

MAINE STATE LEGISLATURE

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The SPEAKER: The Chair recognizes the Representative from Bucksport, Representative Rosen.

Representative **ROSEN**: Mr. Speaker, Ladies and Gentlemen of the House. I just ask you to take a breath for a minute and let us take score. By my calculations we are up to \$64 million so far. If you want to apply the 90 percent rule, which some people feel is still an important guide, other people dismiss it as passé, but the 90 percent rule tells us that we have to stop at \$81 million. We are at \$64 million and we haven't seen the big proposals yet. The big bond proposals are still on the way. Think about that please as we establish the priorities as we go down through the shopping list. Thank you.

Representative **STEDMAN** of Hartland **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 Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. I am sure that an inventory exists of manufacturing space within the State of Maine, how many square feet. Does anyone have the current information of the square footage of manufacturing space in this state currently empty or vacant?

The SPEAKER: The Representative from Kennebunk, Representative Murphy has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Mr. Speaker, Men and Women of the House. I can't give a total answer to the good Representative from Kennebunk, but I can tell you in my community of Sanford, the answer is over 400,000 square feet at the present time.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Tessier.

Representative **TESSIER**: Mr. Speaker, Men and Women of the House. I don't have a complete answer as well, but I would suspect that having traveled around the State of Maine quite a bit that the bulk of the space that is available is in the southern part of Maine from the area of Portland south. We have a whole economy to be looking at, for the entire State of Maine, and this is a critical piece, especially for the northern part of Maine. Thank you.

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. 426

YEA - Ash, Bagley, Blanchette, Bliss, Brannigan, Brooks, Bryant, Canavan, Carr, Chick, Chizmar, Clark, Colwell, Cote, Cummings, Desmond, Dorr, Dudley, Dunlap, Duplessie, Estes, Etnier, Fuller, Gagne, Hatch, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Lemoine, Lessard, Mailhot, Marley, Marrache, Matthews, McGlocklin, McGowan, McLaughlin, Michaud, Morrison, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Povich, Quint, Richard, Richardson, Sherman, Simpson, Smith, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tracy, Tuttle, Mr. Speaker.

NAY - Andrews, Baker, Belanger, Berry DP, Berry RL, Bouffard, Bowles, Bruno, Bull, Bumps, Chase, Clough, Collins, Cowger, Crabtree, Cressey, Daigle, Davis, Duncan, Duprey,

Fisher, Foster, Gerzofsky, Glynn, Goodwin, Gooley, Hall, Haskell, Hawes, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, Lundeen, MacDougall, Madore, McDonough, McKee, McKenney, McNeil, Mendros, Michael, Mitchell, Murphy E, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Perry, Pineau, Pinkham, Rines, Rosen, Savage, Schneider, Shields, Skoglund, Snowe-Mello, Stedman, Tobin J, Trahan, Treadwell, Twomey, Usher, Volenik, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

ABSENT - Annis, Buck, Bunker, Dugay, Green, Labrecque, Laverriere-Boucher, Lovett, Mayo, Muse K, Watson.

Yes, 66; No, 74; Absent, 11; Excused, 0.

66 having voted in the affirmative and 74 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended Report** was **NOT ACCEPTED**.

Subsequently, the Minority **Ought Not to Pass Report** was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

SENATE PAPERS

Non-Concurrent Matter

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, 2002 and June 30, 2003" (EMERGENCY)

(H.P. 655) (L.D. 855)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-724) AS AMENDED BY HOUSE AMENDMENTS "I" (H-740) AND "J" (H-741) thereto in the House on June 19, 2001.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-724) AS AMENDED BY HOUSE AMENDMENTS "I" (H-740) AND "J" (H-741) AND SENATE AMENDMENTS "D" (S-367) AND "E" (S-368)** thereto in **NON-CONCURRENCE**.

Representative **BERRY** of Livermore moved that the House **RECEDE AND CONCUR**.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative **BRUNO**: Mr. Speaker, Men and Women of the House. It is going to be a long night ahead of us and I will try and be very brief, as much as I hate to hear people say that, I will truly try and be brief. We started out with a \$48 million budget for Part II. Now we have with these two amendments on there over \$80 million and growing. When you look at the revenue two piece, I think it is Senate Amendment "D", if I remember, that doesn't even begin until November of 2002, with a \$5 million tail on it and growing. We are going to raise taxes so we can give them back to revenue sharing. Some of this just doesn't make sense to me, from \$48 million in absolute half to do to over \$80 million now and growing. We are more than willing to compromise somewhere half way. We are not stuck in the sand on this. We are willing to negotiate and compromise. We have been left out of negotiations once we separated, but \$80 million and growing for a Part II that is supposed to be new and expanded programs. It is unfortunate that we are going to do this. The structural gap in what is now the majority budget is approaching what we have been criticized for and yet we have no revenue to offset the structural gap in our budget. I have pretty much voted for a budget all the time up here, but I can't support this one. We cannot stop the appetite to spend up here. That is unfortunate. It is bad for the people of Maine. Thank you Mr. Speaker.

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

Representative COLWELL: Mr. Speaker, Men and Women of the House. I rise in support of the Recede and Concur motion. I rise in support of musings from Aroostook County that just came across my desk. My bags are packed and I would like to stay, but the road is long and I can't delay. I think it is time that we put this budget to bed. The Part II Budget that is before you is a good budget. It meets the needs of the Maine people in a responsible fashion. It is still inescapable that the minority budget added another \$5 million to their structural gap last night. I guess it is only fitting that by Receding and Concurring we match that \$5 million. There is still a \$45 million difference in structural gap and the minority budget is the one that is a wash in red ink here. I don't think that you can get away from that. I am not a mathematician, but the two fives are equal.

I guess I am surprised that my good friend the Representative from Raymond, Representative Bruno, suggested that somehow the minority has been left out of negotiations. I have been in those negotiations and I have been in them with my good friend, Representative Bruno, and my good friend, Representative Schneider. Indeed the majority has gone so far in involving the minority in the negotiations, as to allow in anticipation of some potential agreement to the majority budget for the minority to prepare a \$2 million amendment, which we were prepared to accept. I am not sure where, indeed we have actually passed it in this budget right now. I am not sure where you were left out. I am a little taken aback by that, frankly.

Much has been made about the appetite for spending. It is true that since 1997 the budget, the spending in the Maine budget has grown by \$905 million. That is true. Guilty as charged, but \$366 million of that \$905 million in those four years is increased General Purpose Aid to education, right straight back to your local schools, \$366 million. Three hundred million dollars of that is consumed by a 15.9 percent inflation rate over that same period of time.

I don't really have a speech prepared here, but I am just looking down the list and I am looking at homestead property tax exemptions of \$40 million a year. You can do the math over four years. I am looking at the Business Equipment Tax Reimbursement Program of \$45 million roughly a year and it is growing. You can do the math there. Those are both property tax relief. Of course there is the circuit breaker with about a \$20 million a year price tag. When you talk about increased appetite for spending, \$905 million seems like an awful lot of money, but that whole \$905 million is almost consumed completely by local aid to schools, state aid to local schools, property tax relief and inflation. Maybe we can pass a law to do away with inflation, I don't know. I don't know how you get that \$300 million back.

I do rise in support of musings from Aroostook County. This is a good budget. It delivers on our promise to our local communities in revenue sharing, revenue sharing too for service center communities, General Purpose Aid to education, \$129 million worth of increase on top of the \$366 million that I just spoke about in the last four years. It delivers on prescription drugs. It delivers on Headstart. It delivers on combating domestic violence and sexual assault. It delivers what the people of the State of Maine sent us here to deliver and it keeps that promise that we made. I would urge my colleagues to support this Recede and Concur motion and do it proudly and let's pick up using some Aroostook County and let's adjourn this Legislature. Thank you Mr. Speaker.

Representative NASS of Acton REQUESTED a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 427

YEA - Andrews, Ash, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Smith, Stanley, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Mr. Speaker.

NAY - Belanger, Berry DP, Bowles, Bruno, Bumps, Carr, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Davis, Duncan, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, MacDougall, Madore, McKenney, McNeil, Mendros, Michael, Morrison, Murphy E, Murphy T, Nass, Nutting, O'Brien JA, Perkins, Pinkham, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Sullivan, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Annis, Bagley, Buck, Goodwin, Labrecque, Laverriere-Boucher, Lovett, Mayo, Muse K, Peavey, Watson, Wheeler GJ.

Yes, 83; No, 56; Absent, 12; Excused, 0.

83 having voted in the affirmative and 56 voted in the negative, with 12 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

ENACTORS

Emergency Measure

An Act to Amend the Maine Health Data Organization Laws

(S.P. 395) (L.D. 1310)

(S. "B" S-362 to C. "B" S-348)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 13 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**.

ENACTORS
Emergency Measure

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, 2001, June 30, 2002 and June 30, 2003

(H.P. 655) (L.D. 855)

(H. "I" H-740, H. "J" H-741, S. "D" S-367, and S. "E" S-368 to C. "A" H-724)

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

The **SPEAKER**: The Chair recognizes the Representative from Livermore, Representative Berry.

Representative **BERRY**: Mr. Speaker, Men and Women of the House. Here we are. I hope that this is our final enactment. I remain optimistic. I know there are many things said for me not to be optimistic. I hope that people will see the importance of passing a two-thirds budget, a budget that will be enacted immediately. There are many responsibilities that come with this job and this issue of the budget. They are responsibilities that I think most of us take quite seriously. We will have our disagreements on areas. I think we have had a great deal of agreement on what is important and what absolutely has to be done. I am not sure when this became the norm that it is okay to do majority budgets. That is certainly likely if this doesn't pass by two-thirds. I don't see where people gain by that. I don't see where the people of Maine gain by that. If we have negotiated in good faith with people, we have certainly had the make up of this Legislature that requires that. There were many implications of not passing a two-thirds budget, implications in mental health, corrections, implications of reduced revenues. Some probably won't mind that so much as the revenues will be there, but there will be adjustments. There will be adjustments to this package. I would expect that maybe there may be career center layoffs. We will be able to say, some of us will be able to say, that we protected liquor store employees jobs and we will see some career center layoffs. There may be layoffs. They may be temporary, but they will be there.

I think it is more important that we show the people of Maine that we can work together and have a two-thirds budget. I don't expect everybody in this chamber to vote for this. I have seen many times where that won't happen regardless.

Some of the implications, I will be a little more specific, I have a document from the Bureau of the Budget. It is quite a long document, but I think it is important that everybody in this chamber hears this. This is the result from the delayed start up of some of our important program efforts. The funding of the Maine Criminal Justice Academy operational costs will be delayed. These funds will include essential operating costs, such as custodial support, heat and utilities, supplies and etc. The lack of which may jeopardize operation of the new facilities for the training of statewide law enforcement personnel. These positions are in this Part II Budget package. They are part of the plan of establishing the new Criminal Justice Academy and operating in a way that will be maintained properly.

There are critical capital improvement projects that will be delayed, Greenville hanger is one, the health environmental testing lab in the Bureau of Health, the Down East Correctional Facility Plan and the BMHI upgrades. The health and environmental testing laboratory building at the Department of Human Services over 30 years old is in serious need of renovation to provide safe working conditions for laboratory employees. Any delay in renovations puts laboratory employees at continued risk and renovations of the third floor of the F

Building at the former Prerelease Center at BMHI are essential to provide safe working conditions for state employees. Another item is a delay in funding of an Assistant Attorney General for the Department of Labor cases may result in a loss of general fund revenue. An Assistant Attorney General currently funded in the other special revenue fund account may be able to continue this effort with no loss of general fund revenue, however, that approach is not fully assured. The Governor Baxter School for the Deaf will experience a delay in school approval and implementation of improved student support. The extension of the park's season will not occur along with the loss of general fund revenue estimated at \$100,000. Without the corresponding position extensions, year-end maintenance at the parks will be deferred, possibly at greater expense. Delayed funding of the northern Maine juvenile facility operational support will occur. This funding is an integral part of the transition to new corrections facilities by accommodating the increase in juvenile residents from 40 to 140, including treatment services for these committed juveniles. Continuation of the Maine Youth Center and the Northern Maine Juvenile Facility Learning for Life Program will be postponed. The program provides juvenile residents with basic vocational and academic education to prepare for re-entry into the public school system or the work force.

The Career Centers in the Department of Labor are experiencing a significant loss of federal funds. These federal funds are received on a state fiscal year basis. The Department of Labor may be able to charge federal funds for three months and credit expenditures when the bill becomes effective, the delay may still result in temporary layoff as many as 20 employees. Twenty-two positions for the community consent decree will be delayed with a loss of general fund revenue estimated at \$250,000. In addition to the loss of general fund revenue, the Department of Mental Health and Mental Retardation Substance Abuse Services will experience a serious delay in meeting the requirements of the community consent decree and community mental retardation. Serious delays will result in addressing the court masters issues, especially with regard to caseload and case management for adults with mental retardation.

Two positions in Emergency Medical Services, Department of Public Safety, will be in jeopardy due to a loss of federal block grant funds. Federal block grant funds are received from the Department of Human Services on a state fiscal year basis. While the Department of Public Safety may be able to carry position costs in other special revenue accounts or receive an advance of federal block grants from the Department of Human Services, the delay may result in a temporary layoff of two employees. Carrying language that allows the Department of Corrections to carry forward overtime funds from FY 01 to FY 02 for staff training cannot be legally implemented. Without these funds the Department of Corrections will be unable to carry out the training necessary for new staff roles and responsibilities resulting from the transition to new correctional facilities. The amounts and facilities affected are shown below. They are listed. There is the Maine Youth Center, the Maine State Prison, the Northern Maine Juvenile Facility and the Maine Correctional Center. These are items that we, I say the committee, the Governor recommended and the department requested that we have appropriated in the previous Legislature and because the plan at that point where they had done their training, but they will be soon. They will need this money. This is not new spending. This is allowing them to carry this over. They need to be able to do that soon. This training, many people I know during this process tried to take this money, they saw this as easy money to grab. I think it is part of our continued efforts to follow through

with the plan. So many times we are criticized for stopping short of falling through and completing a plan. Never mind the criticisms we get for not having a plan at times. There are some major things we have done. We have developed a plan. We have implemented them, but we have stopped short. This will interrupt that.

I work shift work myself. You can't expect people who work shift work to just not have extra expense to do training. You have got to have people that are going to stay over shifts. It has to be there to allow this to happen. People aren't going to work for free. I think it is important that I explain that to you. I think when we pass the majority budgets, I think it leads to a shuffle of paperwork really that is unnecessary. You really tend to end up at the same place. Some people that know there are items in the budget that they like that they have worked for, they have fought for, for the past six months and much before that. I know there are some items that take two or three sessions to reach to a point where they will receive passage. If it is a funding items, what we are discussing here today is that much more difficult.

I hope that the members of this body will see that there are some things here that each of us would not care to see in this package, but being a body of 186 members certainly with very broad backgrounds. We have seen the four caucuses, certainly, striving for different directions. It has been one of the most difficult things that I have seen to receive the agreement that we have. I know I have dragged this on quite a lot. My three-minute speech has gone way over, I know.

The other thing, I think there are people that expect that there is just a quick plan to back this up if this doesn't pass. I hope you don't vote against this with that thought. If we want to through this into the hands of one or two people to sort it out and be satisfied with that, I think that is something that can happen. If it is something that you expect to go back to committee, I think that we know that we are supposed to be out of here tomorrow. I have a vacation next week and I would hate to spend it here. I love you all. I will miss you when I am gone too. I will just finish and ask that you seriously consider giving your support at this time and not waiting for possibly an opportunity that may not exist. Thank you.

Representative NASS of Acton **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:** The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK:** Mr. Speaker, Ladies and Gentlemen of the House. I don't get up that often to talk about any budget items that we have before us. I am kind of torn between both sides. Earlier today we heard about higher education. We need higher education in the state to keep our kids in the state without going out of state. That may be true, but the only way to keep them in the state is if they have jobs in the State of Maine. We can educate our kids as much as we want, PhDs or whatever, but they are not going to stay in the state if they don't have the jobs. I am here representing the people of District 140. I am not representing myself. What we have to do as a whole body is represent the people of the State of Maine, not anybody's special interests or anything else. When people elect us here in November, after the Election Day, they don't care what party you are. They don't care if you are a Democrat, Republic or Independent. They want you to work together and come up with a consensus for what is best for the whole State of Maine. They don't care if it is a Republican tax plan, Democrat tax plan or whatever. They want you to work together.

Earlier, in the last couple of weeks, I had people come up to me and say that I have voted against the budget every time that I

have been here. Ladies and gentlemen, I have been here for five years and this is the first time that I have ever voted against the budget. I go back home. I am a working person back home. I work in the mill. Some people might laugh about that, but I do work. I work in the mill. When I am down here, I don't get paid like anybody else. The only time that I get paid is when I go and I work in the mill, usually on the weekends to survive.

Earlier this evening we talked about a 15.9 percent inflationary rate. Ordinary working men and people don't get cost of living adjustments, ladies and gentlemen. They don't. If they do, I would like to have that job. We talk about taxes. When are we going to stop? The only thing that I can talk about is my personal experience. About 150 miles north of here is Millinocket. We have a paper mill, which is only a one industry town. We have been through a strike in 1978. This year we are celebrating our centennial or 100th birthday. We have had five different owners of the mill. With the last buyer we had to take considerable concessions, health insurance, pay freeze for six years. It is all part of corporate America. How can the normal working men and women survive with these increases day in and day out? We raise it on registrations. We raise it on inspections. We raise it on cigarettes and alcohol. I don't smoke. I have never touched a cigarette in my life. I am afraid if we keep on doing this, the well is going to run dry.

I am not sure if I am going to vote for this yet. I voted for the Recede and Concur because I like part of the things to do with the municipalities. Education, SAD 25, Representative Landry and myself represent that district. We are going to lose close to \$57,000. They can't lose anymore, ladies and gentlemen. I know how the Representative from South Portland, Representatives Muse, Glynn and Bliss feel. They can't lose any more. We have to do something. We are sent here to have the people behind this, to do their dirty work. We are here to get together, come to a consensus. A lot of people know me. I don't care if you are a Democrat or a Republican as long as we get the job done. Maybe I am just up here babbling. I am not sure, but I have to get some of these things off my chest. We have to start listening to the rank and file on both sides because they have good ideas.

We are talking about term limits. These freshmen, they haven't seen nothing. Here we are June 19th at 10:00 in the evening. I told my employer I was going to out of here two months ago. I am still here. I hope I don't spend my honeymoon here. Like my seatmate just said, a divorce will follow. Ladies and gentlemen, another thing I hear quite often, all the time, let's do the right thing. Ladies and gentlemen, 99.9 percent of the time when you say that, it is the wrong thing. We have to do what is right for everybody, not for special interest or anything else. They don't pay my way. I don't pay their way. You work for your own. I am still undecided on this vote, ladies and gentlemen, and I certainly don't want to be here in August.

The **SPEAKER:** The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative **COLWELL:** Mr. Speaker, Men and Women of the House. I am going to be short and to the point. I just want this body to know that we, in this corner and the democratic side of the House, are absolutely committed to walking down the road with our Republican colleagues in a bipartisan vote on this budget that will get the job done for the people of the State of Maine. We have done this all session. We have worked together. We have involved the minority. The minority has involved the majority. We have been one body here. Two months ago one evening we cast a proud vote and we cast that vote for the Part I Budget and we did it together and we did it in the name of responsible government and at that time we were together and we knew we were doing the right thing. We voted

that night to meet the needs of the people of the State of Maine in a responsible fashion with ongoing, sustainable revenues that we could count on. We knew we would be able to meet our commitment to sending money back to the local schools.

Part of the problem, I think, is that every individual Representative here does represent a different district. They represent districts with different property values and different abilities to raise money for education, but the simple fact, the irrefutable truth is that there is \$129 million new extra dollars for local schools in this budget. The simple irrefutable truth is, as I said before, the last four years it has been \$366 million of new spending for education. We are committed in this corner to a two-thirds bipartisan budget. We have been doing it all year, working with our colleagues on the other side of the aisle. We want to keep doing that. I think from what I have heard tonight is that somehow the magic number that on that faithful April night was \$68 million that we voted for, 33 members from the other side of the aisle voted to support \$68 million in new revenues and new taxes. We over here supported it, not because we wanted to raise taxes, but because we knew in order to meet our commitment to the people of Maine and to be able to write that check for General Purpose Aid to education, write that \$200 million a year check for prescription drugs for the elderly, the mentally ill, the mentally retarded, to meet that and write that check for the consent decree to come in compliance with the law at AMHI, we knew we had to do it with sustainable revenues.

I have heard from some of my colleagues that \$37 million is now the responsible level of new revenues and new taxes, however you want to say it. That is \$30 million less than what was responsible for two months ago. I guess what you have got to do is you have to think about what that means. Below that \$37 million line you are cutting out any commitment we might make to combating domestic violence and sexual assault in this state. You are cutting out nine positions for new prison guards. You are cutting out money to operate the Charleston Correction Facility and the Down East Correction Facility. You are cutting out money to fight foot and mouth disease. These are all new positions. This is growth in government, but I guess I have to say for me that I guess we are faced with perhaps an epidemic of foot and mouth disease. Maybe we are overreacting, but you know what, if we don't act proactively and we end up ending the dairy industry in the state because we were afraid to go below that \$37 million line, I think we are going to have whole lot to answer for. We are cutting out, if we don't go below that \$37 million line, funding for the Magnet School. We are cutting out \$2 million of investment in biomedical research that will bring in 250 new jobs and maybe \$100 million of federal matching funds. We are cutting out funding for breast and cervical cancer screening for women. We are cutting out wage parity for dentists and hygienists. We are cutting out crisis services for children with mental retardation and autism. There are real costs. There are real people associated with these lines. This isn't some number game. This is people. This is their lives. This is the dairy industry. This is our correctional facility. This is real stuff. The people of Maine send us here to solve real problems and to do it in a responsible and sustainable way.

If we stop at that \$37 million figure, we are looking at cutting 18 caseworkers for child welfare. Those 187 caseworkers, no matter how you want to look at it, we have a crisis in the child protective system in this state. We have a crisis. We need those 18 caseworkers, but if we don't step up to the plate and support his budget in a bipartisan way, we are not going to get that. We are not going to get civil rights teams to fight hatred and bigotry and terrible, terrible hate crimes. I want to do the right thing. I want to walk down the aisle and walk down the road with our Republican colleagues like we did on that night when we

knew we were doing the right thing and every newspaper in this state editorialized on how responsible the House of Representatives were in stepping up to the plate and doing the people's business in a responsible, sustainable manner. We did that. We did it together, Republicans and Democrats. I want to do that again tonight. If we can't, I am going to Labrador fishing. I am not going to be here the end of July. We will find a way to pass a budget. We want to do it with our Republican colleagues. We want to keep working together. This is a good budget. It meets the needs of the people of Maine. We have to get below that line so that we can take care of foot and mouth and we can get those 18 child protective caseworkers.

I urge my friends on the other side of the aisle. I urge my colleagues on this side of the aisle, let's send a strong message. Let's pass this Part II Budget. It is a good budget. Let's adjourn this Legislature. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Mr. Speaker, Men and Women of the House. Earlier today, or maybe yesterday, I said I wish there was a way that we could signify that we hadn't made up our minds yet. I haven't been able to figure it out yet, but we know there is at least one person in this room who has not made up his mind. Therefore, I kind of feel like the camp meeting preacher who says there is one sinner in the room, therefore, I am going to preach to that person. The good Representative from Millinocket, he gave a great speech. It was right from the heart. I know it is a difficult decision for him. The previous speaker, Representative Colwell, mentioned that these are real people. Representative Clark was talking about real people too that have to pay the taxes that support all of these wonderful programs. They are all wonderful, these new positions. They are all needed and wanted, but the people out in the rural areas, at least, are burdened with the taxes. These are real people. Since I have been here, this is the seventh year that the budget has gone from \$3.2 billion to \$5.2 billion. Perhaps a fourth of that, half a billion dollars of that increase is to make up for the misery of the early '90s and all the gimmicks and all of the shuffling around of money to make up for that real black time. There is a billion and a half dollars of true increase in those years. That impacts the people out where a lot of us live. Thank you.

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

Representative DUNLAP: Mr. Speaker, Men and Women of the House. After listening to my friend and fellow committee member, the Representative from Millinocket, Representative Clark, reminded me of a few things that I have thought of throughout this process. It brings to mind what I thought I might do when I came to the Legislature as a first term Representative and how I feel about the experience today. I think that if I can get a sense out of people's anger in the room, it is that time of the year. Once again, we will all go home with dry mouths and sore necks and we will all hate each other. At the end of the day, it really matters what you accomplish for your neighbors and your friends around the state as well as at home. I think that if I had thought I would get half the ideas I proposed passed into law and didn't, I would be profoundly disappointed. It is a testimony to my staying power that half of the ideas that I put forward that were laughed at didn't keep me from running for office again. I think looking at this particular budget and what it embodies is a whole host of really fine ideas and addresses a lot of unmet needs among our citizenry. It is hard to gauge exactly what that impact would be if those needs were not met. I think it tends to sort of grow. We talk about the growing budget over time and raising taxes over time and those are all fairly valid arguments on

their face, but I don't think we have spent beyond our means by any stretch of the imagination. We have not raised taxes. To the contrary, we have cut them a significant amount. I think it is a testimony to the economic engine of the State of Maine that the services that we have talked about and argued about have grown at the rate they have in spite of having cut taxes as much as we have. When we talk about raising taxes, I didn't go door to door either saying I am Matt Dunlap, I will raise your taxes. It wouldn't have been a popular slogan anyway. What I did find from people when the discussion of taxes came up was not so much that people were angry about taxes or were afraid that their taxes were going to go up, they really wanted their tax dollars to be spent well. Thinking about the small things in this Part II Budget, which I believe is all money well spent.

I am reminded of a text, which I was forced as a student to read by Thoreau for those of you who don't have a factious professor who insisted on certain pronunciations called the Maine Woods. I do not recommend it. It is a terrible boring read. However, there was the passage in there that I think about now in the 1850s, Thoreau came to Maine several times and he commented how in the remote wilderness one could find water troughs for one's horse in the middle of nowhere. It came to pass that he discovered that it was an act of the Legislature that would pay individuals \$5 a year for the purpose of maintaining water troughs. What a wonderful idea that was, he commented. Why hadn't others thought of that in other rural states? Whose bill it was is anybody's guess. It may have been a light night floor amendment to the budget. Who knows? Nonetheless, it was a good idea. It lives in history. I think that we have no idea what good ideas we jeopardize by not voting for the pending motion. With that in mind, thinking of not so much the concerns that we have in here right now about what we are going to take out of here, talking about whether we raise taxes or spend too much money, I think it is better to look at the document as it is, which is a work of the people and for the people, to help the people step boldly into the future. I would urge your support for the pending motion.

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

Representative **TWOMEY**: Mr. Speaker, Men and Women of the House. I was not going to rise, but I think it is time for a little love. I have heard about hating each other when we go home. I am not going to hate you. Hate is a terrible word. I am not here to do the people's dirty work. I am doing great work. I am proud of the work I do. It is not dirty work. It was quite a while ago when I had my last son, many years ago, but this is almost like labor. I feel like I am delivering a baby. This whole process reminds me of this. Let's get real. There are a lot of things that I don't like. I am a liberal and I am proud of it. I make no bones about it. I am to the left and I make no bones about it. I am proud of it. Three hundred and fifty some odd million dollars for BETR, for tax exemptions for business and if I had my way, I would go for that BETR Program right away. I am in the caucus and I am saying, why can't we touch that? Why is that such a sacred cow? We have to give something. We have to give and take. There are things in here that we don't like, every one of us. We have to swallow hard and sometimes we have to just pinch our nose. This is the first time I am supporting this budget. This is our third budget and I am going to support it because I have learned something. I have learned something. You can't get it all. You can't make everyone happy. I can go home. I don't care if I ever get reelected again, I can defend this. Healthy funds for Maine people, drugs for my seniors, your seniors. I can defend this. There is the BETR Program for those businesses. There is something for everyone. Let's not talk about hate or doing the people's dirty work. Let's be proud. Let's stand up and

say, look, we delivered this baby. It was a labor of just giving in sometimes, looking the other way. We try to say the right things. We tried to have leadership listen to us. I think that on a whole they did. I am going to give them that. Come on, let's get together. Let's do this. I feel like a cheerleader here. Let's not talk about hate. Let's get this over with. Let's do the right thing. Thank you.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative **O'BRIEN**: Mr. Speaker, Colleagues of the House. I certainly wasn't going to get up and speak to this, especially at this late hour. I really lose it after 9:00, but the more that people are reading what isn't in the budget, but more specifically what is in the budget, I am looking at this sheet. I am seeing some things in here that disturb me very much, I must say. There are some things in here that our committee, the Health and Human Services Committee, did not support. Why they are in here supported at the level that we did not support, I am quite upset about and I really need some explanation. I think it is going to take a lot more explanation and a lot more time to explain it then before we vote. I guess I am staying where I am. I am very concerned about this.

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

Representative **MUSE**: Mr. Speaker, Men and Women of the House. My friend and row mate spoke about hearing about all sorts of ugly things and hate. I want to remind everybody that we heard about a lot of love too. Representative Berry loves us all. We have another Representative that is going to honeymoon in the building. Representative Twomey is giving birth to a baby. It is quite a night we are having. I have more than my fair share of disagreements with what this budget doesn't have. I am not going to stand up and sing the sad South Portland song again. I think everybody here knows the lyrics by now. There is going to be a lot of other people singing sad songs too, because there is a lot that is not in this budget. I think it is safe to say that the South Portland delegation has stood loud and united. I am delighted to say that I served with Representative Bliss and Representative Glynn and how we have stood together to try and bring home a little extra bacon. I think there was a hen involved in there somewhere too with Representative Glynn. We fought hard to bring back some more money for our schools. Other people in the last day and a half have fought hard for those individual items in the budget. Those individual items that mattered most to their individual district. We fought the fight and I guess most of us lost.

At the same time, I believe we all win as well. There is a lot of good in the budget. I said it before. I don't know how the men and woman that serve on Appropriations do it. I don't know why they do it. I think I would run if somebody ever suggested that I get appointed to serve on that committee. Representative Berry has worked hard on this all year long. I know he has. I owe him a great deal. The mere mention of his name, I think, saved my life a couple of years ago. That is a whole different story that I won't go into, but it did. I think the time has come now to say that I fought the fight for my district, now I am going to win the battle for the state. We need to pass this. We need to move on. We need to go home and come back and fight again together. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Young.

Representative **YOUNG**: Mr. Speaker, Ladies and Gentlemen of the House. I am sure you can imagine how hard it must be for a first-termer to agonize through a night like this not knowing if I am making the right decision or should I be voting for the budget. I would like to tell you, you are telling us to do the

right thing for the Maine people. I live in a small community. While campaigning, I met an elderly couple and I believe they came from Madawaska or Fort Kent. They now live in subsidized lodging. They are very poor. They don't own a car. He smokes. He collects bottles at 5:30 in the morning to pay for this smoking habit. There is no way, no matter how high you put a package of cigarettes, he is going to stop. When we go home on the weekend, we take any soda bottles or anything that we have had during the week and we leave them out by a tree on our lawn so that when he goes by at 5:30 in the morning on the weekend, he picks up these bottles. I have often thought, and I will during the summer months, maybe put a dollar bill or something on those bottles to help him out. To me, raising taxes where we are already the highest tax burdened state in the United States is not really right, not to finance new programs. I just wanted to let you know how I feel about this. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Baileyville, Representative Morrison.

Representative **MORRISON**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to second the fine Representative from Limestone, Representative Young. As a new freshman legislator you do agonize over budgets, as you should. You are spending money, somebody else's money. I just want to make one suggestion. I had a problem with it right from the start and I guess I mentioned it already. I see one glitch and I am not even on Appropriations. People on Appropriations certainly know the details on this budget better than I do and should be able to work out those glitches. There is one that sticks out there and I still can't understand why it is in there, playing politics with the liquor store business. We are going to close eight and then we are going to close six. Somebody is going to make that choice. You are going to leave 13 open, I guess. I really don't understand why. There is \$3 million hanging right out there if you can get to it. There are three different Governors and three different parties recommending closing those stores and having the state get out of the retail liquor store business. Why we are still in it, I don't know? There is \$3 million right there. I don't know if there is any other money that can be picked up in there, but this is me and I am not even on Appropriations and I can pick up \$3 million just like that. The money is in there to retrain these people like we do in other jobs in the private sector so they can get other employment. Let's do it, as one example. Thank you.

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

Representative **JONES**: Mr. Speaker, Distinguished Members of the House. I want to talk about the entire State of Maine and I also want to go down through some of the areas that the good Representative from Livermore, Representative Berry, went over. I want to talk about jobs. I want to talk about commitments. I want to talk about the 118th and the 119th Legislatures.

If you review the list, at the very top you have the Maine Criminal Justice Academy. This began in the 117th Legislature. This was a commitment that that Legislature made and the next Legislature made and now we are facing the reality that we are not going to keep the promises and commitments that we make. I have gotten a lot of teasing from my fellow colleagues on Appropriations about the Greenville hanger. It truly isn't the Greenville hanger. It did come from the administration. I am delighted that it was put in and as a new freshman on Appropriations and realizing that this is a rescue and safety facility owned by Inland Fisheries and Wildlife and how critical this is for rural Maine and those rescue efforts. The Down East Correctional Facility Plant, 100 positions in Washington County. It is another commitment made in the 118th and the 119th

Legislature. The health and safety issues in the Hetsell Building. The Governor Baxter School for the Deaf, do we really want any school in this state, whether it is in our district, where it is our most vulnerable students, to not be in a school that is accredited? Has anybody been to the parks recently? Probably not, because they have been here. I happen to live in an area where we have pristine bodies of water and a beautiful park called Lily Bay State Park. I received a number of complaints from my constituents. I went with my digital camera to this park. I can't begin to tell you the shape that this park is in and what kind of flag does it show for the rest of the parks in our state. The dock systems were built in the 1960s and have been band aided together ever since to the point they are no longer docks.

The Northern Maine Juvenile Facility in the 117th and the 118th and the 119th sits on top of Charleston Hill. I don't want our youths to remain in facilities. I want them out of those facilities and back into our communities and back with their families. We are talking about not being able to be give them the treatment services that we gave the commitment to in the 117th, 118th, 119th and the 120th.

We also promised that we would no longer house people in these facilities. Corrections isn't a very happy item to talk about in this state. It is not popular to fund, but it is very, very expensive. For once, we are going to be able to have a program that will teach these students in these facilities how to be productive citizens once they are out of these facilities.

I am sure as it is in my area of the state and other areas of the state as I do travel extensively. I have had the fortune of living in Portland for a number of years and also in Piscataquis County. We have a real issue with skilled labor. We are talking about significant cuts from DC that will affect our career centers. EMS, we are a very rural state. We have had a sentiment, my seatmate, Representative Bagley, who was actually saved by Life Flight. We are talking about emergency medical services.

I just wanted to highlight on a personal level how I am feeling about this budget and the necessity to move on and to vote for this. I understand pretty clearly what it is like to live in the largest county, outside of Aroostook County, with 18,000 people, mostly elderly. Our manufacturing jobs are leaving. We are not near I-95. Greenville, for the first time ever, has a 13.2 percent unemployment level in the month of May. Believe me, I am quite sensitive as an Appropriation member and as a member of this body the issues that we are facing. I will be supporting this budget and I ask you to do the same.

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

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

ROLL CALL NO. 428

YEA - Andrews, Ash, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Smith, Stanley, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Mr. Speaker.

NAY - Belanger, Berry DP, Bowles, Bruno, Bumps, Carr, Chase, Clough, Collins, Colwell, Crabtree, Cressey, Daigle,

Davis, Duncan, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, MacDougall, Madore, McKenney, McNeil, Mendros, Michael, Morrison, Murphy E, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Perkins, Pinkham, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Sullivan, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

ABSENT - Annis, Bagley, Buck, Goodwin, Labrecque, Lovett, Mayo, Peavey, Watson.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED**.

Representative COLWELL of Gardiner moved that the House **RECONSIDER** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

The same Representative moved that the Bill be **TABLED** until later in today's session pending his motion to **RECONSIDER** whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

Representative BRUNO of Raymond **REQUESTED** a roll call on the motion to **TABLE**.

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

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

ROLL CALL NO. 429

YEA - Ash, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hall, Hatch, Hawes, Hutton,

Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Perkins, Perry, Pineau, Povich, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tracy, Tuttle, Twomey, Usher, Volenik, Wheeler GJ, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Bruno, Bumps, Carr, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Davis, Duncan, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, MacDougall, Madore, McKenney, McNeil, Mendros, Michael, Morrison, Murphy E, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Pinkham, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Annis, Bagley, Buck, Goodwin, Labrecque, Lovett, Mayo, Peavey, Watson.

Yes, 88; No, 54; Absent, 9; Excused, 0.

88 having voted in the affirmative and 54 voted in the negative, with 9 being absent, and accordingly the Bill was **TABLED** pending the motion of Representative COLWELL of Gardiner to **RECONSIDER** whereby the Bill **FAILED PASSAGE TO BE ENACTED** and later today assigned.

On motion of Representative PATRICK of Rumford, the House adjourned at 10:40 p.m., until 10:00 a.m., Wednesday, June 20, 2001 in honor and lasting tribute to Dr. Edward Martin, of Rumford.