MAINE STATE LEGISLATURE

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Legislative Record

House of Representatives

One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

Second Regular Session

January 4, 2012 – May 31, 2012

pages 1084 - 1604

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
SECOND REGULAR SESSION
50th Legislative Day
Tuesday, May 15, 2012

The House met according to adjournment and was called to order by the Speaker.

Prayer by Pastor Joe Campbell, White Pine Community Church, Cumberland.

National Anthem by Brittney Jamieson, Pembroke.

Pledge of Allegiance.

Doctor of the day, Michael Bell, M.D., Cumberland.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 364)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 14, 2012
The 125th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 125th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2-A of the Constitution of the State of Maine, I am hereby executing line-item vetoes of a number of allocations contained within LD 1903, "An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013." These vetoes are included on the attached sheet.
General Assistance is a welfare program that, like most others, has gotten out of control. The amounts vetoed will put this issue back on the table and the Legislature must summon the political courage to fix the program structurally. Hiding from our problems will not make them go away. The Maine people expect leadership and those in Augusta must deliver.
The other vetoes speak for themselves. But real change is needed in the way we do business. We can no longer ignore the problems, we cannot pass the buck, and we cannot kick the can any further down the road. It is time to choose between the entitlement state and the American dream. These vetoes show you where I stand.
We need a profile in courage in Augusta. We must do what is right, without regards to the next election. It is why we all took that solemn oath and that is why I ask each and every one of you for your support on these vetoes. It is, quite frankly, the right thing to do. We can do no other.
Sincerely,
S/Paul R. LePage
Governor

LD 1903 – Line Item Veto

Section A-17.
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS) General Assistance - Reimbursement to Cities and Towns 0130
Initiative: Provides funding for general assistance benefits.
GENERAL FUND 2011-12 2012-13 **VETO**
All Other $3,991,196 ~~$4,297,699~~ $0

GENERAL FUND TOTAL $3,991,196 ~~$4,297,699~~ $0
Reason: Lasting structural changes to Maine's General Assistance Welfare Program are necessary to make the program affordable and sustainable. The funding included in this line item puts off the necessary decisions to restructure the program and papers over the problem, while leaving a $2.3 million hole in FY13. This approach is irresponsible and does not serve Maine people - it is time for bold action and real change.

LD 1903 – Line Item Veto

Section A-17.
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS) General Assistance - Reimbursement to Cities and Towns 0130
Initiative: Provides funding in the General Assistance - Reimbursement to Cities and Towns program to bring allocations into line with anticipated resources.
GENERAL FUND 2011-12 2012-13 **VETO**
All Other $0 ~~$449,846~~ $0

GENERAL FUND TOTAL $0 ~~$449,846~~ $0
Reason: Lasting structural changes to Maine's General Assistance Welfare Program are necessary to make the program affordable and sustainable. The funding included in this line item puts off the necessary decisions to restructure the program and papers over the problem, while leaving a $2.3 million hole in FY13. This approach is irresponsible and does not serve Maine people - it is time for bold action and real change.

LD 1903 – Line Item Veto

Section A-17.
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS) General Assistance - Reimbursement to Cities and Towns 0130
Initiative: Allocates funds for 7 limited-period Family Independence Specialist positions in the general assistance program and for other costs of the pilot program to maximize and expedite the award of federal Supplemental Security Income program benefits for recipients of general assistance and to identify and assist veterans who receive assistance through programs administered by the Office for Family Independence who may be eligible for federal Department of Veterans Affairs cash or medical assistance to access those benefits. These positions are established through June 15, 2014. This initiative is estimated to generate $1,057,903 in 2012-13 in additional dedicated revenue for the general assistance program. Any dedicated revenue in addition to this estimated level must be used to offset the savings target of the general assistance working group established in this Act.
OTHER SPECIAL REVENUE FUNDS 2011-12 2012-13 **VETO**
Personal Services $0 ~~$469,104~~ $0
All Other $0 ~~$976,874~~ $0

OTHER SPECIAL REVENUE FUNDS $0 ~~$1,445,978~~ $0
Reason: This proposal anticipates reducing costs in our General Assistance Welfare Program by shifting people to a different welfare program. That is not welfare reform - it is simply box shifting. I do not believe that the solution to Maine's high welfare costs is to send the bill to Washington, DC. We must promote self sufficiency for Mainers and the State alike, not more reliance on the Federal Government.

LD 1903 – Line Item Veto

Section AAA-3.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS) Riverview Psychiatric Center 0105

Initiative: Provides funding to offset a reduction in disproportionate share payments for individuals transferred from jails or prisons, for individuals for whom the court has ordered evaluations and for individuals determined to be incompetent to stand trial.

GENERAL FUND	2011-12	2012-13	**VETO**
Unallocated	$0	~~$3,176,972~~	$0
GENERAL FUND TOTAL	$0	~~$3,176,972~~	$0

Reason: The way Maine funds mental health treatment for prisoners and those found not criminally responsible likely violates federal law. My budget proposed ending this questionable practice. The approach adopted by the Appropriations Committee leaves Maine taxpayers at risk of owing millions of dollars to the federal government. That risk must and can be avoided.

READ.

On motion of Representative CAIN of Orono, **TABLED** pending **PLACEMENT ON FILE** and later today assigned.

The Following Communication: (H.C. 365)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

April 18, 2012
The Honorable Heather J.R. Priest
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Priest:

The House of Representatives will not convene to address the Governor's line-item veto of LD 1903, "An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013."

We do not have the consent of a majority of members of both parties; therefore, the Legislature will not convene prior to May 15, 2012.

Sincerely,
S/Robert W. Nutting
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 366)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 13, 2012
The 125th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 125th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1745, "An Act Regarding the Fee for Amusement Ride Inspections and the Development of Options To Move the Responsibility of the Inspections from the Office of the State Fire Marshal."

The original bill brought forward was intended to reduce the burden on the understaffed Fire Marshal's Office and allow them to refocus on their primary responsibilities. Instead, the Legislature completely rewrote the bill to increase fees when the work could easily be done in the private sector. The final result is that the regulated community will pay more to the State for services it already receives - that is something I cannot support.

Additionally, the Fire Marshal's Office has faced recent funding shortfalls since fees are not coming in as expected. We need to stop trying to fund core state operations on fees alone and recognize that the General Fund should be used for these public safety purposes. It is simply a matter of priorities.

Lastly, the Legislature directs the Department to conduct a massive study with the very limited resources available. The goal of this study is to put forward legislation around private licensing of inspectors. The Department already offered that proposal to the Legislature, which it turned into this bill. It is time for action, not more studies.

For these reasons, I am returning LD 1745 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying item An Act Regarding the Fee for Amusement Ride Inspections and the Development of Options To Move the Responsibility of the Inspections from the Office of the State Fire Marshal

(H.P. 1287) (L.D. 1745)
(C. "A" H-874)

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

Representative **HASKELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would encourage you to vote to allow this bill to become a law. While my name is listed as the sponsor here, it's because I agreed to sponsor this for the Department. This was a Department bill that was brought forward to us. It was brought forward to us because the Fire Marshal's office does inspections of amusement rides, which seems rather an odd place for an inspection process to be; however, it has traditionally been there in the Fire Marshal's office on the inspection of amusement rides. The bill asked us to consider whether the Department should go forward and investigate whether or not privatization of this inspection would be appropriate. The committee, in a 12-1 vote of the committee, asked a lot of questions. Twelve to one was the report on the bill as it came out, but we asked a lot of questions about whether privatization was the right direction, whether amusement rides should be over in Professional and Financial Regulation, for instance, where items like tramways and elevators and similar mechanical pieces of equipment are inspected through Professional and Financial Regulation. We were unsure about whether that was the right way to go or not, whether privatization was the right way.

We did hear from the public who received these services that they were very pleased with the kind of services that they were receiving from the Fire Marshal's office, that they had very well qualified, very able and professional individuals doing these. So there is nothing wrong with the inspection of amusement rides which is currently going on. The problem, however, was that the fees that are set in law, the fees that were set in law were not

adequate to cover the cost and so there was red ink all through the amusement ride portion of the Fire Marshal's office. And so at the work session, we asked the Department if they would provide us with some alternatives and I have a note here from one of the members of the Fire Marshal's office who said "We have for you some basic fee ideas." They brought those forward, discussed them with us and told us how the fees could be changed and it's been a number of years since they've changed because they are set in law, not in rule, and they said if we move this up to this price, this would cover our costs. The committee was in agreement, that if they're going to pay for this, that they ought to pay the cost of what the inspection of amusement rides is. What was interesting to me....

The SPEAKER: Will the Representative defer? The House is in order. I'm having trouble hearing the Representative from Portland. Thank you. The Representative may continue.

Representative **HASKELL**: Thank you. I can speak a lot louder too, Mr. Speaker.

The SPEAKER: Feel free.

Representative **HASKELL**: Thank you. What was also of interest to me was the split of where it is that these inspections are going on. When we think about amusement rides, we think perhaps about what goes on at the fairs. But that is not predominantly what they inspect. Predominantly, and I have notes here. Anyone who sits beside me knows that I keep notes. Predominantly, they are inspecting big private businesses – we're talking about the Old Orchard Beaches of the world – and more and more now the types of amusement, we wouldn't think of them as rides, but they are covered under this law. The bouncy houses that you can rent from Aubuchon or any number of places, those need to be inspected. These are businesses who are making a profit on renting out these pieces of equipment.

So the other thing we found out is that the small nonprofits are not being charged when they come and do their inspections. I thought that was a pretty fair way of them understanding what the balance was between these, and so then this amendment came forward which said we are going to simply bring us up to speed on what the current costs are and simply charge what it's costing us to actually do that.

In addition, we asked the Department and the good Representative from Whiting and I crafted some compromise language which the majority of the committee accepted, 12 members of the committee accepted, which would say ask the Fire Marshal's office to please come back to us and tell us whether you think that the privatization, moving it to PF and R or some other possibility might be the appropriate way to make sure we don't have to bleed red ink in the Fire Marshal's office around inspection of amusement rides. So, as I said, I did not propose this bill. I supported it within the Department when they asked me to, in order to do the appropriate, in my opinion, messaging around the fact that if you were going to have an inspection, you ought to pay at least the cost of it and that should not be borne by everybody else for the hardware store who is renting out the bouncy house. So I encourage you to allow this bill to become a law. Thank you.

Under suspension of the rules, members were allowed to remove their jackets.

The SPEAKER: The Chair recognizes the Representative from Whiting, Representative Burns.

Representative **BURNS**: Mr. Speaker, thank you. Ladies and Gentlemen of the House, this is a bit like trying to address a crowded supermarket with one microphone, but I'll attempt. The good Representative from Portland, I think, Representative Haskell, explained the genesis of this bill quite well. When it came to us, it was not ready for prime time, if you will, and there were two issues that I had with the bill. One was that the Fire Marshal was not being compensated from the right sources for the work that they were doing, very important work to our amusement rides and other facilities that require their inspection. So that was one issue that had to be addressed. The other issue was the opportunity to privatize something that is privatized in many other states and I think would bring some expertise into the state once the training was brought forth to do a very important job, and it would move one more thing out from under the auspices of the State Government and put it into private hands to be done, hopefully just as well under the same guidelines. So I saw this as an opportunity to have two things happen, so that's why, as Representative Haskell mentioned, we met many times with OPLA and with the Fire Marshal's office to try to craft something that met both of those issues, and we think that we did. We presented that to our colleagues on the Criminal Justice Committee and ended up with a 12-1 vote. As much as I hate to go against the Chief Executive, I think this would be good for the state, it would be good for private industry, it would be good for the Fire Marshal and I would hope that you would support the original bill and not sustain this veto, and I appreciate your time. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Plummer.

Representative **PLUMMER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I, too, rise to express my disappointment that the Chief Executive decided to veto this bill. As perhaps has been noted, this was a department bill. The Public Safety Department brought it to us and said we've got a problem and we need a solution. As has been stated by previous speakers, this was the solution that was crafted by the Criminal Justice and Public Safety Committee and I, too, will be voting to see this bill become law. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill is obvious to Old Orchard Beach. It's very necessary that we have the proper inspections and also you have to consider Funtown, which is a huge part of the amusement center in southern Maine. Privatization, we've seen examples of privatization that went awry in some of our fairs in the past years and it's nothing to fool around with, and I, too, support and I do appreciate the words of the previous speakers in support that this bill should become law. Thank you very much.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 337V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Bickford, Blodgett, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Cotta, Damon, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Eberle, Eves, Fitts, Flemings, Flood, Fossel, Gilbert, Gillway, Goode, Graham, Hamper, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kent, Keschl, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy,

Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, McKane, Monaghan-Derrig, Morissette, Morrison, Moulton, Nass, Nelson, Olsen, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sanderson, Sarty, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Treat, Tuttle, Valentino, Volk, Wagner R, Webster, Welsh, Willette M, Wood.

NAY - Ayotte, Black, Cebra, Chase, Clark T, Crafts, Cray, Crockett, Curtis, Cushing, Davis, Edgecomb, Espling, Fitzpatrick, Foster, Fredette, Gifford, Guerin, Johnson D, Johnson P, Long, McFadden, Newendyke, O'Connor, Parker, Richardson W, Rioux, Sirocki, Tilton, Timberlake, Turner, Wallace, Waterhouse, Weaver, Willette A, Winsor, Mr. Speaker.

ABSENT - Bennett, Boland, Bolduc, Celli, Cornell du Houx, Knapp, Libby, O'Brien.

Yes, 105; No, 37; Absent, 8; Vacant, 1; Excused, 0.

105 having voted in the affirmative and 37 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 367)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 13, 2012
The 125th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 125th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1761, "An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services."
This bill is a tax increase. It literally nickels and dimes the Maine people while they continue to face one of the highest tax burdens in the nation and earn only 82% of the national average. We cannot continue to ask for more money to feed our spending habits. It is time to make the tough decisions necessary to get our fiscal house in order.
The only reason this bill is necessary is because the Legislature has, over the past 8 years, taken $7.5 million from the E-9-1-1 Fund to subsidize the unsustainable growth in General Fund spending. Maine people have already paid for these E-9-1-1 upgrades and this bill would ask them to pay again since earlier Legislatures have already spent the money. Taxpayers should not be penalized for the failure of Augusta to make hard choices.
The upgraded E-9-1-1 services are necessary and I support them. I will include the necessary funding for these services in my forthcoming budget. But that funding will not be provided by new taxes on Maine people. We will refocus our priorities, make the State operate more efficiently, and make Maine better. In short, we will lead. That is why we are here.
For these reasons, I am returning LD 1761 unsigned and vetoed. I strongly urge the Legislature to sustain it.
Sincerely,
S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying item An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services (EMERGENCY)

(H.P. 1296) (L.D. 1761)
(C. "A" H-826)

On motion of Representative CURTIS of Madison, **TABLED** pending **RECONSIDERATION** and later today assigned.

The Following Communication: (H.C. 368)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 20, 2012
The 125th Legislature of the State of Maine
State House
Augusta, Maine
Dear Honorable Members of the 125th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine. I am hereby vetoing LD 1550, "An Act To Change Document Filing Fees for County Registries of Deeds."
This bill is a tax increase and I cannot support it. The Registries of Deeds are profit centers for the county governments used to subsidize other government functions. I believe fees are paid for a service and, if counties want a tax increase, then they should go ahead and justify it on the merits. We should not try and deceive the Maine people by saying they are merely "fees."
Why should a family purchasing a new home be forced to pay more for a Sherriff that protects the entire county? If county governments are having difficulty balancing their budgets, they should keep working to reduce spending. They should not try to subsidize their other operations with recording fees. The days of asking Maine people for more money are at an end. It is time to make the hard choices at all levels of government.
For these reasons, I am returning LD 1550 unsigned and vetoed. I strongly urge the Legislature to sustain it.
Sincerely,
S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying item An Act To Change Document Filing Fees for County Registries of Deeds

(H.P. 1137) (L.D. 1550)
(C. "A" H-711; H. "A" H-851)

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

Representative **MOULTON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill came forward as a result of a request from county government that the state sets the rate for all counties for the filing of documents at the registries of deeds. That way for the 16 counties the rate is uniform, people can have some comfort that when they send in their checks, along with documents, that they send in the right amount of money. These fees benefit county government, along with the bills they send to the local municipalities which we pay out of our property tax. There is no direct economic benefit to the State of Maine, but there are indirect benefits.

The reason for the request for us to change the fees was uncertainty and instability, Mr. Speaker, of copy fees, and the Legislature, the 124th, tried to stabilize things through corrective legislation which didn't take. So the 125th, this Legislature, did set fees; however, in doing so, there was a loss of income to the two largest counties and that has now extended throughout the system. For instance, in York County, when you look at the

income from both the fees and copying fees, that amounts to about 8 percent of the budget. Over 88 percent of the county's budget comes from property tax. So again, this measure was designed to stabilize revenues in an economic environment where there were already cutbacks in county services owing to decreases in the transfer tax and other sources of revenue. As a result of the outcome of the Legislature setting a standard rate for copies and the removal of the sunset provision on the other legislation, this bill was then taken off the table with a modification to reduce the request, and we are at the point, Mr. Speaker, now, where the Chief Executive claims that county governments waste money.

You know, Mr. Speaker, I'm at a loss. We've seen the figures provided to us by the counties on our desks several weeks ago which clearly demonstrate that the counties are losing money to support county services, and now we have injury over insult, Mr. Speaker, because the counties, according to the information that I received just last week, are facing a 1.3 percent reduction in state support for the county jails. So now the counties are faced with multiple losses of revenue and even though the jails are segregated from the rest of county government in terms of funding, to make up for the shortfall in jails that counties now are bypassing things like sheriff patrols and even staffing for the district attorneys offices, because they've already cut back on probate staff and registry of deeds staff. When is this going to end, Mr. Speaker? We're talking about, across the state, about a million dollars per year divided up amongst the counties, with York and Cumberland Counties taking the larger amount of that and the other counties, according to the volume of business, lesser amounts. But this curtailment is striking at the heart of needed services on a county level and we're not talking about, you know, fluff in this case. If the state had to take over the operation of the jails, has already been determined in a prior Legislature, we would find that the cost of the operation of pretrial detention and short-term sentences, which are now housed within the jails, would go up dramatically. So this is a little bill, but it is an important bill to county government and to municipalities. We need to go beyond a political and philosophical ideology that seems to underlie part of the argument in this case. So I would encourage this body to vote to override the Governor's veto. Thank you, Mr. Speaker.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 338V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Bickford, Black, Blodgett, Briggs, Bryant, Cain, Casavant, Chapman, Chipman, Clark H, Clark T, Clarke, Cotta, Dill J, Dion, Dow, Driscoll, Duchesne, Eberle, Eves, Fitts, Flemings, Fossel, Gilbert, Gillway, Goode, Graham, Hanley, Harlow, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, Monaghan-Derrig, Morissette, Morrison, Moulton, Nass, Nelson, Olsen, Peoples, Peterson, Pilon, Plummer, Prescott, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sanderson, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Treat, Tuttle, Valentino, Volk, Wagner R, Weaver, Webster, Welsh, Willette A, Willette M, Wood.

NAY - Ayotte, Burns DC, Carey, Cebra, Chase, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dunphy, Edgecomb, Espling, Fitzpatrick, Flood, Foster, Fredette, Gifford, Guerin, Hamper, Harmon, Johnson D, Johnson P, Keschl, Knight, Long, Maker, McFadden, McKane, Newendyke, O'Connor, Parker, Parry, Picchiotti, Priest, Richardson W, Rioux, Sarty, Sirocki, Tilton, Timberlake, Turner, Wallace, Waterhouse, Winsor, Mr. Speaker.

ABSENT - Bennett, Boland, Bolduc, Celli, Cornell du Houx, Knapp, Libby, O'Brien.

Yes, 94; No, 48; Absent, 8; Vacant, 1; Excused, 0.

94 having voted in the affirmative and 48 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 369)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 3, 2012
The Honorable Heather J.R. Priest
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Priest:
Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the appointment of Representative Aaron F. Libby of Waterboro from the Joint Standing Committee on Energy, Utilities and Technology. Furthermore, pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Philip A. Curtis of Madison to the Joint Standing Committee on Energy, Utilities and Technology effective immediately.
Should you have any questions regarding this matter, please do not hesitate to contact me.
Sincerely,
S/Robert W. Nutting
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 370)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 3, 2012
The Honorable Heather J.R. Priest
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Priest:
Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the appointment of Representative Sara R. Stevens of Bangorfrom the Joint Standing Committee on Appropriations and Financial Affairs. Furthermore, pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Emily Ann Cain of Orono to the Joint Standing Committee on Appropriations and Financial Affairs effective immediately.
Should you have any questions regarding this matter, please do not hesitate to contact me.
Sincerely,
S/Robert W. Nutting
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 371)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

May 3, 2012
The Honorable Robert W. Nutting
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Nutting:
This is to inform you that I am today nominating Mark A. Vannoy of Waldoboro for appointment as a Commissioner to the Public Utilities Commission.
Pursuant to Title 35-A, MRSA §105, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.
Sincerely,
S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 372)

STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 15, 2012
The Honorable Robert W. Nutting
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Nutting:
Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bills out "Ought Not to Pass:"
Appropriations and Financial Affairs

L.D. 381	An Act To Establish a New Method of Determining the State Budget
L.D. 399	An Act To Authorize a General Fund Bond Issue To Fund LifeFlight (BOND ISSUE)
L.D. 565	An Act To Provide Funding for the World Acadian Congress
L.D. 851	An Act To Authorize a General Fund Bond Issue To Invest in Railroads To Reduce the Cost of Shipping to Maine Businesses, Attract Tourists to Maine and Facilitate the Development of Commuter Rail Transportation To Reduce the Use of Oil in Maine (BOND ISSUE)
L.D. 1395	An Act To Authorize a Highway Fund Bond Issue To Improve Maine's Roads and Bridges (BOND ISSUE)
L.D. 1662	An Act To Provide for an Advisory Referendum on the Approval of Tax-exempt Student Loan Revenue Bonds
L.D. 1713	An Act To Restore Supplemental Health Insurance Coverage for Disabled Children of State Retirees (EMERGENCY)

The sponsors and cosponsors have been notified of the Committee's action.
Sincerely,
S/Heather J.R. Priest
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act Making Supplemental Appropriations and Allocations from the Highway Fund for the Expenditures of State Government To Address Revenue Shortfalls Projected for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

(H.P. 1420) (L.D. 1916)

Sponsored by Representative CEBRA of Naples. (GOVERNOR'S BILL)

Committee on **TRANSPORTATION** suggested and ordered printed.

The Bill was **REFERRED** to the Committee on **TRANSPORTATION**.

On motion of Representative NUTTING of Oakland, the House **RECONSIDERED** its action whereby the Bill was **REFERRED** to the Committee on **TRANSPORTATION**.

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

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

Sheri Piers, of Falmouth, who finished 10th overall in the women's field in the 2012 Boston Marathon. Ms. Piers was the first American-born woman to cross the finish line in Copley Square, completing the 26.2-mile journey from Hopkinton in 2 hours, 41 minutes and 55 seconds. We extend our congratulations to Ms. Piers on her achievement;

(HLS 1252)

Presented by Representative NELSON of Falmouth.
Cosponsored by Senator WOODBURY of Cumberland, Representative DION of Portland.

On **OBJECTION** of Representative NELSON of Falmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Nelson.

Representative **NELSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't want to belabor this, but I do want you to understand how extraordinary this accomplishment is of Sheri Piers. She not only is not a 20-year-old or even a 30-year-old, she just turned 40, she's the mother of three, she has a full-time job as a nurse practitioner in her own practice and when she's training for a marathon for the four to six weeks before the marathon, she generally runs about 125 miles a week. I try to walk three miles a day and find that

that's a challenge. She ran this marathon, 26 plus miles, in 2 hours and 40 minutes, I believe, and it's an extraordinary accomplishment and shows what people can do if they focus and actually exercise and try to do an outstanding performance which she did. So I just wanted to, on behalf of all of us, to congratulate her for a remarkable achievement. Thank you, Mr. Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

CONSENT CALENDAR
First Day

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the First Day:

(H.P. 285) (L.D. 359) Bill "An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-957)**

On motion of Representative CURTIS of Madison, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

SENATE PAPERS

The following Joint Resolution: (S.P. 687)

JOINT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF FENWAY PARK

WHEREAS, April 20, 2012 marked the 100th anniversary of Fenway Park, home of Major League Baseball's Boston Red Sox; and

WHEREAS, the State of Maine is proud to be part of what is known as Red Sox Nation, the most loyal and devoted fan base in baseball, and Mainers attend games each season at Fenway Park in Boston in great numbers; and

WHEREAS, Fenway Park is near Kenmore Square in Boston and is the oldest Major League Baseball park currently in use and the oldest venue used by a professional sports team in the United States; and

WHEREAS, Fenway Park has had many renovations and additions over the years, resulting in unique and quirky features, including "The Triangle," "Pesky's Pole" and most notably the famous "Green Monster" in left field; and

WHEREAS, as the noted American author John Updike described it, Fenway Park is "a lyric little bandbox of a ballpark. Everything is painted green and seems in curiously sharp focus, like the inside of an old-fashioned peeping-type Easter egg"; and

WHEREAS, the Boston Red Sox have sold out every home game since May 15, 2003 and Fenway Park sold out its 456th consecutive Red Sox game in 2008, breaking a Major League Baseball record, and currently has over 700 consecutive sellouts; and

WHEREAS, with the 4th lowest seating capacity and 2nd lowest total capacity of any Major League Baseball venue and its narrow foul ground and close outfield fences, Fenway Park provides an intimate setting for spectators, who have watched the Red Sox post a winning record in each of the past 14 seasons; and WHEREAS, on March 7, 2012, Fenway Park was added to the National Register of Historic Places; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to commemorate the 100th anniversary of Fenway Park; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Boston Red Sox at Fenway Park.

Came from the Senate, **READ** and **ADOPTED**.

READ and **ADOPTED** in concurrence.

SENATE PAPERS

The following Joint Resolution: (S.P. 688)

JOINT RESOLUTION COMMENDING THE MAINE STATE MUSEUM AND PARTNERS FOR MOUNTING THE EXHIBIT "MALAGA ISLAND, FRAGMENTED LIVES"

WHEREAS, Malaga Island is a small, rugged island of less than one square mile situated in Casco Bay off the shores of the Town of Phippsburg and the Town of Harpswell; and

WHEREAS, from the 1860s to 1912, Malaga Island was home to a mixed-race Maine community of people of primarily Scottish, Irish, English, Native American and African American ancestry struggling to survive as boatmen, fishermen, carpenters and laundresses, as did many rural islanders of that era; and

WHEREAS, because of changes in the coastal economy, concerns that local taxpayers might become burdened by alleged "chronic pauperism" and statements made by the now-disgraced eugenics movement that claimed poverty and intemperance were genetic traits due to "impure blood," residents of Malaga Island were viewed by some Maine people with suspicion and disdain; and

WHEREAS, in 1911, amid such tensions, Governor Frederick Plaisted and his executive council led an expedition to investigate conditions on Malaga Island and subsequently paid $417.00 to clear title to the island in the name of the State of Maine, which took possession of the island; and

WHEREAS, in 1912 the State of Maine evicted all Malaga Island residents from their homes, paying token sums for the homes, ordered the Malaga Island schoolhouse, wharves and houses removed or destroyed, dug up the island graveyard, jumbling all remains into common caskets where the deceased of Malaga Island lie in mixed graves to this day, and forcibly relocated 8 islanders to the Maine School for the Feeble-Minded at Pownal, where some spent the rest of their lives; and

WHEREAS, with Malaga Island deserted and the islanders dispersed or institutionalized, for 100 years the true story of Malaga Island disappeared into mystery and myth, a half-remembered legend deeply tinged with heartbreak, loss and shame, rarely referred to openly even by the scattered descendants of the islanders themselves; and

WHEREAS, in 2001, the Maine Coast Heritage Trust purchased Malaga Island, and it now serves as a nature preserve, a University of Southern Maine archaeological site, a landmark on the Maine Freedom Trail and a place of education, reflection and renewal; and

WHEREAS, in 2010 the One Hundred and Twenty-fourth Legislature, on behalf of the people of Maine, recognized with profound regret the tragic displacement of the Malaga Island residents in 1912; and

WHEREAS, on September 12, 2010 Governor John E. Baldacci met publicly on Malaga Island with descendants of the displaced islanders to acknowledge and repudiate the shameful eviction of their ancestors; and

WHEREAS, the Maine State Museum is constructing an exhibit, "Malaga Island, Fragmented Lives," scheduled for public viewing from May 19, 2012 to May 26, 2013, offering a factual history of this extinct community through contemporary

photographs, news stories and individual statements by former residents, and through the archaeological remains of the possessions of some households; and

WHEREAS, this exhibit and related educational programs are funded in large part by private foundation gifts and based on research by museum staff and the work of many partners, including living descendants of the Malaga Island community; the Maine Coast Heritage Trust; the archaeology program at the University of Southern Maine; the NAACP Portland Branch; Maine Freedom Trails, Inc.; the Phippsburg Historical Society; the creators of the radio documentary, "Malaga Island: A Story Best Left Untold"; and numerous individual researchers; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, recognize with pride and hope for the future the extraordinary joint efforts of many people and institutions that will culminate in the historical exhibit, "Malaga Island, Fragmented Lives," and related educational programs; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine State Museum, the Maine Coast Heritage Trust, the University of Southern Maine, the NAACP Portland Branch, the Phippsburg Historical Society, the 1772 Foundation, the Davis Family Foundation and the Emanuel & Pauline A. Lerner Foundation.

Came from the Senate, **READ** and **ADOPTED**.

READ and **ADOPTED** in concurrence.

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

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-572)** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

(S.P. 600) (L.D. 1746)

Signed:
Senators:
ROSEN of Hancock
KATZ of Kennebec

Representatives:
FLOOD of Winthrop
CHASE of Wells
CLARK of Easton
FREDETTE of Newport
KESCHL of Belgrade
WINSOR of Norway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-573)** on same Bill.

Signed:
Senator:
HILL of York

Representatives:
CAIN of Orono
MARTIN of Eagle Lake
ROTUNDO of Lewiston
WEBSTER of Freeport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-572) AS AMENDED BY SENATE AMENDMENTS "H" (S-587) AND "J" (S-589)** thereto.

READ.

Representative FLOOD of Winthrop moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Representative **FLOOD**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Today's votes here should wrap up our budget work for the two years of the 125th Legislature. I did want to say I could not be prouder of the committee and its members for the work done over these two years. We've passed out five unanimous budgets and, with few exceptions, they've received passage here with significant support and I want to thank all the committee members on both sides of the aisle for their integrity. The last three weeks of work have been particularly difficult and for some good reasons, sometimes for reasons beyond our control. We did not have the necessary data and information from the Department of Human Services or from the emergency revenue forecasting reprojection process to allow us to begin our work on LD 1746 until April 30th. That gave us a total of 10 days to complete our work.

The members of the committee faced the final and most difficult subject areas dealing with Human Services with a very short timeframe and some of these items have been on our plate since December. The chairs and leads of the committee agreed several weeks ago it was imperative to vote out a bill from the committee on May 10th so that it could be on the floor of the House by today to start completing our work for this session. The chairs and leads also agreed that we would need to decide in our committee by either Friday, May 4th, or Monday May 7th, whether we could once again develop a unanimous committee report or whether that would be impossible to accomplish. During meetings in early May, it became clear to the leaders of the committee that despite our wish to develop a final budget document in a unanimous fashion for the sixth time, there were simply too many areas of disagreement to allow that. Clearly, there were going to be far more areas of disagreement than agreement this time and normally we have about four to eight weeks to complete a budget bill such as this. We had but several days to complete this process.

Since time was really a significant factor now and we would not have the time to deliberate each individual area of disagreement, it was clearly going to be far more efficient for both caucuses, the Democrat members of the committee and the Republican members, to task ourselves with completing separate and individual committee amendments for your consideration. I expect that each member of the committee feels a certain amount of disappointment with that, but that is the reality that we were dealt and it was important to move ahead to create a bill for you today. Personally, it was difficult to switch gears from the collaborative process we have led for several years to the rapid, somewhat independent preparation of our committee report on

the Republican side. But the situation demanded a different process in order to achieve our deadline for this bill.

Since December, when we first became aware of the many DHHS issues that in part we are handling here today, the Senator from Hancock, Senator Rosen, and I felt very strongly that our staff needed to weigh in on the data that was presented to us regarding various shortfalls and we directed our staff to work extensively with the Department to understand the data indicating the various problem areas. That data was essential for the understanding of the issues that stood before us and at times we were criticized for that effort, but we were convinced that the best possible outcomes would be achieved with accurate data that we could all agree with. I want to thank the Department and the staff for this aggressive, extensive review. That review was brought to final completion at the end of April.

Several details of our proposal: Our proposal develops approximately $37 million of additional long-term savings in MaineCare-related areas of State Government. We also developed $10.5 million of other savings initiatives. We restore our earlier proposed funding for General Assistance that was line-item vetoed from our recent supplemental bill. We provide additional funds for indigent legal services, the Dolby Landfill, E-9-1-1 service and $10 million to the Stabilization Fund, of which $7.3 million is designated for disproportionate share expenditures. We provide language to designate fund balances to hospital payments at the end of fiscal year '13. We provide additional funding for one of our most needy populations, the Section 29 Community Supports Waiver for severely disabled and autistic persons, helping to remove 68 from the current waiting list. We also provide language directing income tax reductions on pensions and active military personnel on active duty out of state, and sales tax exemptions for certain harvesting and greenhouse equipment beginning in fiscal year '14. We make full or partial reductions in several important Fund for Healthy Maine categories. We removed $2.6 million from Home Visits. That program continues to receive $35 million in federal and state funds. We remove $400,000 from Family Planning. That program continues to receive about $4.5 million of program funds from independent contributions, agency funds, and state and federal funds. We removed $1.9 million from Purchased Social Services for Child Care. That program continues to receive $17.9 million in federal and state funds. And we removed one-third of the Community School Grants program with language to maintain the Healthy Maine partnerships throughout the state. The Community Grants program continues to receive $5.5 million in state funds. We removed $564,000 of state funds for sexually transmitted disease clinics and family planning. We reduced Drugs for the Elderly-type programs by about 16 percent and Head Start by about 6 percent of their total funding, $33 million plus remains for Head Start by a federal and state program. None of these decisions were easy. They were complicated and difficult. They required significant analysis and thought and we thank both the department and the fiscal office for their assistance.

I want to close by addressing one area of particular concern. It's the subject of General Assistance. During the last budget bill, LD 1903, General Assistance was the most difficult topic. The two caucuses eventually came up with language and finances they could agree with that created significant long-term changes in General Assistance. In that process, we agreed that we would not revisit that subject area in this bill, LD 1746. We shook hands. In past budget bills, there have been times when similar agreements were made on equally difficult topics. We have always honored those agreements. I want to be sure that you understand that we are today honoring our agreement on General Assistance. The Republican plan here restores the line items lined out by the Executive in the last bill, exactly in the same manner that they were originally presented. Republican members of this committee made it clear to our leaders and to the executive branch that this would be a vital component to our preparation and acceptance of LD 1746. I'm confident that we have prepared now a bill that creates significant long-term change, is forward thinking and maintains our agreement with our colleagues regarding General Assistance. If our Majority Report is adopted, we have an additional amendment to offer you today. I thank all the people in the fiscal office for helping us with the language and calculations during this process – it's a very talented group. My thanks to the committee and to the staff. Thank you, Mr. Speaker.

Representative CAIN of Orono **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 Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Like our good chair, the Representative from Winthrop, Representative Flood, I too am disappointed that after five bipartisan unanimous budgets and after 18 months of working together very well down in Appropriations on behalf of the people of Maine, we couldn't get another unanimous budget. I am also saddened and disappointed to have to rise today in opposition to the Republican budget before us.

The budget that is before us now is irresponsible and dangerous. It includes proposals that we know the Federal Government will not let us carry out. It includes tax cuts that are paid for in the future, that are not paid for in this budget. It includes health care cuts for tens of thousands of our most vulnerable children, seniors and people with disabilities. It will do harm to our state's economy and working families.

And the worst part is that this budget and these cuts are not necessary. There is no emergency. The state has the money to fund these programs through the beginning of the next legislative session. Choice, not necessity, drives these cuts in the Republican budget, cuts that will make life even harder for Maine seniors and working families.

Democrats believe that all Maine families should be able to go to the family doctor. No Maine family should have to choose between putting food on the table or paying for medicine. Make no mistake, the people who will suffer from the budget that's before you are seniors who will no longer have access to low-cost medicine and parents whose ability to work depends on access to low-cost child care.

No parent should have to choose between a paycheck and child care. No grandmother who worked her entire life and is living on a small monthly Social Security check should have to worry about paying thousands of dollars a year in prescription drug costs.

No senior with Lou Gehrig's disease or Alzheimer's should have to be forced to choose between their medicine and heating their home. No child with developmental disabilities should be denied residential treatment. It's wrong and Democrats won't support it.

Worse, the true cost of cutting health care for tens of thousands of Maine people will fall squarely onto middle class families who already are bearing an enormous burden through high property taxes and private health insurance premiums.

Study after study shows that sick people who don't have access to a family doctor seek care in Maine's emergency rooms. With charity care at its highest, the hospitals can't absorb the cost of more uninsured people. They will pass this expense of caring for the uninsured on to those with private insurance. This cost shift will take more money out of the pockets of working people who are already struggling to make ends meet.

Our Republican colleagues will tell you that this budget is structural change. We strongly disagree. This budget is simply disruptive. Taking affordable medicine and access to the doctor away from seniors is not structural change. Eliminating child care is not structural change. Removing services for children with disabilities is not structural change. It's a cost shift to middle class families who will have to pick up the tab in property taxes and increased health insurance premiums. Mainers should be working their way into the middle class, not falling out of it. Democrats will be lighting up the board red today against this budget and the harmful, dangerous, and unnecessary cuts it contains. We will be standing up for Maine people and the people in our communities. We have a better plan and a better way. 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. I oppose this irresponsible budget because every child in Maine deserves the best possible start. Last year, this very body unanimously approved my bill to improve home visiting, which helps new parents, cuts child abuse in half, and saves tax dollars. As a result, Maine won a 30 million dollar federal grant to extend and improve home visiting.

And now, just to "save" $2 million, this Majority Report jeopardizes that entire 30 million dollar grant. Mr. Speaker, rather than removing rungs from the ladder of opportunity for all our children, Maine can and should be helping all children as they take their crucial first steps towards success.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I have to respectfully say that I am voting no because I can't support these irresponsible and unnecessary cuts. I don't believe that a working parent in Westbrook, of whom I know one who is a young woman who recently graduated from community college, has not been able to get a job in her field yet and is working as a temp, should have to quit her job because she no longer has child care. Mainers should be working their way into the middle class, not falling out of it. Thank you.

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. For the first time in my time in the Legislature, I voted against this budget because it is irresponsible and it lets the people of Maine down. Responsibility is a working father and a working mother working three jobs between them to feed their family. Responsibility is that mom and that dad finding child care that is safe and secure for their infant. This bill cuts millions in child care. No parent should have to choose between a job and having care for their infant that they can trust. We should be working to make sure that any Mainer can reach the middle class and stay in the middle class, not pushing them out. Thank you, Mr. Speaker.

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

Representative **HASKELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I, too, will be opposing this budget. I consider it unnecessary to make these cuts at this time. One of the cuts I am very concerned about is elimination of the critical preventive care to children who are in our schools who are served by the school-based health centers, and I think of a particular story of a young girl in middle school with strep throat. These are folks with no family doctor. That child would have ended up sicker day by day and in the emergency room in order to receive the most costly of care, but because she was able to be seen right there in her middle school, she was able to get that strep throat taken care of. I think losing the capacity for these preventive care services right in our schools is a great loss to us and, frankly, very costly. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Welsh.

Representative **WELSH**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This budget is harmful and irresponsible because all Maine families should be able to go to their family doctor and all middle class families should not have to pay for more health insurance than they already do. Thank you, Mr. Speaker.

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

Representative **BECK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In the First Regular Session during earlier budget deliberations, I received a call from a Waterville resident. She told me how she had worked in the pulp and paper industry for 18 years and is now disabled, living on a fixed income and in need of prescription drug assistance. She urged me to oppose what were then only proposals to eliminate or reduce drug assistance for low-income and disabled residents like her. I assured her that I had faith in this Legislature to find a solution and reject the cuts and of course we did that in a bipartisan manner until today, but with the budget before us, this woman and countless like her could likely lose drug assistance. So, Mr. Speaker, I urge you to vote no on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Walsh Innes.

Representative **WALSH INNES**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I cannot support these harmful and unnecessary cuts that will remove health insurance from more low-income families. What are they supposed to do when they can't pay the doctor? Thank you, Mr. Speaker.

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

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, am voting no on this budget before us because I can't support dangerous and unnecessary cuts. I don't want seniors in Eliot and South Berwick to have to choose between putting food on the table or paying for heart medicine, and numerous residents of our Section 8 housing have come to me begging me not to support these cuts. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Sanborn.

Representative **SANBORN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I am voting nay on this budget because we should be preventing domestic violence and child abuse rather than just having harsher punishment for those who have already abused. Domestic violence prevention shouldn't happen after a mother is beaten or a child is murdered. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Maloney.

Representative **MALONEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I am voting against this budget because I have met with seniors at Chateau Cushnoc in Augusta who tell me that the cuts to the Drugs for the Elderly program will cause them to have to choose between their medication and purchasing food. Please join me in voting no.

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

Representative **BEAUDOIN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I cannot support this budget because these cuts are hurtful and unnecessary. I can speak for seniors. I know what it's like to work your whole life and get sick when you least expect it or can least afford it. No senior with Lou Gehrig's disease should be forced to choose between their medicine and heating their home. We shouldn't be taking money from the purse of an 84-year-old grandmother with Alzheimer's disease. It's wrong and I won't support it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Berwick, Representative Eves.

Representative **EVES**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I stand before you today disappointed and worried about the prospect of prosperity for thousands in this state. In the budget before us today, we hurt every demographic from our youngest to our oldest.

Make no mistake about it, this supplemental budget will move the State of Maine backwards. It eliminates critically important and wise investments we have made over the last few decades.

Some will have you believe that this budget is about restructuring programs within DHHS. That couldn't be farther from the truth. This budget is just about slashing and gutting lifelines for Maine people. This budget provides no real solutions. Instead it is a budget riddled with disingenuous savings, hidden costs, illegal proposals and irrational approaches that will cause many more problems for Maine people than it solves.

It will leave thousands without the critical health services that they need, including basic prevention, family planning and access to dental care. It will leave families unable to afford their child care that they need to go to work. It will leave families unable to afford medicine that they need. And it will leave hundreds of fewer children without access to one of the most successful programs for young children in this country and that is Head Start.

But it won't just affect those families. This budget will affect all of us. We cannot take these important investments away and not expect them to have a negative effect on our state and our economy.

Maine has one of the lowest uninsured rates in the country and is ranked one of the healthiest states in the nation as a result. Our seniors don't have to choose between paying for food or medicine. And our workforce is healthier and more productive.

This budget forces Maine to turn its back on these things that we should be proud of. Thousands of low-income seniors and people with disabilities will not be able to purchase medicine or medical care and prescription drugs. Thousands of people will lose the health care that they need to keep them healthy, able to work and care for their children. Thousands more 19 and 20-year-olds just starting out in life with jobs that don't provide health insurance will lose health coverage.

All of these Maine parents, children, grandparents, neighbors and friends will face the terrifying challenge of having to choose between their health, and putting food on the table and putting gas in their tank. Many won't be able to do both.

I have been proud as a legislator of the investments we have made for our young children. We know that investing early is the right and wise thing to do. Because of these investments our children have a better start in life and a brighter future. Regrettably this budget cuts more than half of the state's long-term investment in programs for young children.

This past weekend my three young children and I celebrated Mother's Day with my wife. I thought a lot about how this budget will affect families with children in the state. My wife and I talked about how all parents want what is best for their children – they want them to be happy, they want them to be safe, and they want them to thrive. And they want to be able to support their children to do these things.

This budget will make that goal and that hope more difficult for thousands of parents in this state. I am privileged to have a supportive family and a wife who works a part-time job and we have sufficient income to pay our bills. Too many low-income families are struggling, trying to juggle it all and often not making ends meet.

This budget pulls the rug out from under them. It takes away their ability to afford child care and the peace of mind that their children are well cared for while they are at work. And it takes their ability to access the health services they need to stay healthy, productive and able to care for their children.

This is a dangerous, irresponsible, and ideological budget that will harm thousands and set Maine backwards as we try to make our way out of the toughest recession that most of us have seen. The worst part is that it is all unnecessary and does not address the real problems.

We should be addressing the true problems of the state, not making them worse. This will only make the health care crisis that we face worse. We should be continuing our investment in the youngest children so that all of our children have a brighter future. We shouldn't be turning our backs on our working families and our seniors who have already given a lifetime of work to our state. I hope that you will join me in voting against the majority budget. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Mexico, Representative Briggs.

Representative **BRIGGS**: Thank you, Mr. Speaker. I'm sorry, Mr. Speaker, but I cannot support this budget. I had a constituent call me last night addressing her concerns with cuts to medications for the elderly, including her. She expressed how worried she was because of these cuts. She's not going to be able to afford all of her medications and make ends meet too. I also had constituents here today in the halls in support for their medications. It will cost them so much more and just couldn't afford it. These people could die without their meds. How can we do this to them? It's okay to let this happen? Is this the kind of work that we were sent here to do? I don't want to be part of a member of a death panel, but that's precisely what we are becoming today. As far as I'm concerned, choosing who lives and dies should be left to God. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Nelson.

Representative **NELSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I cannot support this budget either, although I have supported all previous budgets since I have been in this chamber. These cuts, I believe, are irresponsible and unnecessary. The cuts to child care, especially, will make it harder for parents to work and for children to succeed. No parent should have to choose between a job and a safe learning environment for their children. Ensuring that

low-income working families have access to stable, reliable child care has been proven to be one of the most effective strategies for families to succeed. Investments in early childhood programs produce great long-term dividends for our children and for our economy. The Maine Development Foundation and the Maine Chamber of Commerce report "Making Maine Work" talked about the importance of investment in early childhood programs for Maine's economy to succeed. We should be investing more, not less, in this proven approach so that parents remain employed and employers maintain a reliable workforce, and so that young children continue to thrive in our state. This cut simply makes it harder for working parents to make ends meet. In my opinion, it's wrong, and I can't and won't support it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Hunt.

Representative **HUNT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I cannot support these harmful and irresponsible cuts. Each morning when I leave for work at 6:30, I see my neighbors in Buxton dropping off their children to day care so they too can go to work. I know that without child care assistance, they won't be able to afford child care. Without affordable child care, they cannot go to their jobs. No parent should have to quit a job because they can no longer have child care. This seems like a harmful and dangerous step backwards. Thank you, Mr. Speaker.

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

Representative **DION**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm going to vote no on this budget. Yes, I'm going to vote no and I don't normally try to give a speech about a vote, but I'll tell you this. I'm really concerned that the cuts are going to affect some of the most disadvantaged members of our community and maybe not necessarily in rural Maine but in the cities, where we have the concentrations of the mentally ill seeking help. I dealt with it for 12 years as a sheriff, Mr. Speaker. The populations of the mentally ill who needed help and came to jail for help, that was wrong then, it's wrong now. As a lawyer I've helped people navigate family members through the correctional system so they could get help, and what have we done? The Executive has cut the budget for corrections and our budget will force more people there than we do now, yet we've raised funds for indigent defense, which is nice, so the mentally ill can at least be represented before we send them to jail. It's wrong. Jail is not therapy and, for that, I vote no.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Webster.

Representative **WEBSTER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This is a sad day and a sad way for me to end the eight years I've served in the Maine House of Representatives, the past six years of which I served on the Appropriations Committee of good people who were able to stretch and work hard to come to compromise. It's a sad day to watch the Republican majority go alone and move to an unnecessary and irresponsible budget that overturns our original bipartisan proposal for no reason. This budget is not necessary because we now know we have the revenues to stay the course on our original budget agreed upon last year and that budget was bad enough. That budget and the recent supplemental budget already eliminated health care for thousands of people. Now the proposed irresponsible majority budget will go even farther, hurting our elders, hurting children and adults with disabilities, and throwing even more people out of jobs. All of this with no actual structural change, just gimmicks that hurt people or are illegal.

This past week I spoke with an elder in Freeport who is already uncomfortable going to the food pantry and getting heating assistance. She's now scared she will not be able to afford her lifesaving drugs. She's not alone. Is this necessary? No. What about the 19-year-old working and going to community college who told us they would be unable to continue without the thyroid medication they cannot afford without MaineCare help? That young person and many like her would not be receiving health care if they did not desperately need it, but why can't they get a hand up from us? Cutting Head Start will mean child after child, hundreds of children will lose their chance to get that Head Start to succeed in school and their parents may not be able to work. I'll remind you that in previous budgets, we already cut domestic violence intervention called Alternative Response and we cut home visitation, both highly effective intervention services. Another baby died recently. Then we heard that happened after repeated warning signs but no intervention. I felt the weight of that failure. Every day those of us who pay attention learn about the growing effects of cutting domestic violence services, but now the majority budget cuts intervention services even more. Why? The answer is we can't be all things to all people. Well, Mr. Speaker, I'm not thinking about all things nor am I thinking about all people. I'm thinking about the next baby. We don't need more cuts. We need to do more and we need to do better. Children with disabilities sit on waiting lists for treatment, adults with disabilities wallow in their aging parents' homes, people with mental health issues line the halls of emergency rooms. Since we cut and cut community services, people are cut from health care with no option and no plan, and we hear this is structural change? This is not structural change, my friends. This is simply hurtful cuts to people in need.

I came to Augusta to work together with the rest of you to find common ground. It's been tough at times, but I have worked for common ground and voted for every bipartisan budget. This is not common ground. This is irresponsible, dangerous. I will be voting no on this proposed abdication of responsibility to protect the most vulnerable. I will be voting no on this unnecessary and harmful budget. Thank you.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a very sad moment for me to witness what's happening here. Last Saturday, my wife and I volunteered at a free public supper as we do most every month. We feed more than 150 people there. As I served meatloaf and looked out over to each person and looked out over the people that were enjoying a meal, I couldn't help but think of what I would witness today. These poor people of Jay and Livermore Falls, most of whom may be nonvoters and that's probably the reason for this budget that's calculated, it's not really a risk. These people are not going to be voting in the next election, so it's not going to affect the results. They are easy to cut. These poor people, most from Jay and Livermore Falls, would face more cuts to their programs this week that help them survive. How sad it is that we are turning our backs on so many people in need, so many people in need. And why are we always locked into the term for these people as welfare? These are poor people who are facing poverty and they're just being cut off. Thank you.

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. The greatest problem that I see with this particular document is that it's faceless, that it doesn't address the people that live around the

corner, up the street, people who are vulnerable, old, mentally ill, disabled, whatever it happens to be, and that particularly disturbs me because I always thought government was supposed to protect people and I keep wondering what's going to happen to these individuals that we all know so well in all our different communities.

I just want to share with you a brief portion of a letter that I received from my General Assistance Director in Kennebunkport. Kennebunkport is often stereotyped as being wealthy but like all towns it has pockets of poverty, and this is what she wrote: "DHHS cuts will have a huge impact on our seniors, especially any decrease in benefits for medication coverage. We have a very large population that relies on the senior low-income drug program and the DHHS Medicare supplemental coverage for their co-pays. I am very concerned for them because they tend to be our natives, not folks who drag mom and dad here from out of state to live out their last few years. Any Head Start cuts will impact the special needs families and further cause a divide between the haves, which represents a big chunk of our population, and the lower income at-risk children."

I mention that because I guess the question is again, in all of your towns, in all our towns, we have people that remain vulnerable, and if we pull away those supports, where will they go? Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This, for me, will be the first time that I will be voting no on a budget in my six years in the House, and the reason I'll be voting against it is because I see it as an unfair, extreme and unbalanced approach to the budget. In the past, we've always had the ability to get to a two-thirds accommodation. Not everybody got everything they wanted in those budgets, but we were able to work together. In this case, we have not. And I see this, coupled with the tax cuts that we have made for the wealthy in this 125th Legislature, coupled with the cuts that we are being asked to make to the most financially insecure of our citizens, I see it as basically grossly unfair and I cannot put my hand to a budget that I think treats people unfairly. So for those reasons, Mr. Speaker, I'm going to be voting no because this is an unfair, unbalanced and extreme budget proposal that I think we ought to reject and move to the Minority Report which shows how we can balance this budget without making these unnecessary and extreme cuts that will hurt our most vulnerable citizens. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong opposition to this budget. No infant like baby Ethan should lose its life because services to families in crisis have been cut. No baby should lose its life because services have been cut. I have cared for children in a pediatric neurology practice who have survived trauma. These babies are often blind and severely disabled, and they live but not well. I know prevention works and it's cost effective. Home Visitation and Head Start make a huge difference in children's and families' lives. Let's not have more baby Ethans. I will vote no on this budget because it's harmful and it's dangerous, and I urge you all to follow my light. Thank you, Mr. Speaker.

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

Representative **HINCK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I will vote against this budget. So far, it looks almost unanimous. When I saw the budget last week and read through it and contemplated the programs that were coming under the chopping block, that needed services, I was alarmed. I started a petition. Many of you may have seen some of the results of that petition. Since Friday at 3 o'clock when it started, 4,000 Mainers have responded and expressed their concerns about the budget. Right now, there is 196 new signers per hour. Many of these Mainers are still hopeful that this budget will not pass. Some of them have included their stories.

I met a young mother today and I would share a little bit of her story. She said that she's not typical, but she doesn't know quite what a typical Head Start family would be like. She said she spent her childhood in poverty. "My parents separated when I was eight," she said. "My mother was often unavailable, leaving me responsible for raising my brother and sister, both under the age of 3. I did the best that I could, often missing school. I learned patience and parenting skills at far too young an age. My daughter is now 11 and had serious developmental issues as an infant. She began in Head Start when she was six months old. The staff made sure that she received the assessment and services she needed. With these early interventions, my beautiful child didn't talk until after she turned 3 but is now flourishing."

That's what Head Start does for families. It actually allows people who are struggling to be able to work and make a living. Head Start, Drugs for the Elderly, the Fund for a Healthy Maine, health care. There's been talk about shared sacrifice. Shared sacrifice is not what this budget presents. There is still time for us to return to that principle. I believe that Mainers are willing to accept shared sacrifice, but it has to be genuine. We can't fool them. It has to be shared sacrifice. I would support that budget.

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

Representative **HARLOW**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be voting against this budget for the same reason I have voted against all previous budgets. We are hurting people while not looking at alternative ways to balance a budget. Previous budgets have been like paper cuts, hurting people along the way. But this budget leaves a gaping hole, devastating Maine people who have done nothing wrong. They just may not be as lucky as other people, maybe not as lucky as us. Clearly, this budget shows our priorities and they are certainly not Maine children, the elderly, low-income people, the sick and disabled and the voiceless, the very people we should be protecting. The child care cuts will hurt children, their parents and also the child care workers, like the constituent of mine who lost her job after being a child care worker for 20 years. We will certainly get these same calls after this budget is passed, if it is. A constituent who heard about the 5 percent reduction in General Assistance in this budget said "Do you know what people will do? They will call me and I will happily help them, but these cuts will hurt people. I see it and so do other people who help people in need." To steal a phrase from a constituent, when did we get so mean? Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Valentino.

Representative **VALENTINO**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today to oppose the motion on the floor to accept the majority budget. There are many, many items in this budget that I object to, but I want to take a minute to enter into the record my strong objection to Part E. This Section not only raids, but strips bare $2.5 million dollars in the line item under Fund for a Healthy Maine which provides an allocation for prescription drugs for adults who are elderly or disabled.

This money was specifically allocated to this line item under the direct wishes of the citizens of Maine when they voted in 2003 in a citizen initiative referendum that clearly said in the referendum question on the ballot that, if it was passed, "Part of the Proceeds are to be Used to Lower Prescription Drug Costs for the Elderly and Disabled."

I find it unconscionable that the majority of the Appropriations Committee would single out this one line item to take money that was dedicated to our senior citizens by the direction of the voters, but cower at reducing funds from any other entity named in this section.

This isn't only unfair, it is wrong. Wrong to strip senior citizens of this dedicated money, while continuing to fully fund other entities listed in Title 8, section 1036.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will also be voting against this irresponsible budget. Every now and again I hear people laughing and I don't find this a laughing matter. What I don't hear is a lot of people defending this budget. The reason I am going to be voting against it is because that I don't believe that anyone should have to choose between an unexpected pregnancy and having a family when they are ready. Eliminating seven family health centers as well as six partnership rural health centers across the state means that 5,900 women, men and teens who receive services at these sites will lose access to family planning, particularly in rural Maine in towns such as Houlton, Dexter, Norway, Rumford, Damariscotta, Topsham and Sanford, family planning centers, stand alone centers, will close in towns like Lincoln, Harrington, Jonesport, Millbridge, Washington County Community College and the University of Maine, Machias, six partnerships will close. God help you if you live in Washington County. For many of these women, their one annual trip to the health center is their only trip to the family doctor. It is time we stopped putting private interests over the public interests. I will be voting no to this lobbyist budget and yes to Maine families.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. It's a day I've sort of been dreading. I took down a phone message so I could get up and speak. It's a phone message from Steven. He's called once a week since this session started. He's called with concerns about proposed cuts and here we are today discussing those cuts, so depending on what happens tonight, I'll probably call Steven on my ride home. I cannot support this budget because of these cuts. They are harmful and they are unnecessary. No grandmother who has worked her entire life at the shoe shop should have to worry about paying thousands of dollars for prescription drugs. I have to say, in Skowhegan, the cost of going to the doctor and getting medicine, it's already too high. We shouldn't make it harder for seniors working just to make ends meet. I have to borrow a line from a recent email from someone. They actually contacted me and at the end they said something that weighed heavy on me and I hope that it weighs heavy on folks in this room. So we have a lot of responsibility with these votes and I feel that responsibility. She said, "Thank you for your service and for your moral compass." I just think of that tonight. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Rankin.

Representative **RANKIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill. I simply can't sit here quietly when we are discussing harmful and unnecessary cuts. I will speak for the citizens of my district who come from generations of hardworking people, but gone are the woolen mills and gone are the lumber mills and gone are the small businesses of the past. Most jobs are out of town and gas is unaffordable. Why can't we understand how devastating it is if jobs are not available? Without an income, parents must humble themselves to ask for help. It is not easy. It is not lazy. It is demeaning. It is difficult. But there comes a time when you have to swallow your pride just for survival. After all is said and done, we are our brother's keeper, at least we should be. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I oppose this budget which so unnecessarily harms so many of all of our constituents. It is irresponsible because these severe cuts are completely unnecessary. We have the money to pay for these services and it's just plain wrong. Like the Representative from Skowhegan, Representative McCabe, I have had some constituents who contact me on a regular basis as well, and I would like to read a little bit out of one of those emails.

"I am appalled and beyond that in fact. My granddaughter was born with spina bifida and is unable to live on her own due to the multiple problems she faces every day of her life. We as a family cannot afford to give her what she needs for services without depleting ourselves and ending up impoverished and dependent, and that would happen in a relatively short period of time. How we treat our children and elders is a direct reflection on the core of our societal beliefs and this proposal would speak volumes to the rest of the world. Are we back to only the fit, hale and hearty are worthy of our time? Only the fortunate who have all the good health, the best education, wealth are worthy of our attention and time? Are we back to turning our backs on those who need our help in order to be as independent as possible and focusing only on the most fortunate in society? I am deeply saddened that this has gone as far as a proposal and I cannot believe in my deepest place of belief that it would pass the House and Senate. If so, we are lost as a society. So goes Maine, so goes the nation. God help us all."

I think that that statement says exactly how I feel. This is a very dangerous and sad proposal. It will hurt people. Sometimes things are just plain wrong to do and this is something that is wrong for all those reasons. Please vote no.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dill.

Representative **DILL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will not be supporting this budget. People should not have to choose between two life sustaining items. I met an elderly couple recently that had to choose between heat and a bedridden husband's medication for his diabetes. They chose the heat. Regrettably in late May of last year, having been without medicine for several months, it was discovered that his foot had a serious infection. To add insult to injury, it was also infested with maggots. The good thing is the maggots only ingest the dead flesh, but unfortunately it was too late and part of his foot had to be amputated. Don't make the elderly choose between medication and heat or food. Please don't let this happen again. Thank you.

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. Picture right now constituents in every single one of our districts: Families trying to

get a supper on the table, help the kids with homework, being glad that summer is coming so they don't have to worry about filling their tank with oil, and counting on us as we sit here tonight debating what will happen for them and what will ultimately be an extreme sacrifice and pain for constituents, for all of us. They are totally unsuspecting, most of them, of what could be coming down the road for them. They are just trying as hard as they can to make their lives work. We sit here having a debate over their care, their future, their health and their welfare. This isn't just a document. This is people's livelihoods. This is a shameful budget and I encourage everybody to vote against it.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Pilon.

Representative **PILON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In my four terms here in the Legislature, this is the first budget I will not be supporting. I have been out talking to many elderly people in the past few months, and I just want to talk to you and tell you a little story about some of the people I have spoken with. I've met with a couple that have struggled to get through the winter. They live pretty well at the beginning of the month. They get their Social Security check and they have a little bit of savings, but at the end of the month they are living on canned fruit, toast with peanut butter and tea. That's every month because they're struggling to make ends meet. This winter, because of prescription drugs, home heating fuel at $4.50 a gallon and insurance and property taxes, they just barely were able to survive the winter. This budget is going to put them on the street. This budget will force them to sell their home, and where do they go? This budget is unfair to seniors. This is the first budget in my tenure here in the Legislature that I cannot support. Thank you, Mr. Speaker.

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

Representative **CHIPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm rising in strong opposition as well to LD 1746. By eliminating MaineCare for low-income 19 and 20-year-olds and reducing MaineCare eligibility from 133 percent of federal poverty level to 100 percent, resulting in 14,000 low-income parents losing their MaineCare, this budget eliminates health care for about 20,000 low-income Maine residents. I thought one goal of the 125th Maine Legislature was to make sure more Mainers had access to health care. Unfortunately, something has gone terribly wrong and we've gone in the opposite direction. The cuts in this budget combined with other MaineCare cuts passed earlier this year in the 125th will result in elimination of health care for 50 to 60,000 Maine residents. Is this what we want the legacy of the 125th Legislature to be, eliminating health care for 50 to 60,000 Maine residents? I hope not.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Monaghan-Derrig.

Representative **MONAGHAN-DERRIG**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, join my fellow Democratic colleagues and will vote against this bill. I can't support this bill. Again, like many have responded, it is irresponsible, unnecessary, inexcusable and, in the words of one of my constituents, morally reprehensible. When you take away the benefits, you don't take away the need. What is going to happen to these children, their parents, the elderly and their families? It's time we do tax fairly and cut wisely, not tax the middle class and cut services to our children, seniors and working families. Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Little did LD 1746 know when it was spawned the havoc that it was going to wreak. A mere $89 million supplemental budget has now wreaked havoc upon our state, we're told. Let's listen to the adjectives in this culture that we live in when we have to add one to everybody: Harmful, dangerous, destructive, devastating, extreme, unbalanced, illegal, a gaping hole, inexcusable and, to top it all off, death panels. It's done more damage to the state apparently than the Eighth Air Force did to Germany in World War II. You want to talk about destruction of a society, imagine yourself a German solider returning from the Second World War with no arm and your home blown up. That's actually where these adjectives belong. This is merely about choices. Everybody makes them in their lives. How about unsustainable for an adjective? Ask a Californian, or this week a Greek, if you can continue to walk down this path. If we continue to act in the same manner, the only thing we're actually going to harm is that most endangered of species, the taxpayer, who has funded this operation forever.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. I think it is appropriate that I follow the last speaker. I, like some other members of the Appropriations Committee, feel very strongly about the fact that it is unfortunate that we are in this situation tonight. We have a majority budget before us that has happened a couple of times in Maine's history and all of those times have been pretty much the same, a lousy outcome. I do not want to talk about why we are here at this point, but we are here so we need to talk about the results.

First, the effective date of this budget will be sometime in August because it will take place 90 days after we adjourn, assuming it is signed by the Chief Executive within the 10 days. So it could be anywhere between the 17th to the 27th of August. About half of the members of this House aren't running again and so they will be lucky enough to turn off their phone and ignore the calls of the 30,000 or so people that will choose to figure out, once they get their letters, what happened, and then there will be those who will not tell the truth of what really happened and that would be very unfortunate. Keep in mind that this is not a structural budget change, because when we talk about structural change, we talk about keeping people on programs and changing the programs so that they are less expensive but provide the services to people. This budget does not do that, partly because we didn't really work at it for whatever reason, and I'm not here to blame one party or another. It's simply, collectively, it didn't happen. There are ways to do it better. We have chosen not to. This is not a balanced budget proposal before us because, in fact, there are two illegal provisions in here, the services will be continued to be provided by federal law and we will not have the money at the end of it. There is $6 million left in the Republican budget amendment and it is critical that we not spend it because it will be necessary...

(Off record remarks)

The SPEAKER: A little decorum would be helpful. The Representative may continue.

Representative **MARTIN**: Thank you. I'm usually loud enough that I can be heard. And so the balanced budget issue will in fact be an issue that we will deal with and that is something that we will end up having. This budget, even though, I mean we tried, we talked about it, we didn't get there. But you know what? We're already over the limit of the time that we should be here

and, in my opinion, there is still time to do what's right. Some of you may not think so because you've never served on the Appropriations Committee and that's probably why, but there are ways and I would hope that that would happen. And, frankly, I would hope that both budgets be defeated tonight because I am convinced that with maybe 15 amendments and a day it could be accomplished and compromises in fact could be made. Let me just say that when we make items that are as important as this a one party issue, we make a mistake. I take a look at LD 1333 in the last year, which is running havoc in Aroostook County and Washington County and Piscataquis County, and the insurance rates are going up and up by 20 and 30 percent, and what some of the people that I insure are going from deductibles of $1,500 to $5,000 in order to keep their insurance.

Now as we move forward, Mr. Speaker, I think it is absolutely critical and I have never been a supporter of a majority budget, whether I was in the majority or in the minority, because we always end up where we are right now. That is unfortunate and I feel really it's unfortunate, especially for the people in the Appropriations Committee, especially in the majority party, who worked so hard to get us where we are through five budgets already. But for whatever reason, we're not there. There are some things in this budget that are extremely harmful. There are some amendments that I will present, which probably won't go anywhere, but they are the right things to do and I'm hoping that some of you will give them your consideration.

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As a member of the Appropriations Committee I too had hoped that we could reach a unanimous budget as we had done on five separate occasions...unfortunately, that was not to be.

You should know that LD 1746 is a bill that was carefully put together to ensure that the most vulnerable and needy among us are protected, that the "safety net" we build is one that is sustainable and one that the people of Maine can afford.

The choices were difficult but necessary to get the ever-increasing costs of programs that were approved by past Legislatures under control. The measures are not "cost shifts" as you have heard, but to the contrary are responsible measures to ensure that we do not lose the "safety net" for all those who truly need it because it collapses due to its own unsustainable costs. Thank you and I urge you to support the bill.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you, Mr. Speaker. Former Governor King used to say to us the needs are infinite while the resources are not, and I think that's really what we're talking about here. The other party, Mr. Speaker, suggests that we simply delay dealing with this issue until next January which, if we have a surplus, we could appropriate sufficient money to continue these programs. If, however, the revenue of the state remains close to or similar to that is projected, the new Legislature will have the pleasure of reducing, taking those reductions over a six-month period versus the ten-month that is proposed here.

Mr. Speaker, my concern has been that since 2002, Medicaid enrollment has grown by 78 percent while Maine's population has only grown 7. Maine's government health care pays for 35 percent more of its population than the national average. Maine has roughly twice as many people on MaineCare than it has students in public schools. Our proposal tries to avoid draconian cuts across the board, percentage cuts by across the board of programs, and we've tried to be sensitive to what we're doing. Primarily, we're trying to bring our state's expenditures into the national averages. For example, only 15 states in the United States cover individuals between the ages of 19 and 20, only seven states cover childless adults with the same benefit package, and today there are over 360 individuals on Medicaid or MaineCare. But if we covered people at the national averages, we would only have 260,000. Startling amounts, regardless of which plan is in place. This plan, I think, however, preserves benefits for over 285,000, perhaps more. You know, Maine's population grew only 7 percent between 2000 and 2010 and, as I said, Medicaid spending has grown 78 percent since that period of time. Medicaid represents 21 percent of all state funding while in 1998 it represented 12.4 percent. We sometimes concentrate on how much money we are reducing the budget, when in fact we ought to look at how much we're spending. In combined federal and state money, we're going to spend, in this biennium or this fiscal year, just about $2.4 billion. An incredible sum of money, I think, which can deal with many, and if not all, the immediate needs of our population. This is not fun business, but it is reality. We can avoid dealing with these issues today, which is what I hear is suggested by the other party, or we can deal with them now when it will cost us less, which will maintain the programs that we all agree are necessary to our vulnerable population. But if we delay it, it just becomes more difficult, our cuts will be deeper and the very people you want to protect will not be protected. 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 first of all want to thank the members of the Appropriations Committee for the work that we have done over the past two years, 13 of the hardest working, brightest people, full of integrity and hard work. I couldn't have more of a privilege to work with a better group of people than I have the members of the Appropriations Committee and I thank them for the work that they have done on passing five unanimous budgets, $6.2 billion. And as I looked at what we were doing today, in the proposal today, our proposal was to cut $37 million out of a DHHS budget, and when I did the math on that, it represented less than 1/10th of 1 percent of that $6.2 billion budget. While we may have differences of philosophy, of priorities, I want to also recognize all of the work that we have done together to bring us to this point and when the choices that are put before us today are difficult choices, over 99 percent of the work that we have done, we have agreed upon and, for that, I am very proud.

Mr. Speaker, we have a world in chaos today. Greece is on the verge of bankruptcy, Spain is even closer, events which may cause them to leave the EU. And in this country, our Federal Government, for every dollar that we spend, we borrow 40¢. That's unsustainable. We cannot continue on this path. We have to set priorities. It is appropriate that we conclude this session on the DHHS budget because, quite frankly, our national election for President will probably focus on this same issue, issues about the Affordable Health Care Act. As the good Representative from Eagle Lake stated, it's not good when you do things alone as one party and, by and large, the Affordable Health Care Act was a bill done by one party. It has created confusion, it has created some uncertainties and it's a bill now sitting before the United States Supreme Court to give us guidance on what it is that we as states have to do because, quite frankly, we don't know. And, quite frankly, in the Appropriations Committee when we are looking at trying to look at these programs and how we want to change them, we are always facing the issue, what's called MOE, which is called

maintenance of effort, and our maintenance of effort stand has got locked in under the Affordable Health Care Act. So every time the State of Maine tries to do something, we have to ask the blessing of the Federal Government, is it okay if we do this? Can we get a waiver to do this? The Affordable Health Care Act was a "one size fits all" and Maine is not Massachusetts and Maine is not California, and so every time we as the Appropriations Committee try to do something, we struggle with these maintenance of effort issues. As the good Representative from Eagle Lake indicated, one of the issues that we're looking at in this budget is reducing or taking off the 19 and 20-year-olds, and we have to ask permission from the Federal Government to do that. Now if you lived in another state, in Arizona that never insured those 19 and 20-year-olds, you don't have a maintenance of effort issue. But we do; because we had it at the time the bill got passed, we got locked in.

One of the things I've learned in two years of being in the Legislature is that sometimes Maine is an outlier and certainly in the area of DHHS, there are times when we've seen where Maine is an outlier and when I say it's an outlier, it's one of the few states that is doing something. Head Start, for example, Maine is one of the few states in the country that provides state funding for Head Start. It's generally a federal program and so yes we've put some money into this program for years. Our proposal in this budget takes $2 million from that program. The proposal was to cut all of it which was about double. We took half. The proposal on the Drugs for the Elderly, which is a program we all care about, Democrats and Republicans alike are concerned about our elderly. We all have parents, grandparents, and we're concerned about them and the medicines that they need. The proposal that the Chief Executive put forward in regards to the Drugs for the Elderly program was total elimination, which would have affected tens of thousands, and I believe it was near the 90,000 people figure. Our proposal reduces that to nearly 1,800 people. And so while we take a step in that direction of reducing that benefit, it is a reasonable step in terms of looking at the priorities.

Neither Republicans nor Democrats today should be proud of where we end this session on two major issues that I believe are important. One is, is that when we leave here this month, we will continue to owe Maine hospitals over $450 million. So if anybody, Democrat or Republican, thinks that we are solving the problems today by passing this budget or passing the Democrats' budget, they are mistaken. Hospitals out there in your communities are owed $450 million and that's an issue that we need to deal with, and there are some plans in place to do that. There is a cascade which we hope will put some money towards that out of the '12 budget and there is some language in this budget which creates a cascade so that in '13, there is some additional money that will go towards that debt. But to ask Maine hospitals, people that are going to work in hospitals, people that want services in hospitals to say we're going to balance the budget on the hospitals' backs is wrong. Our rainy day fund is not even $50 million. Last week, Commissioner Millett met with our bonding companies and we have under $50 million in that fund, it's not a sufficient amount of money. So one of the things that Standard & Poor's and the other rating agencies look at and say, what is Maine's ability to deal with a significant problem? Do they have an emergency fund available? And we have barely $50 million in that fund.

We were informed last month of additional uncertainties that faced Maine in the very near future. There is uncertainty regarding the status of the Bush tax cuts. Will they be eliminated? Will they be continued? We don't know and we probably don't have any control over that. But we were told by Dr. Allen that if the Bush tax cuts completely go away, that will cost Maine taxpayers a billion dollars in the first year. How are we going to deal with that as legislators? We also know at the federal level that the Federal Government has been told that you need to cut an additional trillion dollars as part of the tax cut package. When is that going to trickle down to the State of Maine and are we going to be ready to deal with that?

You know, I grew up in Washington County. I was born in Houlton. I don't think anybody would be surprised to think that Washington County is not a rich area to live. I had four brothers. I say we grew up happy, but we grew up relatively poor. I was the only one in my family who went to college, got a college degree. But my mother and my father and four of my brothers left Maine, like many families leave Maine, because there were no work opportunities. So when I look at this budget today and I see a very tough choice on cuts for DHHS, I look at the bigger picture. We have competing issues within our overall budget. We have schools, we have roads, we have jobs, there's lots of issues to look at here and it's very easy to drill down and say these are dangerous cuts. But you know what? I have a daughter and she is 17 years old, she's a junior in high school. She's trying to make a decision about what she wants to do when she gets out of high school. Is she going to go to college? Is she going to stay in Maine? I hope she does. But I have to think about her as well as thinking about the elderly.

There is 4,000 people waiting to get into our community college system that can't get in because we don't have the resources available to give them to create the programs in this space. So yes, these are tough choices that we are going to have to make today, but I'm looking at the big picture and I think it's a fair budget. I don't think it's the best budget. I would much have preferred that it be a unanimous budget, but I think it's fair and I think it's reasonable and I will be voting for it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Easton, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. A lot was spoken about DEL, Drugs for the Elderly, and this has been one of my biggest issues from the start since the proposal last year for the biennium budget. It's near and dear to my heart and I have major concerns, particularly the original proposal. I never could have supported the original proposal and we worked very hard to focus Drugs for the Elderly on the people that need it the most, and I served on the Fund for a Healthy Maine Committee this summer that was to examine the Fund for a Healthy Maine. Unfortunately, it failed and didn't accomplish anything.

But one of the things that we learned on that committee is that the Drugs for the Elderly, the 185 percent above poverty level is a completely arbitrary number. The Legislature didn't set that number, that wasn't the magic percentage of poverty where people could afford their drugs or not, and what we did on Appropriations is work very hard to find the resources to restore as much as that cut as possible, and these scenarios that have been listed about the elderly, they're not the ones that are going to be affected. The most needy elderly are not going to lose their drug coverage. This is anyone between 175 percent poverty level and 185 percent of poverty level. For those of you that don't know, that's $19,600 for an individual and roughly $24,000 or $25,000 for a couple, and that's not a lot of money. But there's a point where we have to make some changes and it was difficult for me to even make this small change in the Drugs for the Elderly program, but we needed to find money.

And another thing that was talked about was 19 and 20-year-olds, changing, not having a federal waiver to have them qualify

as children. Fifteen states do that. Maine was one of those. To me, I look at it, a 21-year-old doesn't have any less health concerns than a 20-year-old, so that number is another arbitrary number and I would gladly take funding for Drugs for the Elderly over the 19 and 20-year-olds because I think that we need to focus on the people that have limited income and that don't have as much opportunity to make different life changes, and that's one of the reasons why I supported the change for the 19 and 20-year-olds. And while this was a difficult budget for me to vote on as well, but I think that we need to make the changes in MaineCare going forward. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Bryant.

Representative **BRYANT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I stand in opposition to this majority budget. We are once again keeping in place lost revenues in the form of tax cuts while leaving many people without affordable health care, cuts to Head Start, many seniors without medications. Again, I'll be voting no on this hazardous majority budget. Thank you.

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

Representative **McKANE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'd love to go on about and bring back the debate on LD 1333 and talk about some of the successes we've had with that, but that's not the bill we are debating right now so I won't. I'd just like to go back in time a little bit to 2004 when I first ran for this office. We had a large structural gap. There was too much money going out and not enough coming in, and over the past eight years that I've been here, that has happened every single budget. There's never enough money and we have used every single trick in the book over the past eight years to make up for it. We even tried back, I think it was 2006, a proposal was put forward to borrow almost a half a billion dollars to pay for current expenses, and fortunately it was stopped by a people's veto, Don't Mortgage ME. We used onetime funds over and over again. We raised taxes and fees. We made cuts to other departments. We let our roads crumble. We didn't pay hospitals and other health care providers and still the program grew. And now it's eight years later, we don't have 260,000 on there like we had in 2004, we have 360,000 MaineCare recipients and guess what? Once again, we owe our hospitals money and we don't have enough money to pay our bills. It would be easier to go with the Democrat plan that, as the *Bangor Daily News* put, relies mainly on surpluses, promising revenue forecasts and wants to preserve every program but is not a realistic approach. If we do that, we risk a California-like catastrophe. We can't keep doing this. For eight years that I've been here, we've been doing this and it's got to stop and it's going to stop tonight, at least in some degree we're going to turn things around. Thank you, Mr. Speaker. I'll be voting for the budget.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 339

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Hanley, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Chase, Cornell du Houx, Libby, Mazurek, O'Brien.

Yes, 74; No, 69; Absent, 7; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 69 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-572)** was **READ** by the Clerk.

Representative FLOOD of Winthrop **PRESENTED House Amendment "L" (H-974)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

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. This is a technical amendment. It's typical of budget bills. There are two technical changes here that were not able to be placed in time in order for the Senate technical amendment to catch them, so they are placed in the House. The first change corrects a program number to assign it to the proper department-wide program and the second change adds a provision in the contingent transfer from the Maine Budget Stabilization Fund, and without that additional phrase, the records of the Office of the Controller and the records of the Office of the Bureau of the Budget would not really be in synch in that action. So the requests for this technical amendment come from the State Controller, the State Budget Officer and the Commissioner of the Department of Administrative and Financial Services and was prepared by the Office of Fiscal and Program Review. Thank you, Mr. Speaker.

Subsequently, **House Amendment "L" (H-974)** to **Committee Amendment "A" (S-572)** was **ADOPTED**.

Representative MARTIN of Eagle Lake **PRESENTED House Amendment "J" (H-972)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. This amendment deals with the DEL program, the wraparound program and the Medicare Benefit Program for qualified Medicare benefit levels. The way in which the amendment is before you, or the way it's drafted right now in the Majority Report, the major impact will be on two areas which deal with Medicare. One is the so-called doughnut hole. Those people ending up in the doughnut hole will end up substantially being impacted by it and then there will be an impact, especially for the qualified Medicare benefit levels and that's greater impact than on the DEL program, the average cost, and this will affect in that particular area about 1,500 people that will be eliminated. The irony about the way the system works is that the impact will be mostly felt on families of two, where there

are two people involved and not on a single person. So when you hear people talk about what the impact will be, if you generalize it, it is inaccurate, so the impact here will be substantial on where there are two people and they are receiving the Medicare Benefit Program. For those of us who are from Aroostook, I believe all of you received the letter from the Aroostook Agency on Aging that had some analysis laid out for us and so there are people who will, in effect, because of their cost of drugs, have their income impacted by about 22 percent. So I certainly hope that you will be voting for the amendment and I am in effect taking the money to fund this from the money that we put in, that the majority budget put in, to the Stabilization Fund which is the so-called money set aside for the DSH program, and so that is some money that we do not need at this time and we could use it in that fashion.

Representative FLOOD of Winthrop moved that **House Amendment "J" (H-972)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

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

Representative **FLOOD**: Thank you, Mr. Speaker. It pains me to stand and present an Indefinite Postponement to a gentleman who I respect immensely. The plan to utilize the Stabilization Fund to support the DSH payment was something that was very fundamental to the belief of the Majority Report and for that reason I cannot support his proposal, and I do that with a certain degree of sadness. Thank you.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "J" (H-972)** to **Committee Amendment "A" (S-572)**.

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 Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be voting against the amendment and I appreciate the good Representative from Eagle Lake's attempt at trying to resolve what has been a complicated issue that we worked on as part of the budget that we just passed. Unfortunately, as part of the budget that we just passed, there was approximately $7 million that went to the rainy day fund and language was included within the bill that just passed which essentially encumbered that $7 million awaiting for the Federal Government to make a decision on whether or not we actually owed that money, and in the event that we actually owe the money, we will have the money available to pay the Federal Government that $7 million. In addition to that, taking the money from the rainy day fund would decrease our rainy day fund down to close to $40 million. That is something that the bond rating agencies are looking at very closely and it is something that ultimately can impact and affect our credit rating which, if it's not at a sufficient level, could increase the cost of bonds, which could be something that we should be talking about probably tomorrow before this chamber. So I will be voting against it, however, I do appreciate the effort. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Just for a point of correction, we do not owe the Federal Government $10 million. We owe them about 3, roughly, and the remainder of the funds are going to the Stabilization Fund and it's just a matter of whether or not we want to help the elderly.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "J" (H-972) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 340

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Cebra, Celli, Chase, Cornell du Houx, Libby, Mazurek, O'Brien, Rankin.

Yes, 73; No, 68; Absent, 9; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 68 voted in the negative, 1 vacancy with 9 being absent, and accordingly **House Amendment "J" (H-972)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative KUMIEGA of Deer Isle **PRESENTED House Amendment "A" (H-962)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Deer Isle, Representative Kumiega.

Representative **KUMIEGA**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This amendment is my attempt to restore some of the harmful and irresponsible cuts in this supplemental budget. If adopted, Amendment "A" would restore funding for Head Start, children's mental health services, family reunification services for foster children, and MaineCare for 19 and 20-year-olds and the parents of children and families with income between 100 percent and 133 percent of the federal poverty level or $30,657 for a family of four.

With the cost of private health insurance approaching $1,000 a month, a family living at 133 percent poverty level can expect to pay as much as 40 percent of their income for private health insurance. Obviously, that's just not possible. So these families will most likely go without insurance, forgoing preventive care and, for the most part, hoping that neither parent has a significant health issue.

We all know that unemployment is a problem for young adults. How many 19 and 20-year-olds have a good job, let alone one that has benefits? Why would we not support efforts to reunify foster children with their family when appropriate? And how can we deny children with mental health issues the services they need? Head Start is one of the few things that it seems everyone can agree on. The Chamber of Commerce and the Maine Center for Economic Progress are not often on the same page. Both see the value of a quality preschool education.

Since these are all good things, the question is how to pay for them; by asking the top 1 percent of Maine income earners to

pay the same average tax rate as the rest of us. These people with average incomes of $733,000, or $14,000 a week, on average their tax bill will go up $35 a week.

So the choice is clear. Do we stand with people making over $700,000 a year or with children and parents and young adults struggling to make ends meet? I ask that you support Amendment "A" and restore these harmful cuts. Thank you, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "A" (H-962)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-962)** to **Committee Amendment "A" (S-572)**.

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 Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just very briefly, in looking at the House Amendment "A" offered by the good Representative from Deer Isle, while it has all of good intentions and purposes, one of the issues we looked at in the caucus in terms of deciding what to choose in terms of this budget was taxes, and if my reading of the bill is correct, it does indicate to me that there is a funding mechanism of what they call tax equalization, which I think is just really another word for tax increase or creating a tax. You can call it what you want to call it. If it walks like a duck and quacks like a duck, it's a duck. It's a tax. Not only is it something that our caucus could not support, but even the prior Chief Executive would not support tax increases as they grappled with very difficult budgets, and so I don't think it's appropriate for this budget. What I think is really unfortunate about this particular amendment, in terms of trying to make this work, is I do think that it creates a certain type of class warfare where we want to identify the 1 percent so that they can pay for another class of people. So, in my mind, when you've got one class versus another class, that's class warfare and I don't think it's good tax policy, I don't think it's good social policy and I will be voting against the amendment.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to say that I didn't think expecting everyone to pay their fair share had anything to do with class, at least not in terms of class warfare. I just thought it had everything to do with making sure that we had created opportunity and economic opportunity in making sure that we have the money to invest in early childhood education. That has long range implications for our economic security for future generations. So you can call it class warfare, I call it investing in our children. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-962) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 341

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

ABSENT - Boland, Celli, Chase, Cornell du Houx, Libby, Mazurek, O'Brien.

Yes, 74; No, 69; Absent, 7; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 69 voted in the negative, 1 vacancy with 7 being absent, and accordingly **House Amendment "A" (H-962)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative CLARK of Millinocket **PRESENTED House Amendment "C" (H-964)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This amendment replaces the amount of money that was supposed to be given to Millinocket back when we were dealing with the sudden severe money. As you know, the town of Millinocket, through Revenue Services, was supposed to get $704,000 and instead we got $504,000, left to balance a $216,000. Revenue Services signed off on the billing, Education signed off, but when it got to the other floor, they decided to take $216,000 from that. This replaces the $216,000 to the $504,000 to bring it to the amount that it's supposed to be getting. As you know, they're sitting on $504,000 in the vault in the town of Millinocket, with a letter stating if they cash a check, they only agree to $504,000. Revenue Services agreed they ought to have 720, Education agreed, but the person on the second floor didn't. That's why I'm offering the amendment. Thank you very much, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "C" (H-964)** to **Committee Amendment "A" (S-572)** 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. The amendment does in fact include a onetime General Fund appropriation of $216,000 in fiscal year '13 to GPA for Millinocket. I am aware that we've actually already provided $320,000 in the Millinocket area for management of the state-owned Dolby Landfill, not related surely to this. But that was a recent addition to LD 1746. We were not aware for any additional requests in the budget for the town of Millinocket, such as the one presented here, and are therefore not prepared to include it at this time in LD 1746.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "C" (H-964)** to **Committee Amendment "A" (S-572)**.

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 "C" (H-964) to Committee Amendment "A" (S-572).

All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 342

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Crockett, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Parker, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Cornell du Houx, Kent, Libby, Mazurek, O'Brien.

Yes, 72; No, 71; Absent, 7; Vacant, 1; Excused, 0. 72 having voted in the affirmative and 71 voted in the negative, 1 vacancy with 7 being absent, and accordingly **House Amendment "C" (H-964)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative SANBORN of Gorham **PRESENTED House Amendment "D" (H-965)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Sanborn.

Representative **SANBORN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I first want to clarify that this amendment should not and would not be necessary if the majority did not create a false sense of crisis in the DHHS budget. None of the cuts in the majority budget need to be made to balance the budget, but rather are ideologically driven.

That said, you have given me no better option than to present an amendment to restore the funds cut from the Fund for a Healthy Maine.

The Fund for a Healthy Maine is about public health and prevention. As you know, these funds are not tax dollars but money from the tobacco settlement that the State has wisely (in the past) set aside to prevent and treat tobacco addiction as well as to be used for the prevention of a number of other diseases and health risks.

Maine has a proud past of using the tobacco settlement dollars toward public health. There is no better way to save the taxpayers money than to prevent disease and disability. Reducing or eliminating funding in prevention costs many times the so called "savings" proposed in the majority budget – you have heard it before – "pay a little now or pay a lot later."

Eliminating funding for Maine Families Home Visiting is one of the most egregious cuts. In monetary terms, the state will lose $30 million in federal grants, above and beyond the cut itself.

But it is the lost prevention in human terms that is most costly. If we are serious about preventing domestic violence and child abuse, then we must support Home Visiting for young families. Science tells us that Adverse Childhood Experiences in the first 5 years of life change the brain chemistry in a way that may well be permanent.

Seven hundred and fifty families will lose services that focus on giving young parents the skills to raise children with better health outcomes, that prevent child abuse and other adverse childhood events and that give the children the best possible chance to enter school ready to learn.

The cut to Child Care Subsidies will negatively impact 1,400 children whose parent is able to work and/or further their education knowing that their children are in a safe child care setting. This cut straps parents to the couch rather than allowing them to work or attend school. If we are serious about stopping the cycle of dependency and getting folks "off the couch," rather than paying it lip service, we should fund childcare subsidies.

The School-Based Health Center grants allow middle and high schools to offer school health centers. These monies are lumped in with the Healthy Maine Partnerships. Although the proposed budget keeps the Healthy Maine Partnerships in name, by cutting them by $2.5 million, it is unclear what work, if any, they will be able to carry on.

Family Planning is critical for many to access health care, cancer and STD screening, and also serves as access to those exposed to domestic violence or other forms of abuse. This cut will close 7 family planning centers – Houlton, Dexter, Norway, Rumford, Damariscotta, Topsham, and Sanford. As well it will end 6 partnerships with local health centers in Harrington, Jonesport, Millbridge, Washington County Community College, U Maine Machias, and Lincoln.

With tooth pain being the leading cause of ER visits for MaineCare patients, what sense does it make to cut the oral health program by more than 25 percent. For all of these reasons, we need to restore the cuts to the Fund for a Healthy Maine.

This amendment proposes that we assess a tax equalization payment of $1.76 on every $10,000 of total tax liability to those with incomes in the top 1 percent, that is, those with an average yearly income of $733,000. This small increase will restore all of the cuts proposed in the Fund for a Healthy Maine, continuing prevention and public health initiatives, saving all Maine families money in the long run, by restoring tax fairness. Thank you, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "D" (H-965)** to **Committee Amendment "A" (S-572)** 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. This amendment restores funding as the Representative described to provide optional coverage for persons via the Fund for a Healthy Maine including oral health funding, community school grants, family planning, home visits and child care services, and it funds the restorations with a tax imposed on persons whose state and local tax burden is in the top 1 percent of all taxpayers. I'm not in favor of the amendment because much of the Majority Report still allows considerable funding for services.

The Majority Report maintains one half of the current oral health spending capability. That program retains $1.5 million in funding. The Majority Report reduces community school grants by one-third as stated, yet it maintains $5.6 million. Home Visits are reduced $2.6 million in the Majority Report, yet more than $35 million in state and federal funds and other funds are still available. Purchased Social Services for Child Care are reduced by $1.971 million but approximately $18 million in state and federal funds remain. Making reductions in any of these

programs is difficult and the reductions expressed in this amendment represent a portion of $37 million in long-term changes proposed in the bill before us.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "D" (H-965)** to **Committee Amendment "A" (S-572)**.

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 "D" (H-965) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 343

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Cornell du Houx, Kent, Libby, Mazurek, O'Brien, Shaw.

Yes, 75; No, 67; Absent, 8; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 8 being absent, and accordingly **House Amendment "D" (H-965)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative STUCKEY of Portland **PRESENTED House Amendment "E" (H-966)** to **Committee Amendment "A" (S-572)**, 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. This amendment restores funding to the proposed cuts to adult mental health crisis services, the Medicaid savings plan and Drugs for the Elderly program, and the proposed elimination of ambulatory surgical center services, STD screening services and smoking cessation products. The funding necessary for these restorations would come from raising the effective tax rate on the top 1 percent of Maine taxpayers, folks whose current rate is 14 percent lower than the rest of us. We could restore the $4 million if we raised the top 1 percent rate by 82¢ on every $10,000 of their total tax liability. That would result in an average tax increase for this 1 percent of $610.12 a year or $11.73 a week or 29¢ an hour to help provide the most basic needs to some of our friends and neighbors most in need. It's really a pretty simple choice.

This budget, like the ones before it, is not about money, it's about ideology. These proposals, like the other proposed DHHS savings initiatives in the Majority Report, do not help people or resolve problems. On the contrary, they challenge and threaten the health and quality of life in families and communities all across the state. The real structural change will be to shift responsibilities in cost to hospitals, local nonprofits and municipalities. It's true, the Chief Executive's original MSP/DEL proposal would have eliminated coverage for 65,000 people and this proposal before us today would kick only 1,500 folks off the program, and these folks all earn more than $19,000 and, as you know, that gets them into the top bracket of our state income tax system. But where I come from, $19,000 a year is $1,000 less than the Labor Department's calculated livable wage.

Mr. Speaker, I'll save the full-blown argument about structural change that promotes needed fairness in our tax codes for another day, but I cannot and will not, Mr. Speaker, support proposed cuts and structural change in the DHHS that unravel our health care and human services infrastructure and demonize, disenfranchise folks who need help. I urge my colleagues to support this amendment and stand up for tax fairness and social justice. Thank you, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "E" (H-966)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

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

Representative **FLOOD**: Thank you, Mr. Speaker. This amendment restores funding as described for adult and elderly health services and for mental health services with funds from a tax equalization payment, on persons whose state and local tax burden is among the top 1 percent of all taxpayers. The areas identified for restoration are in the Drugs for Elderly area, crisis assessment, mobile outreach, ambulatory surgical centers and smoking programs, totaling about $4 million. Making reductions in any of these programs certainly is difficult and the ones expressed in this amendment represent about 15 percent of the $37 million of long-term changes to our state's MaineCare commitments made in the Majority Report of LD 1746.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "E" (H-966)** to **Committee Amendment "A" (S-572)**.

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 Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this amendment for a number of reasons, but chiefly among them is the fact that the proposed funding involves a tax increase that has not had a public hearing. To provide for a tax increase of this nature without such public input would not be responsible, regardless of how good the intent. I am not ideologically driven, but I have a sense of fairness for those who would be impacted by this tax increase, and therefore, I urge you to follow my light and vote against this amendment.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "E" (H-966) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 344

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan,

McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Cornell du Houx, Hogan, Kent, Libby, Mazurek, O'Brien, Shaw.

Yes, 75; No, 66; Absent, 9; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 9 being absent, and accordingly **House Amendment "E" (H-966)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative EVES of North Berwick **PRESENTED House Amendment "H" (H-970)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from North Berwick, Representative Eves.

Representative **EVES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today to ask for your support for this amendment on behalf of 260 low-income seniors and people with disabilities from every county in Maine who stand to lose vital prescription drug coverage in this budget.

These are individuals who don't yet receive Medicare; in fact, they have no other source of help to replace what they will lose in this budget. They are between the ages of 62 and 65 or disabled, but stuck in the two-year waiting period before they can get help from Medicare. For them, these cuts are devastating. The people affected by these cuts have incomes of approximately $1,500 a month – certainly not enough I think we would agree to pay skyrocketing prescription drug costs, stay warm and have enough to eat in these difficult times.

The Low Cost Drugs for the Elderly program has a long history here in Maine. We first made this commitment to seniors in 1974 and, while the program has evolved over the years, it has always enjoyed strong bipartisan support. It is in that same bipartisan spirit that I ask for your support for this amendment today.

This program is mainly designed to help people suffering from serious and chronic diseases such as diabetes, heart disease, Parkinson's disease, multiple sclerosis and many other chronic diseases. As we think about those in need, this program should certainly be at the top of the list. Over many years this program has made the difference in keeping seniors and people with disabilities healthy enough to stay in their own homes and in their own communities. It has meant that they haven't had to choose between food and medicine. It has provided them with the security and the quality of life that we all hope for. These are values that we share. These are values that deserve our bipartisan support today.

I offer this amendment because, as I have said, these people have nowhere else to turn. Some may think that they can go to Wal-Mart or other pharmacy discount programs. But if you take the time to search the database for discount prescription programs, you'll quickly find that many of the most common drugs for the conditions I listed just aren't there. They are expensive and simply not available at discount prices. These pharmacies provide a valuable service, but they are no substitute for the help these seniors and people with disabilities get from our Low Cost Drug Program.

Neither do these 260 very vulnerable people have the same protection that exists for those who will lose their MaineCare in this budget. The distinction here between those that are protected under the Affordable Care Act and this population is that whether we are granted the waiver or not, these individuals will lose their coverage, and that's a really important distinction for me because I believe we won't get approval for the waiver but these individuals will continue to lose help paying for their prescription drugs.

The cost of restoring this coverage is relatively small in General Fund dollars – only approximately $112,000 in state fiscal year '13. But it is worth a great deal more than that in the health and security that it brings to those affected. This amendment will pay for itself by using a small fraction of the savings from our MaineCare program which anticipates from a number of brand-name drugs that are scheduled to go off patent in the next year. The state will save money from expensive and well-known drugs like Plavix, Seroquel and Singular going off patent.

Thank you for joining me in voting to restore this vital help to Maine seniors and people with disabilities. Thank you for respecting the contribution that these Mainers have made to their communities, to their families, and to our state throughout their working lives. And thank you for upholding the values that Maine people share in caring for our neighbors through programs like this one. Each one of the 260 Maine people will thank you for your vote in support of this amendment today, but so will many thousands more who believe this is a vote that shares our common values. Thank you, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "H" (H-970)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "H" (H-970)** to **Committee Amendment "A" (S-572)**.

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-970) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 345

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Tilton, Timberlake, Turner, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig,

Morrison, Moulton, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Treat, Tuttle, Valentino, Volk, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Cornell du Houx, Hogan, Kent, Libby, Mazurek, O'Brien.

Yes, 72; No, 70; Absent, 8; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 70 voted in the negative, 1 vacancy with 8 being absent, and accordingly **House Amendment "H" (H-970)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative MARTIN of Eagle Lake **PRESENTED House Amendment "I" (H-971)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker, Members of the House. One of the things that I also happen to be involved in is a health center which services both Eagle Lake and Fort Kent to the surrounding area. One of the programs that we got involved a number of years, one of the first in the state, was a program basically to try to help young couples with young children after birth and basically try to, basically until about age 6, work with them so that there would not be a problem with child abuse and basically visited their homes from the very beginning, in terms of helping them even help the parents or the fathers how to change diapers, what happens when a baby cried and why was that all important. And we quickly learned that one of the things that is extremely helpful is that we don't have the family support that we used to have 30 years ago and so many families are trying to raise their children alone and not having the basic structure that they used to have when I was growing up with all kinds of siblings around and some of you had at that time as well.

The program that you have before us now was cut by a couple million dollars and what it does basically, and what will happen, a number of families will be thrown off that are already covered by the program. In addition to that, we have a pending grant or pending amount of money from the Federal Government, anywhere between sixteen and thirty million dollars that is available for us. But one of the things that I learned from my information by talking to the Federal Government is that we have to have, and some of you have heard before, maintenance of effort. If we don't have that, we could potentially lose that amount of money. Here's why I think it's important. In the Saint John Valley, for example, what has happened is that the number of state employees necessary for child abuse cases has dropped about 1 person in that office. That's because you haven't got the referrals that they used to have 10 years ago. What happened in Aroostook County is that the area will continue to be served because we were covered by the previous grant, but the area from Presque Isle to Houlton, that will be terminated and then there will be a question of what happens after that. So that's what the potential danger is and what this does is to restore the funds to get that program and to remain in place and to make sure we don't lose the federal funds. There have been some people in the departments who have indicated that that will not happen. I wish that were true. I don't know. All I can tell you that the feds that I've talked to have indicated that there is a possibility that in fact we will lose the money for the expansion of that program in other parts of the state. If there is something I've learned in dealing with this program, is that it has been extremely helpful in preventing child abuse and I would urge you to vote for the pending amendment.

Representative FLOOD of Winthrop moved that **House Amendment "I" (H-971)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "I" (H-971)** to **Committee Amendment "A" (S-572)**.

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 Easton, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Indefinite Postponement. Everyone on Appropriations, everyone on the Republican side of Appropriations absolutely agrees that the Home Visiting program is very important and very vital. One of the things that we looked at in-depth was alternative funding sources in these programs. Now the argument that this $30 million federal grant will be lost is – even the providers of Home Visiting are not using that as a talking point because we pushed hard on the administration, on the department to show us that this grant won't be lost. Now the problem they are pointing to is that the new federal grant can only pay for new people coming onto the system and they recognize that that could be a problem, but my counter to that would be that every year 38 percent of the people on Home Visiting automatically or naturally come off the system. It's designed for people between the ages, between birth and 3 years old. Beyond that, the federal grant can cover all new coming people onto Home Visiting so that our current system will not be burdened by new family members coming on to the system. The fact is next year the Home Visiting program will have more money than they did the previous year and that's the reason why we felt that it was a safe area to go after, and we don't believe, even though it is a great program, that we should over fund something just because of it being a good program. And while I recognize concerns about people currently on the system, I think minor changes to focus on the people that need the service the most can easily be absorbed within this reasonable cut. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Webster.

Representative **WEBSTER**: Thank you, Mr. Speaker. Mr. Speaker, I, too, have questions regarding the implications of this cut. I have spoken with a number of staff and inquired regarding the potential that the Federal Government would not look kindly upon this cut in regards to the grant. I have not been convinced nor have I heard any convincing arguments that this is anything other than a roll of the dice. In regards to the idea that we may be over funding, Mr. Speaker, we are not over funding the protection of children. If anything, we are under funding. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker, Members of the House. I am pleased to see that members of the Republican majority are still continuing to believe the remarks and the comments from the Department of Human Services.

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. I stand to respond to the comments raised by the Representative from Easton, Representative Clark. I am familiar with one of these organizations. I serve on the board of directors for an agency that does these services. I will say that over the course of the years, the load that we've had and the demand we've seen in

western Maine has been higher than what money has been available and, specifically to the point that Representative Clark was raising, that no provider had come forward speaking to that point. "The federal money is not to supplant the home visitation program." It is to expand services in a specific population of drug-affected babies, provide the additional money to hire staff that can take the time necessary for these high-risk families. They were clear in the award that the state must not back out of the existing support. This is a very important program and there is no choice that these babies are making of which family to be born into. I would ask you to vote against the pending motion. Thank you, Mr. Speaker.

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. We agree, it is a good program and we also agree that the $30 million grant is for new enrollees onto the system. We understand that and that's a good thing because the money that is remaining beyond what we cut is enough. We talked to the people that deal with these programs, and yes, we talked to the Department because there are experts in that Department that do this day in and day out, and we do believe them. The truth is is what is left in this will cover those that are remaining, again as the good Representative Clark had mentioned earlier, 38 percent will be coming off their rolls on the ones that already exist now. Those remaining will be covered with the remaining funds that are in existence right now to cover those that are in the older program, and the $30 million coming on board will be covering those that are expanded in the new programs and the new people coming on. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "I" (H-971) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 346

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Kaenrath, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Boland, Celli, Cornell du Houx, Hanley, Hogan, Kent, Libby, Mazurek, O'Brien.

Yes, 73; No, 68; Absent, 9; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 68 voted in the negative, 1 vacancy with 9 being absent, and accordingly **House Amendment "I" (H-971)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

Representative BERRY of Bowdoinham **PRESENTED House Amendment "N" (H-976)** to **Committee Amendment "A" (S-572)**, which was **READ** by the Clerk.

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 today to offer this tax and pension-related amendment because I know that we all wish to appreciate and to reward the hard work of our senior citizens, our out-of-state military, and our farmers and loggers. And I have good news which is this: we can provide all these and more tax breaks, and, at the same time, we can finally chart a course to actually pay for the tax breaks that we promise.

This amendment would not only protect and fund every tax cut in the majority budget, but would also enact additional tax cuts for Maine seniors and Maine's middle class.

If you are a Maine senior and you happen to be lucky enough to have a pension, this amendment doubles the pension tax cut just approved in the majority budget. Let me say that again: This amendment doubles the pension tax cut just approved in the majority budget. So rather than exempting $4,000 more of your income, we would exempt $8,000. And best of all, we would pay for it.

If you're active duty military, and serving out of state, we would not only provide you with a new tax cut, but would pay for that too. Because to do less is to put money into one of your pockets, while we're taking it from the other.

This amendment would enact the new horticulture, forestry, and New Markets tax cuts. And it would pay for those too.

Because rather than adding to the biggest unfunded tax shift in Maine history, it's time to start talking about real and responsible tax fairness for Maine's middle class.

That's why this amendment would also put us on track to make our tax code fairer. It would express our intention to require the few who make over $350,000 per year to pay the same rate as all others, and to use that money to reduce tax rates on everyone else, on working families, who pay by far the highest burden at present.

In addition, a couple of other things in the amendment, it would make up for breaking our contractual promises to state employees with a couple of 1 percent bonuses during the remaining years of the COLA freeze. And with the money left over, it helps get us on a path to finally fund K-12 education at 55 percent, helping to stem the growing shift to property taxes.

It's amazing to me in putting together lists like this, just what a little bit of tax fairness can do with respect to the state budget.

Mr. Speaker, there is no need to keep on spending money we don't have, as we've done in almost every tax measure in this Legislature. There's no need for that. We can do much better – we can pay and we can do so by restoring some degree of fairness to Maine's state and local taxes, some degree of fairness.

So please join me in making sure we give our middle class, our seniors and others a greater tax cut than enacted in the Majority Report on this bill, a greater tax cut, and that we pay for it as we go. Thank you, Mr. Speaker.

Representative FLOOD of Winthrop moved that **House Amendment "N" (H-976)** to **Committee Amendment "A" (S-572)** be **INDEFINITELY POSTPONED**.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "N" (H-976)** to **Committee Amendment "A" (S-572)**.

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, Ladies and Gentlemen of the House. In these economic times, millionaires should be giving to charity, not asking for it from the government. On the contrary, what we're doing right now is making cuts to the lower group of people, the people that earn less money – not the lower group of people. That would be people like me who make almost nothing. What we're doing right now is making cuts to people who need it the most and yet we're giving away, we continue to give away money to those who make the most and can afford to chip in a little bit more.

This proposal allows us to actually make sure that the middle class, the backbone of America, the backbone of Maine, has access to more money in their pockets and that we're able to provide the services that Maine people expect of us, that we're able to fund education, that we're able to make sure that our elderly, who we believe should be allowed to retire with dignity, that they're going to have access to the medication that they need. This is about rebuilding this state, it's about restoring the American dream, and it's about making sure that we all actually pay our fair share as citizens of this great country.

I want to make sure that we're focused on getting people back to work and the best way to do that is to make sure that the middle class has money in its pocket, and we're not going to do that when we're trickling our money up to the top 1 percent and not seeing money come back to the middle class which, again, allows us to go out and shop and pay for the services and pay for the goods that keep this economy going. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "N" (H-976) to Committee Amendment "A" (S-572). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 347

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

ABSENT - Boland, Celli, Cornell du Houx, Hanley, Hogan, Kent, Libby, Mazurek, O'Brien, Shaw.

Yes, 75; No, 65; Absent, 10; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 10 being absent, and accordingly **House Amendment "N" (H-976)** to **Committee Amendment "A" (S-572)** was **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. A number of people have asked me about House Amendment "K" and I don't know if you have it on your desks, but after taking a look at the Majority Report on page 32 and the way in which that is drafted, I am now convinced that about 20 percent of the people I represent who have pickups will not need to pay their sales tax under this provision, and so the last thing I want to do is basically not allow that. So I want to be able to make, my amendment was an attempt to restrict because I thought it was really too open. But thinking further, I think it's more appropriate that I reward my constituents with not having to pay sales tax on pickups that they buy and so I will not be offering House Amendment "K."

Senate Amendment "H" (S-587) to **Committee Amendment "A" (S-572)** was **READ** by the Clerk and **ADOPTED**.

Senate Amendment "J" (S-589) to **Committee Amendment "A" (S-572)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-572) as Amended by House Amendment "L" (H-974) and **Senate Amendments "H" (S-587)** and **"J" (S-589)** 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" (S-572) as Amended by House Amendment "L" (H-974)** and **Senate Amendments "H" (S-587)** and **"J" (S-589)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Implement Recommendations of the Committee To Review Issues Dealing with Regulatory Takings" (H.P. 1334) (L.D. 1810)

Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-922)** in the House on April 11, 2012.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.C. 375)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 15, 2012
The Honorable Heather J.R. Priest
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Priest:
Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the appointment of Representative Philip A. Curtis of

Madison from the Joint Standing Committee on Energy, Utilities and Technology. Furthermore, pursuant to my authority under House Rule 201.1 (I) (a), I have reappointed Representative Aaron F. Libby of Waterboro to the Joint Standing Committee on Energy, Utilities and Technology effective immediately.
Should you have any questions regarding this matter, please do not hesitate to contact me.
Sincerely,
S/Robert W. Nutting
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1383) (L.D. 1868)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928) in the House on April 10, 2012.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928) AS AMENDED BY SENATE AMENDMENTS "B" (S-566), "D" (S-585) AND "E" (S-586)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

ENACTORS
Emergency Measure

An Act Making Supplemental Appropriations and Allocations from the Highway Fund for the Expenditures of State Government To Address Revenue Shortfalls Projected for the Fiscal Years Ending June 30, 2012 and June 30, 2013

(H.P. 1420) (L.D. 1916)

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

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Mr. Speaker, could somebody on the committee kindly explain what this bill does?

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: Thank you, Mr. Speaker. What this is is a supplemental budget that makes the corrections required because of the reduction in revenues in the most recent revenue forecast.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of the same and 2 against, 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**.

Acts

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, 2013

(S.P. 600) (L.D. 1746)

(H. "L" H-974, S. "H" S-587 and S. "J" S-589 to C. "A" S-572)

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

On motion of Representative CAIN of Orono, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

ROLL CALL NO. 348

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Hanley, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beliveau, Berry, Blodgett, Briggs, Bryant, Cain, Carey, Casavant, Chipman, Clarke, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Haskell, Hayes, Herbig, Hinck, Hunt, Innes Walsh, Kruger, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, McCabe, Monaghan-Derrig, Morrison, Moulton, Nelson, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Beck, Boland, Bolduc, Celli, Chapman, Cornell du Houx, Harmon, Hogan, Kaenrath, Kent, Kumiega, Libby, Mazurek, O'Brien.

Yes, 75; No, 61; Absent, 14; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

On motion of Representative FLOOD of Winthrop, the House adjourned at 10:28 p.m., until 1:00 p.m., Wednesday, May 16, 2012.