

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Daily Edition

First Regular Session

December 5, 2012 – July 10, 2013

pages H-1 – H-1282

with the liquor contract, and it's a process that is known as defeasance. A defeased debt does not appear on your books, so this will enable the state to further issue other bonds that had previously been authorized. Technically, when defeasances occur, they are generally collateralized with U.S. Treasury obligations. In this case, that is not the case. This bond will be collateralized by the liquor contract, as you're aware, and that's known as an in-substance defeasance. To be honest, in Maine, what would you rather collateralize your debt with – U.S. Treasuries, which are paying 1 percent, or Allen's Coffee Brandy? Thank you.

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. 308

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Peterson.

Yes, 149; No, 0; Absent, 2; Excused, 0.

149 having voted in the affirmative and 0 voted in the negative, with 2 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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

Representative **BRIGGS** : Thank you, Mr. Speaker. Had I been present for Roll Call No. 305, I would have voted yea. Thank you.

The House recessed until 1:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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 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-468)** - Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015" (EMERGENCY)

(H.P. 1079) (L.D. 1509)

TABLED - June 12, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

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 proudly lay before you the bipartisan budget that was passed unanimously by the Appropriations and Financial Affairs Committee last week. It's a responsible budget and I urge you to support it. The proposal before us is a true compromise. It's not a Democratic budget or a Republican budget. It's not a conservative budget or a progressive budget. It's a responsible budget built in collaboration and one that found common ground. United together, the Appropriations Committee members built a budget on the premise that, in a divided government, you cannot demand all or nothing. In a divided government, you must be willing to give and make hard choices. In a divided government, you must stay at the table, even when you feel most strongly that you want to walk away. It's in these moments of divided government that we all have the hardest choice to make. Will we stay at the table? Will we seek common ground? Will we set party and ideology aside in order to meet our obligations to the people of Maine? This is the choice each and every one of us must make today. This is not an easy choice in the face of extreme pressures from the left and the right of the political spectrum, but we're not sent here to represent our political parties. We were sent here to represent our constituents, our constituents that are depending on us to mitigate a property tax shift to fund our schools, to ensure that our seniors can pay for their care and medicine. The people back home are tired of partisanship. They just want their government to work when they need it. By voting for the budget before you, you can show those constituents back home that we stand with them. You can show them that even in a divided government we can work together. We can collaborate, even when we vigorously disagree.

When the Appropriations Committee started our work on the budget months ago, many people told us that we would never get to this point. The proposed budget was just too difficult for us ever to reach agreement. Through the extraordinarily hard work and commitment of an exceptionally talented and dedicated Appropriations Committee, we have shown the naysayers to be wrong. It has not been an easy journey. Both sides are passionate and strong advocates for their caucuses, concerns

and principles. But we all knew from the beginning that failure was not an option for us, that a government shutdown was not an option and that no one wins in a shutdown, and those who think that they can win have never in fact experienced a shutdown. Everyone stayed at the table on the Appropriations Committee. We challenged each other's thinking and, with respect, we worked through our differences and compromised when necessary. I want to express my deep gratitude to the committee members from both sides of the aisle for their long hours, their thoughtfulness and care and passion as we worked through this budget. To my Republican colleagues, I extend my heartfelt thanks. For the Representative from Wells, Representative Chase, who represented her caucus with such intelligence and strength and passion, I thank you for your leadership. I have the greatest respect for you. You helped us very much, Representative Chase, to get to a fair and bipartisan agreement, and I learned so much from you. To my Democratic colleagues, who met night after night for weeks until 10:30 or 11 o'clock at night, pouring over the thousands of lines in this budget, you were each an inspiration to me. I am so very proud of the work that you did. I actually have no words that can fully express my thanks to you for your commitment. I also have no words to express, in terms of my appreciation, to the staff of the Office of Fiscal and Program Review, which has been with us for every step of our journey over the past few months. We couldn't have done this work without them. The OFPR staff are exemplary public servants whose professionalism, expertise and work ethic are incomparable. To the amazing Maureen Dawson, our principal analyst, who has barely slept this past month as she has worked to help us to complete this budget, we are in your debt. We thank her always for being there for us no matter what the hour. Not only was she always there for us, but she was there for us with a smile. Finally, I want to thank the Speaker for his wisdom, patience and calm as we've worked through this budget. Your support has never wavered and I am deeply grateful for that. I urge everyone in this chamber to support the unanimous bipartisan budget that's before you. Let's show our constituents that we can rise above partisan politics to serve the greater good of the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of LD 1509, our biennial budget. The budget you have before you did not come easily. Weeks and weeks of public hearings, work sessions, information gathering, negotiations and robustly debated compromises brought together this difficult and deliberately built document. I want to thank our chairs of Appropriations and let them know how much we respect their efforts in their ability to work with us on our committee. Thank you from the bottom of my heart for that. I also want to thank all the members of our Appropriations Committee, Democrats and Republicans alike, for all your hard work, long hours and respectful dedication in the budget building process. I also wish to say thank you to our leadership who supported us along the way. Our job, as appropriators, is to pass out a balanced budget and our mission was to do it together, which we did. I am proud of that and I have enjoyed working with each and all of you on our committee. The budget before us is a tough one, but we are in a continued tough economic climate. As a responsible appropriator, we made the hard choices and the results are now to be voted on. Just as our duty in Appropriations is to present a balanced budget, it is our job as legislators to pass a budget. While this budget surely has pieces in it we can all dislike, it also has pieces we can all agree to. It is on the latter that I ask for

your support on the motion before us. Thank you and thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the budget. I do so, however, knowing that our economy is just now beginning to recover a half decade of economic distress. I applaud the work of the Appropriations Committee, having served on that committee in the 125th Legislature. I personally know that they have perhaps the toughest job in the building and they have worked many long and hard hours to come to this compromise, which is an exceedingly rare thing in politics today. Two years ago, the person in my position as House Minority Leader said, of the last biennial budget, "My caucus hates these tax cuts." With her statement in mind, let me go on the record today and say that my caucus hates these tax increases. We must, however, have a budget. After all, we are not Washington. Maine people expect their legislators to come to Augusta and make the tough decisions that must be made to move Maine in the right direction. This budget is a tough budget for Republicans. It contains tax increases and spends money in places where, if I alone were writing this budget, I would be more fiscally conservative. However, at the end of the day, the Appropriations Committee, made up of Democrats and Republicans, from both parties, produced this document and passed it with unanimous support. Time is now short and we, the Legislature, must act to protect the hardworking people of Maine. I want to be clear on one point, however, and that is that Maine will only move forward by increasing its economic growth, job creation, and a focus on our children and those most vulnerable in our state. In some ways, this budget does that. In other ways, it does not. For these reasons, I am voting to support the bipartisan budget put before us today, knowing that it is the best budget given the circumstances of our budget today, of our state today. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. The Joint Standing Committee on Appropriations and Financial Affairs has achieved something that many thought was impossible. It's been said that politics is the art of the possible, but I really believe that they did accomplish something that could, in other Legislatures and with other individuals, have been truly impossible. So it's a bit of a miracle that we stand here today poised to enact a compromised budget, a budget in which no one gets everything that they wanted at the outset. But we can all leave knowing that we've paid our bills and that we have a responsible solution that is a better alternative than what had been proposed. It prevents significant property tax hikes on all Maine people. It's a responsible solution that restores cuts to Maine cities and towns and property tax relief programs for middle and low-income families. It's a responsible solution that restores funds to Maine's public schools and covers part of the cost pertinent to retirements, putting Maine on an incremental track to meet the voter approved 55 percent mandate. And it's a responsible solution that restores merit, longevity pay and retiree health insurance to state workers, like state police officers who have not had a raise in four years. It's a responsible solution that restores funds that help Maine seniors and people with disabilities to pay for their health insurance and medicine. It's a responsible solution that tackles the problems, challenges and also the opportunities in our economy through the incorporation of the unanimous report out of the Workforce Committee that will help

to move Maine forward. I want to thank the Representative from Lewiston for her heart of gold and her will of steel throughout and her leadership for our caucus in financial affairs. I want to thank the Representative from Wells and the Representative from Newport for their work representing their caucuses and making sure that the priorities that are reflected in this budget truly do reflect the concerns and the hopes of both of our caucuses. And I want to thank you, Mr. Speaker, for your leadership. I've never seen such amazing decisions made in so short a time and I've never seen the possible and impossible achieved in such a miraculous way as in this budget. So I urge you my colleagues to vote in favor of the pending motion and I further request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Unanimous Committee Report.

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 Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My father told me when I was about 10 years old that if I couldn't say anything nice, not to say anything at all. So I promise to be nice, but I'm going to say something. This time, Mr. Speaker and Ladies and Gentlemen of the House, at this time, I feel every person on the Appropriations Committee from both sides of the aisle worked hard and brought the best budget forward they thought they could. But I'm sorry, folks, I don't agree with you. I am asking for your indulgence for a few minutes, Mr. Speaker and Ladies and Gentlemen of the House. I don't think anyone in this body has voted on things. We voted on things – tanning booths, raw milk, energy bills, mergers and many other things – that are important to each and every one of us in this body. But probably the most important thing we do here is to vote on the budget. This budget will affect my kids and my grandchildren, so I'm going to tell you right now that I will be voting against this budget, because I believe that we can fix it. And to reference things that I understand, as all of you know, I am an apple grower and I'm going to put things in terms that hopefully will relate, because I don't think anyone in this room realizes what \$6.3 billion is. Six point three billion dollars is a lot of money and, for a reference, a bushel is 17½ inches by 17½ inches by 7¹/₁₆. There are approximately 120 apples in a bushel. My family has a very large apple farm and we grow, on our very best year in our life, we grew 250,000 bushels and 250,000 bushels, my family would have to raise that same crop, the very largest crop we ever raised, for 210 years to equal 6.3 billion apples. Ladies and gentlemen, our budget has grown over the last 15 years at a very rapid rate. It's time that we made government smaller in the State of Maine. Six point three billion apples, Mr. Speaker and Ladies and Gentlemen of the House, you could not store, in the Cross Building and in this capitol building, if we emptied them out. Six point three billion dollars is a lot of money.

My father also told me, if you can't be part of the solution, then don't be part of the problem. So I'm going to offer a solution because I don't think I should be part of the problem. By saying this, I propose that we cut the budget by 1.5 percent across the board in every department. We don't have to raise taxes on the poor or the working people of Maine. I only propose removing the 5 percent sales tax, not the food and lodging tax because that, folks, is for the people who decide they want to go out to supper and go stay at a hotel. The poor working people of Maine and everyone else has to buy clothing, toilet paper and other essentials, or we could use the newspaper for our toilet paper but, trust me, that doesn't work all that well. Oh, by the way,

we're going to tax that too, so that doesn't work. Now, my 1.5 percent across the board cut does not need to cut anybody's wages or jobs, and I believe that there is enough waste in government today and in the departments to achieve this without hurting everyone. I propose it equally across the board of all departments. We all remember the sequester that happened in the Federal Government, the 2 percent. It has now been going on for six months and hardly talked about and we'd never know they cut the government by 2 percent. This is still moving forward, the United States is still moving forward and so is the State of Maine. So I ask you, no I beg you, to please vote no on this budget and send it back to the Appropriations to fix. Don't send it to the Chief Executive, send it back to Appropriations to fix and protect the working people and the poor people of Maine. This is a simple fix from a simple man. Appropriations can do this in about an hour, I feel, a 1.5 percent across the board cut. Yes, 1.5 percent is like the size of the Clerk's Office when it comes to the apple scenario that I read you earlier. The State of Maine will survive just fine if we make a 1.5 percent cut across the board, leave our lodging and sales tax in place and we can go on and the working people of the State of Maine would be very proud of each and every one of us on both sides of the aisle. So please, ladies and gentlemen, join me in voting down this budget at this time and let them go back and fix it and do what's right for the people of Maine. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House.

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

Representative **VILLA**: Thank you, Mr. Speaker. I apologize for pushing my button. I'm so late. But I rise in opposition to this budget. I want to thank Appropriations for their work on the budget and I appreciate their hard work, but I cannot support it. This budget continues to undermine the state's 40-year cooperative agreement with municipalities to provide revenue sharing, and it guarantees a tax shift to property taxpayers. This does not include the other taxes imposed upon taxpayers, if this budget is passed. If we had rolled back the 2011 income and estate tax cut to the wealthy, it would have added \$400 million to the budget and eliminated much of the need to raise taxes on Maine families. The top 2 percent pay less in state taxes than your average Mainer and that is wrong. A rollback could have funded Representative Sanderson's amendment to provide services to the 3,100 people with physical and intellectual disabilities who are currently on waiting lists for services in their homes and communities. Mainers are struggling to pay their mortgages, rent, heat and groceries, all basic necessities. This budget protects those who need it the least and taxes those who can least afford it. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Unanimous Committee Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 309

YEA - Beavers, Beck, Berry, Black, Bolduc, Briggs, Brooks, Campbell J, Carey, Chase, Chenette, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harvell, Hayes, Herbig, Hobbins, Hubbell, Jorgensen, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson,

Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Volk, Weaver, Welsh, Werts, Wilson, Winchenbach, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Boland, Campbell R, Casavant, Cassidy, Chapman, Chipman, Crafts, Cray, Crockett, Davis, Dunphy, Duprey, Espling, Evangelos, Gifford, Guerin, Harlow, Hickman, Jackson, Johnson D, Johnson P, Jones, Kaenrath, Kent, Kinney, Knight, Libby A, Lockman, Long, McClellan, Nadeau A, Newendyke, Nutting, Parry, Pease, Reed, Sanderson, Sirocki, Timberlake, Turner, Villa, Wallace, Willette, Wood.

ABSENT - Beaudoin, Peterson.

Yes, 102; No, 47; Absent, 2; Excused, 0.

102 having voted in the affirmative and 47 voted in the negative, with 2 being absent, and accordingly the **Unanimous Ought to Pass as Amended by Committee Amendment "A" (H-468)** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-468)** was **READ** by the Clerk.

Representative **LOCKMAN** of Amherst **PRESENTED House Amendment "J" (H-486) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Mr. Speaker, budgets are about making choices and setting priorities. This amendment will make sure that Maine's most profitable nonprofits pay their fair share for municipal services. This fee, in lieu of taxes, is a fair share recycling fee because, in many cases, these big nonprofits are simply recycling tax dollars that flow through this building. If these corporations can afford to pay their CEOs multiple hundreds of thousands of dollars in salary and benefits every year, and spend hundreds of thousands of dollars to hire lobbyists to work these halls, they can certainly afford to pay their fair share of the cost of local government. I urge adoption of this amendment and request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "J" (H-486) to Committee Amendment "A" (H-468)**.

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

Representative **ROTUNDO** of Lewiston moved that **House Amendment "J" (H-486) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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. The Appropriations Committee did carefully look at this proposal. It came before us, but it was at the end of our deliberations and we felt that it could have unintended consequences without proper vetting in a public hearing. So instead of adopting it in the budget, we have established a study committee to look at this proposal with the understanding that, perhaps in the coming year, we will be able to do something with it. Thank you.

Representative **LOCKMAN** of Amherst **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "J" (H-486) to Committee Amendment "A" (H-468)**.

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 "J" (H-486) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 310

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kaenrath, Kent, Keschl, Knight, Kornfield, Kruger, Kumiaga, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Cassidy, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Jones, Kinney, Libby A, Lockman, Long, MacDonald S, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Beaudoin, Peterson.

Yes, 101; No, 48; Absent, 2; Excused, 0.

101 having voted in the affirmative and 48 voted in the negative, with 2 being absent, and accordingly **House Amendment "J" (H-486) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative **LOCKMAN** of Amherst **PRESENTED House Amendment "K" (H-487) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Budgets are about making choices and setting priorities. Currently, more than 3,000 seriously disabled Mainers are on waitlists for MaineCare services because no funding is available. This amendment will provide that funding and ensure that Maine's most vulnerable citizens go to the front of the line in this budget. I urge its adoption and request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "K" (H-487) to Committee Amendment "A" (H-468)**.

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

Representative **ROTUNDO** of Lewiston moved that **House Amendment "K" (H-487) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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. There was a lot of discussion within the Appropriations Committee about this waitlist and I'm very pleased that the budget that we negotiated actually takes many people from the waitlist and provides them with the services that they need and clearly we're all committed to removing everyone from the waitlist that currently is on it. Unfortunately, this particular amendment would unbalance our budget and I would urge people to Indefinitely Postpone it. Thank you.

Representative LOCKMAN of Amherst **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "K" (H-487) to Committee Amendment "A" (H-468)**.

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 "K" (H-487) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 311

YEA - Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Boland, Campbell R, Casavant, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fredette, Gifford, Gillway, Guerin, Harlow, Harvell, Jackson, Johnson D, Johnson P, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Beaudoin, Peterson.

Yes, 99; No, 50; Absent, 2; Excused, 0.

99 having voted in the affirmative and 50 voted in the negative, with 2 being absent, and accordingly **House Amendment "K" (H-487) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative LOCKMAN of Amherst **PRESENTED House Amendment "H" (H-484) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Budgets are about making choices and setting priorities. Adopting this amendment will make clear to Maine people that we are serious about setting priorities. As long as we have more than 3,000 seriously disabled Mainers languishing on waitlists for MaineCare services, we cannot afford to continue a Methadone program that provides free drugs to addicts and free transportation to the clinics where the addictive drugs are administered. I urge its adoption and request a roll call. Thank you.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "H" (H-484) to Committee Amendment "A" (H-468)**.

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

Representative ROTUNDO of Lewiston moved that **House Amendment "H" (H-484) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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

Representative **ROTUNDO**: Thank you, Mr. Speaker. I just want to clarify that those individuals who are currently on the waitlist do receive MaineCare services now.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "H" (H-484) to Committee Amendment "A" (H-468)**.

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 "H" (H-484) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 312

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Evangelos, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Malaby, Marean, McClellan, McElwee, Newendyke, Parry, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Beaudoin, Dion, Dorney, Farnsworth, Nadeau A, Pease, Peterson.

Yes, 99; No, 45; Absent, 7; Excused, 0.

99 having voted in the affirmative and 45 voted in the negative, with 7 being absent, and accordingly **House Amendment "H" (H-484) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative LOCKMAN of Amherst **PRESENTED House Amendment "I" (H-485) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Budgets are about making choices and setting priorities. This amendment reduces the budget of the Office of Information Technology by 10 percent and generates \$28 million in savings over the biennium. I urge adoption of this amendment and request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "I" (H-485) to Committee Amendment "A" (H-468)**.

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

Representative ROTUNDO of Lewiston moved that **House Amendment "I" (H-485) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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. On Appropriations, we looked at the technology budget very, very carefully and actually did make some changes to it. Changes of this drastic nature, I think, would really hamper the work of state government, particularly in areas like the Department of Health and Human Services where we've already been challenged significantly through their computer system, and, I think, at this point in time, we want to be enhancing that system and not making it more difficult for providers to be paid and for us to do our state business. Thank you.

Representative **BERRY** of Bowdoinham **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "I" (H-485) to Committee Amendment "A" (H-468)**.

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 "I" (H-485) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 313

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fredette, Gifford, Gillway, Guerin, Harvell, Hickman, Jackson, Johnson D, Johnson P, Kinney, Libby A, Lockman, Long, MacDonald S, Malaby, McClellan, McElwee, Newendyke, Parry, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Beaudoin, Cotta, Dion, Dorney, Nadeau A, Pease, Peterson.

Yes, 100; No, 44; Absent, 7; Excused, 0.

100 having voted in the affirmative and 44 voted in the negative, with 7 being absent, and accordingly **House Amendment "I" (H-485) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative **LOCKMAN** of Amherst **PRESENTED House Amendment "A" (H-477) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Budgets are about making choices and setting priorities. This amendment will sweep all funding out of Clean Elections, not just for the Chief Executive's race but for our races. As long as we have more than 3,000 seriously disabled Mainers on waitlists for MaineCare services, we cannot afford welfare for politicians. I urge adoption of the amendment and request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-477) to Committee Amendment "A" (H-468)**.

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

Representative **CAREY** of Lewiston moved that **House Amendment "A" (H-477) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. The Appropriations Committee considered this line, along with all of the others, and has taken more than \$1 million from this line and, in so doing, has suspended the gubernatorial system for this election cycle, something that was a very difficult decision for many of us. This is, as everyone knows, the position with the most power and the largest amount of interest in the state and to take away Clean Elections was a very difficult one. At this time, this is not something that we can support. This would not only entirely kill the Clean Elections but go against the will of the voters as expressed in 1996. Mr. Speaker, I ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-477) to Committee Amendment "A" (H-468)**.

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-477) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 314

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Campbell R, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Knight, Libby A, Lockman, Long, MacDonald S, Malaby, Marean, McClellan, McElwee, Newendyke, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Tyler, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Ayotte, Beaudoin, Cotta, Nadeau A, Peterson.

Yes, 101; No, 45; Absent, 5; Excused, 0.

101 having voted in the affirmative and 45 voted in the negative, with 5 being absent, and accordingly **House Amendment "A" (H-477) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative **WILLETTE** of Mapleton **PRESENTED House Amendment "F" (H-482) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Mapleton, Representative Willette.

Representative **WILLETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to urge you to vote in favor of this amendment that I've sponsored which deallocates funding for the Efficiency Maine Trust that has collected from assessments that the Public Utilities Commission places on transmission and distribution of utilities. Maine's energy costs are high. Mainers are overtaxed and about to be taxed worse in this budget. Budgets are stressed across the state at the household level, at the municipal level and, as we are all too familiar with, the state level. This weekend my wife and I visited our local Wal-Mart and much to my amazement, I walked in to see this giant pile of air conditioners, these great air conditioners which, when I grew up, we didn't have an air conditioner because air conditioners were a luxury item. But on each one of these air conditioners was a nice little sticker and it was an Efficiency Maine Trust sticker saying the Efficiency Maine Trust will give you \$50 if you buy this \$200 air conditioner. I do not believe now is the time for assessments to be placed on utilities and used to fund Efficiency Maine and programs like subsidizing air conditioners and those little circle light bulbs, the squiggly light bulbs. As a result, I ask you to please follow my light and support this amendment.

Representative **ROTUNDO** of Lewiston moved that **House Amendment "F" (H-482) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

Representative **BERRY** of Bowdoinham **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "F" (H-482) to Committee Amendment "A" (H-468)**.

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 Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of the pending motion. The Efficiency Maine Trust does more than just electric efficiency and, in fact, we passed a bill through here recently that would change some of the funding so that we could actually increase access to energy savings for home heating and not just electrical. The way that the money comes into the Efficiency Maine Trust, it does come in off of the electricity system benefit charge, and so that money has gone through electrical efficiency. We have been working this session in a very, very bipartisan manner on the Energy Committee to reappropriate some of that money so that people can save money on their home energy efficiency for their home heating issues. So I would urge folks to respect the bipartisan work of the Energy and Utilities Committee and to actually follow my light and Indefinitely Postpone this amendment. Thank you, Mr. Speaker.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "F" (H-482) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 315

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Dunphy, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, McLean,

Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Newendyke, Noon, Nutting, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winsor, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Crafts, Cray, Crockett, Davis, Doak, Duprey, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Kinney, Libby A, Lockman, Long, MacDonald S, Malaby, McClellan, McElwee, Nadeau A, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Ayotte, Beaudoin, Fredette, Peterson.

Yes, 108; No, 39; Absent, 4; Excused, 0.

108 having voted in the affirmative and 39 voted in the negative, with 4 being absent, and accordingly **House Amendment "F" (H-482) to Committee Amendment "A" (H-468)** was **INDEFINITELY POSTPONED**.

Representative **BECK** of Waterville **PRESENTED House Amendment "E" (H-481) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker. The amendment before us builds on sales tax changes by an additional 0.5 percent, thus flat funding revenue sharing for Maine's towns and cities. Despite the generally responsible work of the Appropriations Committee, the final outcome of the Committee Amendment previously adopted certainly could lead to cuts in municipal services, municipal layoffs and property tax hikes, probably all three. Property tax hikes are particularly harmful to middle class families and Maine businesses, and the state, as compared to towns and cities, enjoys more flexibility in regards to revenue. Mr. Speaker, I must say with decorum and sincerity that it was my years in Waterville City Hall where I learned from a political leader about the legitimate importance and the political importance of keeping taxes on real property low, and on behalf of myself, the mayor's coalition and the service center coalition, I urge the House to adopt this amendment. Thank you, Mr. Speaker.

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

Representative **MASTRACCIO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of House Amendment "E." In Title 30-A, subsection 5681, the Legislature finds that the principal problem of financing municipal services is the burden on the property tax, and to stabilize the municipal property tax burden and to aid in financing all municipal services, it is necessary to provide funds from the broad-based taxes of State Government. Revenue sharing is a bill owed to the municipalities as a mechanism to distribute broad-based taxation equitably. It is the same as the state receiving broad-based taxation from the Federal Government to implement as MaineCare, yet not encumbering for a payment that portion the state must match and pay to the hospitals for services mandated that they render. Revenue sharing helps offset those municipal services that we are mandated to render and revenue sharing as a funding mechanism to meet those needs. If the Legislature does not support revenue sharing, then we must allow for alternative means of revenue generation. I ask you to support the House Amendment "E." Thank you, Mr. Speaker.

Representative **ROTUNDO** of Lewiston moved that **House Amendment "E" (H-481) to Committee Amendment "A" (H-468)** be **INDEFINITELY POSTPONED**.

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

Representative **CASAVANT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. All politics is local. I'll say that again. All politics is local. It goes back to Tip O'Neil. This issue is a local issue. It's not even a partisan issue. You've all gotten letters or comments from your people back home. Many of you serve as selectmen or members of the boards of city councils and you know that the whole idea of revenue sharing is critical to the functionality to your communities. I reject this motion to table indefinitely because this breaks a partnership that has existed for 40 years. As speaking from my community, I can tell you that we have a major serious impact on this. The first year, a \$553,000 reduction, and the next year, it will be a \$637,000 reduction. That's a tough hole to fill and it all goes on the property tax, unless you cut services. Now, sitting in Augusta, we're rather insulated from the pressures of taxpayers, but I can tell you, back home, that pressure is real because they show up arguing every single meeting about tax increases. They can't absorb those increases because property taxes are essentially the least fair form of taxation. This amendment essentially replaces flat funds revenue sharing, and it allows some money to move into the Budget Stabilization Fund, which is also needed. You know, we often talk about the sanctity of home rule, but the ultimate irony is that when it comes to taxation, we, in the Legislature, refuse to even allow any conversation whatsoever in terms of local ability to raise funds. We reject fees, we reject local option income taxes and we say we know better, but we don't do anything and here we are in this particular budget cycle actually removing revenue and saying to the local towns and cities "Sorry guys. You're going to have fill it yourself without giving any options or any suggestions about how to do that." So I ask you, please consider raising the sales tax by a half a cent which means \$10 for every \$1,000 that are spent, and I ask you, when you go back home, what would your constituents prefer you to do? Pay for a property tax increase or pay that half penny? And I would suggest that they would prefer that half penny. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the amendment and against the Indefinite Postponement thereof. With all due respect to the hard work and dedication of the Appropriations Committee who has my undying respect, I must insist that we keep our promises to our local municipalities through revenue sharing. Five percent is a partnership that has eroded over the last few years. In the budget that was proposed by the Chief Executive, this partnership, this promise, this debt I would even say, was broken completely. I appreciate their efforts, this committee's efforts, to at least restore a large portion, but it's not enough. My community is facing serious cuts to services, necessary services. We have, unfortunately, in this budget, passed the buck, though, unfortunately, not literally, to the local level. We have to stand up and be counted to say that we're willing to do our work first. I think raising the sales tax to 6 percent makes more sense than 5.5 percent. I can't even figure out 5.5 percent and I think 6 percent is actually easier to figure out, so I ask you to support our local communities in this amendment. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'd like to recall for my fellow Men and Women of this House, the 40 resolutions – 40

resolutions – passed by municipalities in town council and town meeting and communicated to this body. After the generally common recitations, you know, the "whereas" portion of each resolution, every one of these municipalities conveyed to us, the representatives of the people, their wishes. Here's a representative sample of these resolutions, from one town I'm humbled to represent:

RESOLVED: that we, the people of the Town of Montville assembled at our annual town meeting on March 30, 2013, call upon the Legislature of the State of Maine to reject these proposals, identify less harmful cost savings, and raise revenue in an equitable fashion to avoid this tax shift onto the property owners of Montville and other Maine cities and towns.

Mr. Speaker, the purpose here is to remind us of who we represent. And I thank the good Representative from Biddeford for reminding us that all politics is local. The 40 towns who have expressed their deep concern with the cuts to revenue sharing are these, and I'd be happy to share with us how much of the budget before us will cost each town in the state, but I will not belabor that. The 40 towns who have asked us not to cut revenue sharing include Auburn, Aroostook, Bangor, Belfast. Are any of these towns we represent? Boothbay, Bridgton, Buckfield, Calais, Fayette, Fairfield, Gouldsboro, Hallowell, Hancock, Lamoine, Lewiston, Lincoln, Livermore, Livermore Falls, Lubec, Mexico, Northfield, Pittsfield, Presque Isle, Rockland, Sanford, Sebago, Scarborough, South Portland, St. Albans, Thomaston, Tremont, Yarmouth, Waterville, Wayne, Winslow, Winthrop, Norway, Harpswell, Gardiner, Jay, Freeport, Starks, Old Town, Lovell, Waldoboro, Kittery, Paris, North Berwick, South Berwick, Portland, Benton, Biddeford, Searsport, Bar Harbor, Greenwood, Gorham, Orland, Falmouth, Camden and Montville.

Mr. Speaker, representing eight towns in western Waldo County, I call to the attention of the House the fact that the poverty level in the towns I represent is close to 20 percent and median household income is less than \$35,000. It is unacceptable to me and to the property owners in the towns that I represent to bear this irresponsible budget's tax shift. As the good Representative from Biddeford alluded, the property tax is the most onerous, regressive, and nasty tax of all. It affects those on fixed incomes and the working poor disproportionately. Mr. Speaker, I urge my fellows to reject the motion to Indefinitely Postpone consideration of this amendment.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, it's been said here today that budgets are about making choices and I could not agree with that sentiment more. This amount that we're talking about, the \$125 that was restored, represents almost half of the restorations that the Appropriations Committee made. You can imagine how difficult that negotiation was and how difficult the choices that went into it were in reaching this number and realize that this was the right number. I was intimately involved in that and I stand behind the decision that we made as a group and I believe that we made the right decision based on the budget before us. I said I agree with everything that's been said before in this particular debate. The 5 percent revenue sharing is a promise that the state has made to municipalities. It's a promise now in this biennial budget that will be the third, 6 years, that has not been kept, and that is a huge, huge problem.

In terms of what this means for my community in Lewiston, the amendment that I'm asking you to Indefinitely Postpone now would represent \$1.1 million more in next year alone. That's

\$0.61 on the property tax that's already in the top 10 in the state at a 27 mill rate. It's about 20 percent of the fire department budget. It's about 20 percent of our police department budget. You can't cut a firefighter because in the ways in which the staffing has to work on for a given truck and any truck around in the substations around the central fire station. We cut one fire station and the truck falls below the three that are required, the three on duty that are required for that truck and, without a truck, we can't open that substation. Many people in this room represent communities that helped Lewiston last month when we had three four-alarm fires. We cannot afford to be closing down fire stations. There is not room in the capital budget to be cut. Much of that that has been there to maintain the roads in Lewiston that you drive through when you come south was captured to pay Debt Service on the school construction that wasn't covered by the state, even though Lewiston, every year, is adding 150 new kids to the school system and our middle school was absolutely filled to the seams and far too old. I don't know where our community is going to go to find that \$1.1 million, but I'm going to ask you to Indefinitely Postpone this motion not because I don't want to fund that community, not because I don't believe that this is a promise that past Legislatures have made and we have not removed. We are not removing it now. I still believe 5 percent of the sales and income tax that comes into the state should go back to communities, but in terms of the budget that was before us and the negotiation that we had, we made a collective choice that \$125 million was the right number. That's a decision that pains me, but I believe, as tough decisions are, it's the right one. Mr. Speaker, I ask that you vote green and all members vote green when the roll is called. Thank you, Mr. Speaker.

Representative BECK of Waterville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "E" (H-481) to Committee Amendment "A" (H-468)**.

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 Winterport, Representative Brooks.

Representative **BROOKS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will first off thank my friend, Representative Beck, for bringing this forward and also my very close friend from the Town of Friendship for reading off most all the towns that have sided with this particular issue. I am currently, I may have to withdraw, but I am currently a member of the Legislative Policy Council of the Maine Municipal Association and I'm sure all of you know that those of you who represent various towns pay a fairly good sized set of dues to be a member of that organization, and I'm quite dedicated to the people who are there because they do speak of municipal needs and municipal requirements. I understand fully that this budget is now somewhat complete. I doubt that we will accept this amendment, but I want you to know that of the Maine Municipal Association's member towns which represent about 90 percent, or even more than that, 95 percent of the municipalities in the state, I have seen almost all of them return a survey that says, "Oppose the budget unless we go to \$0.6." They want the revenue sharing that was promised to them many years ago restored. We can do that. I don't know what the effect will be on the budget. Perhaps we'd have to go to work and do a little bit more work, or perhaps not. Perhaps this can all be targeted through revenue sharing and it wouldn't take much work at all. But if I didn't get up today, I would be remiss in my duties not to tell you that I support this amendment for my friends and my colleagues on the Legislative Policy Council and my friends on

the Mayors Coalition which represents nearly every one of the large major cities who are really clamoring. We know there is a recession out there and we know it's hard to find money and municipalities are struggling just like the rest of us. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise to support this amendment because I got a message from a constituent that simply says, "Would you please support the Beck Amendment if an appropriate opportunity presents itself without unraveling the proceedings." So this is that opportunity. Both of my towns have passed those resolutions that the good Representative from Freedom referenced before. My constituent further says, "I hope someone presents a way through that isn't just the deal with the Devil, because the reality is, in Maine communities, it is still Hades." I support the work of the Appropriations Committee, but I support this amendment and I hope that we do not Indefinitely Postpone it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of the pending motion and I do so reluctantly because I think that the sentiments expressed by those who support the amendment that this motion concerns do so for good reasons. But, Mr. Speaker, I am also very conscious and my municipal officials back home are also very conscious that two-thirds of a loaf is better than none, and the reality is that if this motion is not successful, then no loaf or certainly a smaller loaf is what will occur. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "E" (H-481) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 316

YEA - Ayotte, Bennett, Berry, Black, Bolduc, Campbell J, Campbell R, Carey, Chapman, Chase, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Davis, Devin, Dion, Doak, Dorney, Dunphy, Duprey, Esping, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gillway, Graham, Guerin, Harvell, Hayes, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Kaenrath, Keschl, Kinney, Kruger, Kumiega, Libby A, Lockman, Long, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, McCabe, McClellan, McElwee, McGowan, Monaghan-Derrig, Moriarty, Morrison, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Sanderson, Saxton, Shaw, Sirocki, Stanley, Timberlake, Treat, Turner, Tyler, Villa, Volk, Wallace, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Mr. Speaker.

NAY - Beaulieu, Beavers, Beck, Boland, Briggs, Brooks, Casavant, Cassidy, Chenette, Chipman, Daughtry, DeChant, Dickerson, Dill, Gilbert, Goode, Grant, Hamann, Harlow, Herbig, Hickman, Jones, Kent, Knight, Kornfield, Kusiak, Lajoie, Libby N, Longstaff, Mastraccio, McLean, Moonen, Nadeau A, Nadeau C, Noon, Reed, Russell, Saucier, Schneck, Short, Stuckey, Theriault, Tipping-Spitz, Verow, Werts, Wood.

ABSENT - Beaudoin, Peterson.

Yes, 103; No, 46; Absent, 2; Excused, 0.

103 having voted in the affirmative and 46 voted in the negative, with 2 being absent, and accordingly **House**

Amendment "E" (H-481) to Committee Amendment "A" (H-468) was INDEFINITELY POSTPONED.

Representative VOLK of Scarborough **PRESENTED House Amendment "L" (H-488) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

On motion of Representative ROTUNDO of Lewiston **House Amendment "L" (H-488) to Committee Amendment "A" (H-468) was INDEFINITELY POSTPONED.**

Representative JOHNSON of Greenville **PRESENTED House Amendment "M" (H-489) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

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. It has been my pleasure for five years to serve on the Education Committee. During that time, we have made significant progress in education and the last three years we've had the Department develop a strategic plan, we've passed a proficiency-based diploma requirement, an early college and aspirations program, career and technical moving toward higher national standards, a five-year high school program called "The Bridge Year" which is a game changer for many of our students. We've undertaken school evaluation and in the budget there was an Office of Accountability that would talk to some of the struggling school problems that we have in our school. I've been around here now, this is my sixth year, and sometimes in the final days of our sessions, we make errors. I've seen it done before and we'll see it done this time. In my opinion, the Appropriations Committee adequately funded education, given the economic conditions that our state faces; however, the distribution of those funds is a problem. There is a line in the budget called School Improvement and Support, and within that line is an Office of Accountability. This office was funded in the Governor's budget, at one point, \$5 million per year, and was zeroed out in the Appropriations process. The savings from that and other lines of targeted funds were moved into GPA. In my opinion, this will have an adverse impact on our ability to support struggling schools. I should add that money was taken from all of those programs that I talked about up there, but this is particularly troublesome to me. I believe that we have great schools in Maine, but all of our schools can improve. If the Department of Education is to help struggling schools, they need the resources to do it. To zero out that line, in my opinion, is wrong. So I don't believe that this is a partisan issue and I don't ask for your vote. I just ask that for the children of our state, you give this serious consideration. Thank you very much.

Representative ROTUNDO of Lewiston moved that **House Amendment "M" (H-489) to Committee Amendment "A" (H-468) be INDEFINITELY POSTPONED.**

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 just want to mention that we did look very closely at this fund and we did look very closely at the other targeted funds that had been proposed in the Governor's budget. Many of them are designated for wonderful purposes. At the end of the day, we felt it was very important to put more money into General Purpose Aid to education, and we did that, and we took those funds and we put them through the formula so that students throughout the state could benefit from them. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker. I rise very briefly in support of the amendment. Thank you very much.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "M" (H-489) to Committee Amendment "A" (H-468).**

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 "M" (H-489) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 317

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nelson, Noon, Nutting, Pease, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Villa, Welsh, Werts, Winchenbach, Winsor, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Chapman, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Fredette, Gifford, Guerin, Harvell, Jackson, Johnson D, Johnson P, Kinney, Knight, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, Nadeau A, Nadeau C, Newendyke, Parry, Peavey Haskell, Pouliot, Reed, Sanderson, Short, Sirocki, Timberlake, Turner, Verow, Volk, Weaver, Willette, Wilson, Wood.

ABSENT - Beaudoin, Peterson, Wallace.

Yes, 101; No, 47; Absent, 3; Excused, 0.

101 having voted in the affirmative and 47 voted in the negative, with 3 being absent, and accordingly **House Amendment "M" (H-489) to Committee Amendment "A" (H-468) was INDEFINITELY POSTPONED.**

Representative STUCKEY of Portland **PRESENTED House Amendment "N" (H-493) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. The one thing I liked about the biennial budget proposal that came from the second floor was its no holds barred candor and transparency. It said, loud and clear, state government is still too big, it's meddlesome and ineffective, and it's way too costly. Local government is all of that, and it's inefficient too. Not to mention, we're a nanny state. We need to find the money to pay for all those tax cuts for the rich people we passed, but didn't fund, last year. Mr. Speaker, this budget has never been about the shared sacrifice the Executive used to talk about. We're not in this together in his budget. It's every man for himself. And don't worry, I'm not going to Venus or Mars. This proposal has intentionally pitted Mainers against Mainers, represented a huge tax increase for all but the wealthiest amongst us, compromised the health and safety of thousands of our most vulnerable friends and neighbors, and would do virtually nothing to grow our economy and middle class.

The SPEAKER: Will the Representative defer? The House will be in order. The Chair recognizes the Representative from Portland, Representative Stuckey.

Representative **STUCKEY**: Thank you, Mr. Speaker. The second floor's original budget is bad math and terrible public policy. The proposed shared sacrifice is not shared. This budget was, and still is, balanced out of the wallets of hardworking Mainers. Originally, this budget continued the administration's assault on Mainers in need, without telling folks where they could get their bootstraps or how to use them. It would have gutted the State-local General Assistance partnership that provides a lifeline to folks with nowhere else to turn. It would have eliminated Medical Add-Ons, the program that pays for medical services that allow folks with disabilities to stay at home or in their community. It would have cut Drugs for the Elderly and the Medicare Savings program, critical and proven supports for our elders. All of these proposals would really hurt people, and in the end, would simply shift costs to less appropriate and more expensive venues. More bad math, more bad public policy.

In the beginning, this budget was very clear about how to pay for those \$414 million in income and estate tax cuts. Simply eliminate the state's share of the revenue sharing program we've run with our municipal partners for the last 30 plus years, and stop sending the towns most of that Circuit Breaker money too. Simply continue not to reimburse schools for our agreed upon share of their basic costs, cut our support for special education services, and then shift to the schools half the cost of what the state now pays for teacher retirement. That's still not enough to feed those tax cuts so the original proposal also suspended state employee merit pay for the fifth and sixth year, actually taking away current longevity pay, increased health care premiums and co-pay costs, and eliminated the pension COLA negotiated in last year's budget.

Fortunately, our colleagues on the AFA Committee didn't drink the Kool-Aid. They have unanimously agreed that most of these proposals were not in the best interests of the people of the State of Maine, that they were bad math and bad public policy. So they worked incredibly hard to find unanimously endorsed ways to restore most of the proposed cuts. Some of it is much better short-term math, but some serious structural funding gaps still exist, and it's riddled with some very bad public policy. The good math includes restored funding to schools to the 2010 levels, plus \$30 million. It avoids elimination of longevity pay and increases to health care costs, and reinstatement of one year of merit pay for state employees. Reinstatement of critical health care and prescription drug programs, and retention of our social services' safety net and integrity of the General Assistance program.

The bad math and policy challenges include the sales, meals and lodging tax increases are all sunsetted on June 30, 2015. Revenue sharing is restored to less than two-thirds of its statutorily required level. Teacher retirement may well be more appropriately a local expense, but the budget only covers this cost shift for one year. The feel-good language requiring future Legislatures to move us year by year closer to funding 55 percent of ETA is redundant and as binding as the next "notwithstanding" proposal to suspend or reverse it. There is still a very significant cost shift to our municipalities and to our most regressive tax, the property tax. The new property tax fairness program will be much easier to access and will be used by more people, but the maximum rebate and the total funds available are reduced by 60 percent. The incredibly regressive reductions to the state income tax and the elimination of the estate tax are still in place. And they are still not permanently funded. These should be the tools

that bring structural progressivity and fairness to our state tax code. Instead, they now create an ongoing structural deficit.

We've got problems here in River City, Mr. Speaker. My amendment borrows ideas from my friend, the Representative from Bowdoinham, Representative Berry, and his tax fairness bill, and from the Taxation Committee's report back to the Appropriations Committee. Approximately 3,500 of our wealthiest households will be assessed an average of just under \$6,000 in additional taxes. The Property Tax Fairness Fund will be raised to the level of the current Circuit Breaker program, increasing this refundable credit to approximately 300,000 households. The maximum rebates will increase by more than 60 percent, from \$300 for a household under 70 and \$400 over to \$500 and \$600 respectively. The balance will go to the Budget Stabilization Fund. That's estimated to be \$475,000 in fiscal year '14 and just over \$1.3 million in fiscal year '15. By the way, if I'd been a little quicker, that would have been more than enough to restore the IV sedation services to the Portland Dental Clinic.

The Property Tax Fairness Fund will be accessible through the State Income Tax and from the Department of Health and Human Services' Automated Client Eligibility System, ACES, and therefore used by most all of the eligible households. The maximum rebate will only be about a third of the current Circuit Breaker program. Mr. Speaker, this amendment is fair math and good public policy. But, Mr. Speaker, it does not address the major problems with this budget. It won't fix the cost shift to towns or the ongoing structural deficit. It will simply make our overall tax system a little more fair when our towns are forced to raise property taxes to cover the loss of revenue sharing funds from the state, the added responsibility of one half of their teacher's retirement fund contributions currently being paid by the state, and who knows what else will happen, if and when the current stopgap revenues are not continued. But I'll save the larger tax fairness issue for another day. Thank you, Mr. Speaker, and I request a roll call. And finally, go Bruins!

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "N" (H-493) to Committee Amendment "A" (H-468)**.

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

Representative ROTUNDO of Lewiston moved that **House Amendment "N" (H-493) to Committee Amendment "A" (H-468) be INDEFINITELY POSTPONED**.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "N" (H-493) to Committee Amendment "A" (H-468)**.

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 Orono, Representative Tipping-Spitz.

Representative **TIPPING-SPITZ**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the amendment proposed by the Representative from Portland, Representative Stuckey. The budget presented to us from the Chief Executive was a one-two punch. It passed on the expense of income and estate tax cuts that benefited mostly the wealthy families in Maine, and paid for it, but passing on cuts to our towns. These cuts were orders of magnitude larger than consolidation efforts our towns could muster. Then the budget all but eliminated the program's that helped people deal with the property tax increases that will be proposed by our towns to fix this problem. I applaud the efforts of the Appropriations Committee to deal with these cuts, and restoring the Homestead Exemption and putting in place the Property Tax Fairness Credit.

I don't think it goes far enough and I support the Representative from Portland's efforts to make sure it goes a little bit further towards that goal. Thank you.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to the pending motion. There's not much I can say beyond what the good Representatives have said already, but I wanted to stand in concurrence and to say that we are still reeling from the impact of the Great Recession and there are families across this state who are struggling, there are towns across this state that are struggling and we are having an increasingly difficult time responding to those. When people have lost their jobs through no fault of their own, we should be allowing them a hand up and not accusing them of taking a handout. This would provide significant funding to restore money to support our cities, our towns, our region, and make sure that the people that are struggling so hard to put food on the table right now are not just falling between cracks, they are starting to fall between fishers and those fishers are becoming canyons. I think this is an opportunity for us to provide funding to support these services so that we can keep our economy going, we can kick start it and make sure that our towns and our cities are taken care of. Thank you, Mr. Speaker. I hope folks will be voting red on this particular motion.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "N" (H-493) to Committee Amendment "A" (H-468). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 318

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Campbell J, Campbell R, Carey, Chase, Clark, Cooper, Crafts, Cray, Crockett, Daughtry, Davis, Dill, Dion, Dorney, Dunphy, Duprey, Espling, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gillway, Graham, Grant, Guerin, Hamann, Harvell, Hayes, Herbig, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Kaenrath, Keschl, Kinney, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, Monaghan-Derrig, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Peavey Haskell, Peoples, Plante, Pouliot, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Sanborn, Sanderson, Saucier, Saxton, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Treat, Turner, Tyler, Verow, Volk, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Boland, Briggs, Brooks, Casavant, Cassidy, Chapman, Chenette, Chipman, DeChant, Devin, Dickerson, Evangelos, Farnsworth, Gilbert, Goode, Harlow, Hickman, Jones, Kent, Kornfield, Kusiak, MacDonald S, McLean, Moonen, Noon, Powers, Russell, Rykerson, Schneck, Stuckey, Tipping-Spitz, Villa, Werts.

ABSENT - Beaudoin, Cotta, Doak, Knight, Malaby, Pease, Peterson, Wallace.

Yes, 110; No, 33; Absent, 8; Excused, 0.

110 having voted in the affirmative and 33 voted in the negative, with 8 being absent, and accordingly **House Amendment "N" (H-493) to Committee Amendment "A" (H-468) was INDEFINITELY POSTPONED.**

Representative ROTUNDO of Lewiston **PRESENTED House Amendment "P" (H-499) to Committee Amendment "A" (H-468)**, which was **READ** by the Clerk.

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. This is simply a technical amendment correcting a few drafting errors appearing in the Committee Amendment. Usually when we are done with a budget, there are a few drafting errors which we need to correct, and that's what we're doing in this technical amendment. Thank you.

Subsequently, **House Amendment "P" (H-499) to Committee Amendment "A" (H-468) was ADOPTED.**

Committee Amendment "A" (H-468) as Amended by House Amendment "P" (H-499) 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-468) as Amended by House Amendment "P" (H-499)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

SENATE DIVIDED REPORT - Majority (7) Ought to Pass as Amended by Committee Amendment "A" (S-249) - Minority (4) Ought Not to Pass - Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Encourage Development in the Logging Industry"

(S.P. 385) (L.D. 1103)

Which was **TABLED** by Representative HERBIG of Belfast pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended Report.**

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report.**

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 Scarborough, Representative Volk.

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to the pending motion and I will briefly tell the body why. LD 1103 is a carbon copy of LD 314 which Governor John Baldacci refused to sign in the 124th Legislature. Why did he refuse to sign it? Well, it violates three causes of the U.S. Constitution, perhaps a minor problem – the Foreign Commerce Clause, the Supremacy Clause and the Equal Protection Clause. It requires landowners to illegally discriminate against bonded workers, simply because they are Canadian or face additional taxes from the state. It inappropriately connects fire protection, the Forestry Excise Tax, with bonded labor, and it discriminates against foreign commerce. It encourages landowners to violate federal antidiscrimination laws. It requires landowners to discriminate against bonded workers or face additional taxes. I urge you to oppose the pending motion.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. If someone is doing something illegal, should they qualify for a tax credit? The answer is absolutely no. Yet currently in Maine, logging contractors who unethically and illegally hire Canadian workers can qualify for a tax credit for our Tree Growth Tax Law. These