONED**.

Representative PINGREE of North Haven **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

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 Passage to be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 291

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll,

Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Boland, Browne W, Burns, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgecomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Woodbury.

ABSENT - Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Rines, Saviello, Thomas, Walker.

Yes, 84; No, 56; Absent, 11; Excused, 0.

84 having voted in the affirmative and 56 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Protect Access to Health Care" (H.P. 1652) (L.D. 2290)

Sponsored by Representative MILLS of Farmington. Cosponsored by Senator MARTIN of Aroostook and Representatives: BRIGGS of Mexico, CLARK of Millinocket, Speaker CUMMINGS of Portland, PERRY of Calais, PINGREE of North Haven, SAVIELLO of Wilton, SIMPSON of Auburn, SUTHERLAND of Chapman, TUTTLE of Sanford, Senators: GOOLEY of Franklin, NUTTING of Androscoggin. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Representative TARDY of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

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 Passage to be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 292

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Bryant, Cain, Campbell, Canavan, Carey, Carter, Casavant, Clark, Cleary, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hinck, Hogan, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Piotti, Pratt,

Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Burns, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Edgecomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Hill, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson W, Robinson, Rosen, Sarty, Savage, Strang Burgess, Sykes, Tardy, Thibodeau, Tibbetts, Vaughan, Weaver, Wheeler, Woodbury.

ABSENT - Duprey, Hamper, Jackson, Muse, Pendleton, Perry, Pineau, Saviello, Thomas, Walker.

Yes, 84; No, 57; Absent, 10; Excused, 0.

84 having voted in the affirmative and 57 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry who wishes to address the House on the record.

Representative **BERRY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I apologize for the timing. Had I been present for Roll Call No. 281, I would have voted yea. Had my coffeemaker been working for Roll Call No. 280, I would have voted yea. Had I been in my right mind, I would have voted yea on Roll Call No. 276. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Caswell, Representative Ayotte who wishes to address the House on the record.

Representative **AYOTTE**: Mr. Speaker, had I been present, I would have voted nay on Roll Call No. 276 and Roll Call No. 280. Also, Mr. Speaker, had I been present, I would have voted with the yeas on Roll Call No. 277, 278, and 279. Thank you, Mr. Speaker.

ENACTORS Acts

An Act Making 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, 2008 and June 30, 2009

(H.P. 1651) (L.D. 2289)

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

On motion of Representative TARDY of Newport, was **SET ASIDE**.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Tardy.

Representative **TARDY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I oppose the passage of this budget, and I would just like to take a few moments to kind of set the record straight.

The beginning of this session and in anticipation of the revenue shortfalls, House Republicans began working on our approach. We tried to develop some core principles and guidelines that would guide us as we went forward and,