

MAINE STATE LEGISLATURE

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On motion of Representative FLOOD of Winthrop, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-2) was **READ** by the Clerk.

On further motion of the same Representative, **TABLED** pending **ADOPTION** of Committee Amendment "A" (H-2) and later today assigned.

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, February 3, 2011, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act Regarding Penalties for Opting Out of Paperless Billing"

(S.P. 82) (L.D. 273)

- In Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

TABLED - February 3, 2011 (Till Later Today) by Representative **PRESCOTT** of Topsham.

PENDING - REFERENCE IN CONCURRENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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

The House recessed until 4:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-2) - 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 Year Ending June 30, 2011" (EMERGENCY)

(H.P. 86) (L.D. 100)

Which was **TABLED** by Representative FLOOD of Winthrop pending **ADOPTION** of Committee Amendment "A" (H-2).

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is not my nature to talk for very long periods and since LD 100 as amended to the supplemental budget is in fact a consent calendar item, it would seem that not much time would be needed to explain it.

Yet many items in LD 100 as amended needed to be adjusted to ensure the necessary emergency passage support of this body. So I will explain the actions taken in the last days of our preparation so that the members of this body are comfortable with knowing what took place and the results of those actions, and I hope this is helpful. And I hope my voice lasts.

I want to start by stating that, first of all, there was very strong agreement by the Appropriations Committee from the beginning to support our Executive in his chief objective of making payments to hospitals. This body and the other body have worked over the last several years in step with that objective with the previous administration and we're pleased to continue in that spirit, especially now when funds have clearly become available and matching rates with the Federal Government are favorable. This was a more difficult task in recent years during the recession. We fully concur with the Executive Branch and the importance of this primary budget objective. In fact, the amended version of LD 100 before you provides 191,000 more dollars to hospitals than the original Governor's Bill. It is the right thing to do and we spent many hours in our committee finding innovative ways to protect that objective as new needs surfaced to compete for those hospital funds as the budget process neared the finish line. It is never simple. There are always unanticipated needs in all budgets and we hope that we've fulfilled those new needs to the satisfaction of the Executive and the Legislative Branches, as well as the primary concern we all shared for hospitals, which we fulfilled in its entirety, and more, as requested by the Chief Executive.

As we entered the last two days of budget negotiations, this was the situation. We had several known remaining issues that required funding. There was one that seemed most critical in the area of taxation. Going into the final negotiations during Friday, members of the Tax Committee and many members of this body made it crystal clear that their support for a supplemental budget would hinge on the Legislature's ability to provide some form of favorable support to municipalities. There were varying proposals, but all proposals by the Tax Committee insisted on some form of favorable activity and revenue sharing. Appropriations Committee members listened to that objection and supported with minimal change the Majority Report proposal of the Tax Committee to release \$1 million of revenue sharing funds previously proposed by the Executive Branch to remain in the General Fund. The A&FA Committee also agreed to eliminate the language in the budget that kept the revenue sharing potential for municipalities during the fiscal year. This was a very difficult issue for the committee because the Executive Branch felt very differently and strongly about this issue. In the Appropriations Committee's opinion, revenue sharing changes were essential for passage of this bill. We felt it was our duty to ensure that the budget receive the necessary two-thirds majority for emergency passage. The Appropriations Committee vote on revenue sharing, like all individual votes taken by the Appropriations Committee on this budget, was unanimous. I want to repeat this for your understanding. Every single vote taken by the committee over one and a half weeks supporting the budget together was unanimous.

I want to speak to other issues needing resolution in the last days. We also learned that there was another separate overdue hospital payment of \$191,000 due Maine General, and we also learned that we needed to find a way to fund an additional amount of \$300,000 to the Maine Indigent Legal Services Commission. Neither of those two concerns were supported in the Executive's budget, perhaps because adequate information may not have been available at the time that LD 100 was developed. Certainly time was of the essence, but the hearings

we held on those issues were illuminating.

Other issues requiring funding surfaced in the final days of preparing this budget. There are always last minute issues that come up during the budget process. Late or not, welcomed or not, they had to be addressed and decisions regarding funding had to be made. These issues were: First, the School Breakfast Program required \$50,000, and we funded it. There was a request to repeal the previously budgeted sale of a Maine Forest Service helicopter of \$400,000, and we addressed it appropriately. There was a request to fund a portion of the State Planning Office Regional Planning Grants Program for \$100,000, and we funded it. There was a request for \$800,000 to \$1.2 million for Maine Dairy Stabilization, and after considerable discussion and searching for funding sources, we found funds to appropriate \$600,000. And there was a minor request for \$17,000 for the Maine State Treasury Department, which we honored. The total cost of all these known and new issues requesting funding was in the range of \$2.9 to \$3.3 million, of which we funded \$2.66 million.

Also, the Appropriations Committee needed to act on several items that could have impacted funding. They were the Doctors for Maine's Future program, a new gambling control board initiative from the Executive Branch, a proposed reduction in the Governor's Training Initiative, and many items of tax conformity. Regarding the Doctors for Maine's Future, we accepted the \$125,000 reduction proposed by the Executive with amended language that clarified legislative support for the program, with agreement for funding it back to its original planned amount in the biennium. We queried the Finance Authority of Maine several times and received assurances that there will be no impact on any medical student applicant in any potential way until 2016 at the earliest, and our proposed language would even eliminate that potential impact. Regarding the new gambling control board initiative brought forth by the Chief Executive, this was revised several times on Friday and the Appropriations Committee accepted the final Veterans and Legal Affairs Committee approved version, which has no fiscal impact on the budget, while providing the necessary funding from Special Revenues for necessary gambling oversight at the proposed Oxford Casino. No budget impact. Regarding the proposed reduction in the Governor's Training Initiative, we agreed with the Chief Executive's proposal and the unanimous LCED Committee Report to reduce GTI funding by \$107,000. And regarding tax conformity, the Appropriations Committee agreed unanimously to accept the Chief Executive's tax conformity proposals brought to us by the Tax Committee Majority Report. And of course, we had several controversial issues remaining that were nonfinancial in nature. They were Parts W1 and W2 that dealt with Child Development Services. We voted these items out of the budget unanimously because they did not have an immediate fiscal impact and needed further time for a full discussion of their implications. There was a commissioner position proposed by the Chief Executive. We voted it in unanimously. There was Part T language, MaineCare eligibility determination timeframe for persons with special needs. We voted it out unanimously, leaving the current eligibility determination timeframe at 45 days. Clearly this is a complex issue and we hope that when it resurfaces, the Health and Human Services Committee will be allowed more time for fruitful discussion. Part G language dealt with the Fund for a Healthy Maine accounting. We amended it through a subcommittee that developed new budgetary language postponing the actions of deepest concern, and we then voted it in as amended unanimously. And Part X language, this was a courthouse maintenance funding process change that proposed to authorize the Judiciary to utilize maintenance funds only after

all budgeted revenues were captured. We voted that out unanimously.

We found the funds for these various activities from different sources. The Pesticides Control Board, the Agricultural Marketing Loan Fund, various Debt Service reduction activities, the Fire Suppression Fund, the Solid Waste Management Fund. And we also, as an amendment to the Governor's Bill, we are proposing transferring to the Stabilization Fund \$700,000 rather than \$1.1 million. Having done all that, we were still \$98,000 short, and therefore, we reduced the revenue sharing municipal transfer downward by \$100,000 from the \$1.1 recommended by the Majority Report of the Tax Committee to \$1 million, leaving us with a final ending budget balance of \$129,326. This leaves us with a budget that is in balance and supported in all cases by the Appropriations Committee.

We concluded our work by amending the Chief Executive's proposed budget approximately 20 times during the past several weeks to address new issues that came before us and to achieve changes we believed would yield the required consensus for two-thirds legislative acceptance for the Executive. At 11:30 Friday evening in the Appropriations Committee, I moved LD 100 as amended. This motion was seconded by the lead Democrat committee member, the Representative from Lewiston, Representative Rotundo. The vote was 13-0 in support and was the last of our unanimous votes. There.

Now I wanted to thank all the House members for your hard work. The members of this body took that work very seriously. You gave us necessary feedback to move expeditiously. Many committees finished their work ahead of time, and despite weather-related postponements, we are able to have this discussion today on time. I want to thank all the members of this body. Your work was valued, important, extremely helpful. I want to thank you, Mr. Speaker, for your guidance, and I want to thank the House Majority leaders and the House Minority leaders and their assistants and staffs for the collaboration and support. You let us do our work. I want to repeat that. You let us do our work. Thank you very much, and I hope we delivered to you a worthy product.

I also want to thank Commissioner Millett for giving us a clear document as a starting point and Acting Commissioner Low for his knowledge and support in the budget preparation. Grant Pennoyer, Maureen Dawson, the entire staff of OFPR and OPLA worked overtime to meet the necessary and aggressive schedule that we have. Of course our committee disagreed on items, yet we eventually found ways to resolve them. And I wanted to say, as previous Appropriations Committees have done under able, very able previous leadership, we tried our best to find the best answers to the problems we faced. Each member brought unique skills to our deliberations and I am grateful for their expertise, and I am proud of the strong work ethic and collaborative spirit they exhibited to do the work of the state. I am very honored to work with my teammates and the Republican caucus on this committee, and with the Representative from Lewiston, Representative Rotundo, and her Democrat caucus members. I believe the people of Maine expect us to work together this way.

I would like to close with this. All of our processes in the Legislature are carefully designed to ensure courteous, respectful dialogue in agreement or in disagreement. Mr. Speaker, you and our legislative leaders are very skilled in this regard. And our committees also demonstrated a very respectful approach to their work. In the waning hours of budget preparation, it can be difficult to stay focused on the task at hand. There are many potentially polarizing points of view between the caucuses and the branches of government. It has been that way forever. The

best thing we can do as Representatives of the state in those circumstances is to lean on each other for support, learn from our experiences, trust each other, keep our objectives in focus to get the best possible job done for the people.

I recently wrote a column for my local newspaper and I concluded it by suggesting that the greatest attribute that any of us could have in this legislative session was patience. Patience. Just look around us. In this great building we have many new legislators, all new presiding officers, a new Chief Executive, new Executive Branch staff, new caucus, all new committee chairs, new commissioners, and, above all, new ideals. Surely the time is right for things to perhaps go awry and for misunderstandings to develop. I hope that it is also a time to forge new relationships to move our state forward. I noted in the closing hours of the development of a document as important and far-reaching as the state budget, the opportunities for differences are abrupt and abundant. I have tried and will continue to try to lead our committee with dignity and respect through these differences, so that the important processes of developing and funding state policy goes smoothly and diligently and as respectfully as possible. I pledge my support to this body, to the Chief Executive and to the people of Maine to do my best to meet your expectations. Mr. Speaker, when the vote is taken, I request that it be a roll call. Thank you, Mr. Speaker, and thank you, Ladies and Gentlemen of the House.

Representative FLOOD of Winthrop **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-2)**.

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

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today to urge you to support the amended supplemental budget that is before you. The work of the Appropriations Committee involves problem solving. When we do our work well, we figure out together in a bipartisan manner the ways to address the concerns that have come to us from the legislative oversight committees, as well as from our caucuses. Our job is to figure out how to keep what works for fellow legislators and how to eliminate or redo what doesn't work. I believe we have done our job in the amended bill before you and have addressed most, in not all, of the major concerns that the legislative oversight committees brought to us. For example, we have continued the bipartisan work of the past Chief Executive and Legislatures by paying down more of the debt to the hospitals. We are sending more money back to our local communities through revenue sharing, and we are making sure critically needed services, like the Home Visiting Program and other programs that receive funding through the Fund for a Healthy Maine, are held harmless through the end of this fiscal year.

I want to thank all of the legislative oversight committees for their help with the proposed budget. I also want to thank the Representative from Winthrop, Representative Flood, for his wonderful integrity and leadership as he led us through the past few months in the budget process. Past few weeks I should say. It sometimes seems like months. I also want to thank all of our colleagues on Appropriations for their hard work in figuring out solutions to the issues that were brought to us by legislators. Finally, I want to thank the staff in the Office of Fiscal and Program Review and the Revisor's Office, who spent Super Bowl Sunday working hard on this document before you so that we would be able to vote on it today. I ask all of you in this chamber to join me in supporting LD 100 as amended. Thank you very much.

Representative **EBERLE** of South Portland **PRESENTED House Amendment "A" (H-3) to Committee Amendment "A" (H-2)**, which was **READ** by the Clerk.

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

Representative **EBERLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise with absolute respect and appreciation for the work that the Appropriations Committee has done and the documents that are before us with the supplemental budget. It was extraordinary work and every long day and long hour that they spent doing it has my complete and total regard. However, I need to make a statement for my communities of South Portland and Cape Elizabeth in terms of the revenue sharing piece. There are, as South Portland in particular is one of the service center communities, it takes an especially big hit when the revenue sharing doesn't come as it's expected. Between South Portland and Cape Elizabeth, over the past two, the 124th and this Legislature, Cape Elizabeth, their loss amounted to \$259,000 and South Portland's is \$732,000. South Portland sends \$800 million a year to Augusta in sales tax and gets back \$1.6 million in revenue sharing. We have to support all the infrastructure to make sure that the visitors to our area have roads to drive on, fire and police response for when they are visiting South Portland. So it is hard when there is a surplus, the communities know that when there is not, there won't be any revenue to share, but they expect that when there is, there will be that sharing. In this particular case, there was, and I feel very strongly that there should have been the \$3 million in the revenue sharing for my two communities and other service center communities. I also understand the political reality of this, but I have to rise to make a statement for my communities.

My proposal is simply to take \$2 million from the hospital payments and transfer it to the revenue sharing so that this could assure that the citizens of my communities won't be footing a bill in increased local taxes for the loss of revenue. Thank you, Mr. Speaker.

Representative **FLOOD** of Winthrop moved that **House Amendment "A" (H-3) to Committee Amendment "A" (H-2) be INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I understand the frustration expressed by the sponsor of the amendment and the desire to make a strong statement, and I want to ensure the Representative from South Portland, Representative Eberle, that this subject was reviewed perhaps more than any other issue during our deliberations. I know that within my caucus, it was the single most important item requiring some degree of change from the Executive's bill. And in the final committee amendment, we provided \$1 million to municipalities not envisioned in the Governor's Bill, and even more importantly for those municipalities, we removed the cap on any uptick in revenue when the Maine Revenue Forecast becomes available. That is, once again, freeing municipalities to participate in any upgrade in the state revenues from individual income tax, corporate income tax, franchise tax, a portion of the service provider tax, in sales and use tax, commonly called revenue sharing. The committee felt very strongly that we needed to support our caucuses and the municipalities with some changes in this regard, and the amount that we could find for this purpose was \$1 million. It would have been inappropriate to actually remove funding from the planned hospital settlements upcoming because of the significant amount of enhanced federal matching funds that would be lost. We did our best to fund many competing needs of a large scale toward

the end of the budget deliberations. Milk stabilization was a significant concern for our rural areas, school breakfasts were important statewide, and funding for our Indigent Services' judiciary needs also needed to be addressed. We believe our decisions resulted in the best use of the scarce resources we had. We do understand the concerns of the amendment sponsor. Mr. Speaker, when the vote is taken, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-3) to Committee Amendment "A" (H-2)**.

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-3) to Committee Amendment "A" (H-2). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 2

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Bickford, Black, Blodgett, Boland, Bolduc, Briggs, Bryant, Burns DC, Burns DR, Cain, Carey, Cebra, Celli, Chapman, Chase, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Edgecomb, Espling, Eves, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Goode, Graham, Guerin, Hamper, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Johnson D, Johnson P, Kent, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Nelson, Newendyke, O'Brien, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Sanborn, Sanderson, Sarty, Sirocki, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Timberlake, Treat, Tuttle, Valentino, Volk, Wagner R, Waterhouse, Weaver, Webster, Welsh, Willette A, Winsor, Wintle, Wood, Mr. Speaker.

NAY - Casavant, Chipman, Eberle, Kaenrath, Lovejoy, Morrison, Russell, Shaw.

ABSENT - Dill C, Hanley, Willette M.

Yes, 139; No, 8; Absent, 3; Vacant, 1; Excused, 0.

139 having voted in the affirmative and 8 voted in the negative, 1 vacancy with 3 being absent, and accordingly **House Amendment "A" (H-3) to Committee Amendment "A" (H-2) was INDEFINITELY POSTPONED**.

Representative **GOODE** of Bangor **PRESENTED House Amendment "B" (H-4) to Committee Amendment "A" (H-2)**, which was **READ** by the Clerk.

Representative **FLOOD** of Winthrop moved that **House Amendment "B" (H-4) to Committee Amendment "A" (H-2) be INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-4) to Committee Amendment "A" (H-2)**.

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-4) to Committee Amendment "A" (H-2). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 3

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Bickford, Black, Blodgett, Boland, Bolduc, Briggs, Burns DC, Burns DR, Cain, Cebra, Celli, Chase, Clark H, Clark T,

Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Eberle, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Guerin, Hamper, Harmon, Harvell, Haskell, Hayes, Herbig, Hunt, Innes Walsh, Johnson D, Johnson P, Kaenrath, Kent, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Nelson, Newendyke, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rioux, Rosen, Rotundo, Sanborn, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Tilton, Timberlake, Tuttle, Valentino, Volk, Waterhouse, Weaver, Webster, Welsh, Willette A, Winsor, Wintle, Wood, Mr. Speaker.

NAY - Berry, Bryant, Casavant, Chapman, Chipman, Eves, Flemings, Goode, Graham, Harlow, Hinck, Hogan, Lovejoy, Mazurek, McCabe, Morrison, O'Brien, Pilon, Rochelo, Russell, Stuckey, Theriault, Treat, Wagner R.

ABSENT - Carey, Curtis, Dill C, Hanley, Willette M.

Yes, 121; No, 24; Absent, 5; Vacant, 1; Excused, 0.

121 having voted in the affirmative and 24 voted in the negative, 1 vacancy with 5 being absent, and accordingly **House Amendment "B" (H-4) to Committee Amendment "A" (H-2) was INDEFINITELY POSTPONED**.

The **SPEAKER**: A roll call having been previously ordered, the pending question before the House is Adoption of Committee Amendment "A" (H-2). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 4

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Bickford, Black, Blodgett, Boland, Bolduc, Briggs, Burns DC, Burns DR, Cain, Casavant, Cebra, Celli, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Edgecomb, Espling, Eves, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Goode, Graham, Guerin, Hamper, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Johnson D, Johnson P, Kent, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Nelson, Newendyke, O'Brien, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Timberlake, Treat, Tuttle, Valentino, Volk, Wagner R, Waterhouse, Weaver, Webster, Welsh, Willette A, Winsor, Wintle, Wood.

NAY - Bryant, Eberle, Harlow, Kaenrath, Morrison.

ABSENT - Carey, Dill C, Hanley, Willette M, Mr. Speaker.

Yes, 140; No, 5; Absent, 5; Vacant, 1; Excused, 0.

140 having voted in the affirmative and 5 voted in the negative, 1 vacancy with 5 being absent, and accordingly **Committee Amendment "A" (H-2) 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-2)** and sent for concurrence. **ORDERED SENT FORTHWITH**.