

# MAINE STATE LEGISLATURE

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**House Legislative Record**  
of the  
**One Hundred and Eighteenth Legislature**  
of the  
**State of Maine**

**Volume I**

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**First Special Session**

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have heard from other committees about their unanimous report and I know that Agriculture and Inland Fisheries and Wildlife also had a unanimous report. I feel that we all participated in working out a difficult and challenging, but fair budget. As I sat here yesterday and today, I feel that we are mocking that process. I think that we are putting individual and partisan agendas in front of some hard work that we all did together. I think that we should compromise, but we should compromise fairly and well. I urge your support of Committee Amendment "A." Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Paul.

Representative PAUL: Madam Speaker, Ladies and Gentlemen of the House. Let me begin by thanking the members of the Joint Standing Committee on Inland Fisheries and Wildlife for all the time and energy they have put into this budget. We have worked very hard to find savings in a difficult budget climate. I believe that we have succeeded and I also want to thank the Appropriations Committee for accepting our recommendations for all the hard work they have put into this budget. I believe that this budget is a good document for the Inland Fisheries and Wildlife Department. We are confident that our budget discussions with the department have resulted in a new outlook on fish and wildlife issues, one that plans on meeting future costs by creating new hunting and fishing opportunity rather than simply charging more for the same services and incorporating some business practices in the administration of its program. We strongly feel that these new opportunities and administrative changes will put the department in a much firmer long-term position. The new revenues will allow the department to invest more in marketing Maine's fishing and hunting opportunities with the goal of expanding the number of people who buy fishing and hunting licenses. These revenues also allow the department to invest in much needed capital improvement and repairs to department facilities and to cover the cost of collective bargaining agreements over the biennium.

In closing, I would like to point out that contrary to the suggestions that this budget is more just tax and spend, the Appropriations Committee has agreed with our suggestions to cut almost a half a million dollars from the personal services General Fund. We have achieved real savings in this budget without compromising the mission of the department. This budget is the right thing for the State of Maine. I urge my colleagues to support the Majority "Ought to Pass" Report. Thank you..

Representative DONNELLY of Presque Isle presented House Amendment "J" (H-43) to Committee Amendment "A" (H-15) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Holden, Representative Campbell.

Representative CAMPBELL: Madam Speaker, Men and Women of the House. We thought we might change the landscape a little bit from last night and I will be speaking to this motion. Last night we talked some about the legislative budget and this particular amendment "J," we are deallocating \$1 million from the legislative budget, \$500,000 each year and restoring fully, tree growth. We are taking that million dollars and putting it into tree growth. We have all talked about property tax relief. We have all talked about helping our communities and this is a real opportunity to be able to do that. Tree growth, as we discussed the supplemental budget, was very important to many members of our caucus and your caucus, so the body, I think, would be delighted to, in this case, restore that tree growth and I really encourage you to support the amendment and get this on the budget as soon as possible. Thank you.

Representative TOWNSEND of Portland moved that House Amendment "J" (H-43) to Committee Amendment "A" (H-15) be indefinitely postponed.

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

Representative TOWNSEND: Madam Speaker, Men and Women of the House. We have visited both of these issues already, although on separate amendments. As was pointed out last night, we have nonpartisan staff working day and night, at this point, to draft these amendments. There are 66 so far in the House. Jim Clair, who I think must be the hardest working man I know, went to bed last night at 2:00. He does that on a regular basis. Fortunately, he lives near the State House. He is only one of a number of staff who work that hard for us. Taking this \$1 million would be a cut in the direct service that we receive in this body. We depend on their work. To cut their salaries, their benefits and the numbers of staff would be grossly unfair to them and would result in lesser service for us.

On the issue of tree growth as we noted last night, tree growth has been increased in this budget by \$6 million. It is a tremendous growth over recent years. Furthermore, when it comes to budgeting for a tax relief program, it is not necessary to budget as if every last person who qualified for it would participate. We know from the Circuit Breaker Program that not everyone who qualifies takes advantage of the program. Therefore, we can spare the million dollars from tree growth, which has been cut in the Majority Report, Committee Amendment "A." I urge you to join me in defeating this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Spear.

Representative SPEAR: Madam Speaker, Ladies and Gentlemen of the House. Tree growth, even in my own town, might not be so important, but in all the towns that surround me, it is important. I am from the coast. You think of tree growth as a program for the people in the northlands. It isn't. It affects the people all along the coast, down east, up north and all over this whole state. I think we owe it to these towns to live up to this commitment. I know we in the Taxation Committee and we just heard a few moments ago about all the good work the committees have done and it has come to this unanimous vote. Well, here is an example that our committee came to a unanimous vote that we should fund tree growth to its fullest extent. The reason is that if we do not fund this to its fullest extent, it puts a heavier burden on the remaining taxpayers in the towns that participate in this program.

We have found that for a number of years that this is a real worthwhile program. I know it is a good program and these towns and the taxpayers in these towns that don't participate in the program deserve to get this money back. We talk about tax relief and this is the perfect way to do it. I would sincerely hope that this amendment, in my opinion, makes a lot of sense. We are putting it back to the people and I realize we are taking some money away, but we have a legislative budget here that is more than fully funded. It is quite a percent higher than last year, which we had a surplus in. I think that we can live without that money here. Let's send it back to the towns that really deserve it and have earned it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Cross.

Representative CROSS: Madam Speaker, Ladies and Gentlemen of the House. In regards to this particular bill, we made a promise two years ago and that promise, this year, was to fully fund tree growth reimbursement. During the last election, many of us campaigned on an effort to cut taxes and cut the size of the Maine State Legislature. We can do this very simply. We

can cut \$500,000 from the legislative budget in both years. This returns \$1 million to the towns for tree growth reimbursement. When tree growth started and over the years, it went from 20 percent to 90 percent return. It stayed at 20 percent all the time that I was a town manager. If we are ever going to have a chance to make good on a promise that we made to the people of the State of Maine, this is the year to do it. You have increased the budget by \$250 million for this year and next year. We are saying, let's give \$1 million back to the town, which a gain in tree growth reimbursement is a direct hit on property taxes. I urge you to back this particular amendment. Thank you very much.

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

Representative VEDRAL: Madam Speaker, Men and Women of the House. I want to fill you in a little bit on why I ran for office this year. The reason is because I was a little upset that this body would make promises over and over again, year after year. The frustration level got quite high. Here I see a chance for us to live up to the promises that we have made where we have established a program and now to fund it and give that property tax relief to the towns that we have promised and to make sure that we are not forcing other property owners in the town to pick up the cost of this program. I hear that we have some very hard workers in our committees that have put out wonderful recommendations to the Appropriations Committee to produce a perfect budget that needs no amendment, but I do differ with you on this. In this case, I believe that we should fund our promises to the full amount that we promised and I urge you to vote against this motion to Indefinitely Postpone.

The SPEAKER: The Chair recognizes the Representative from Kossuth Township, Representative Bunker.

Representative BUNKER: Madam Speaker, Men and Women of the House. I don't think anybody in here that has been around a couple of years is going to disagree that I am a firm supporter of tree growth and as a matter of fact, I had a lead bill in this House to fully fund tree growth. I am also the guy that stood up here more than one time in the past and said that we are going to pay our bills first before we move on and cut any taxes or do anything else. We want to pay our bills and our commitment to the people now and first. I am very proud to say that we have done great things in the last few years to deal with that. This budget goes leaps and bounds over the budget we had two years ago to, again, try to fully meet the commitments that we have to the people and our communities. I am very proud to go back and say that we have put another \$6 odd million into tree growth and brought it from 34 percent up to about 88 or 89 percent, not the 90-percent level. Also, that we stripped the language in the second part of this biennium that says that from this day forward, this is going to be fully funded. We have done our work on tree growth ladies and gentlemen, let's defeat this motion and move on and adopt the budget.

The SPEAKER: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative STEDMAN: Madam Speaker, Men and Women of the House. I rise to ask you to defeat the motion on the floor. I wish to reiterate what Representative Spear had to say. Communities all over the State of Maine, coastal towns with high land values and many acres in tree growth and small towns with low evaluation which cannot afford to do without tax refunds are affected by tree growth bills. In my own town, if we get our full refund, we would be paying our one town clerk's salary. Towns who are eligible and this was mentioned earlier, not all towns participate, sometimes do not participate because they do not expect to get anywhere near what is due them. I would ask that you defeat the motion on the floor and go ahead and pass

this amendment as presented. On the vote, I would ask for the yeas and nays.

Representative STEDMAN of Hartland requested a roll call on the motion to indefinitely postpone House Amendment "J" (H-43) to Committee Amendment "A" (H-15).

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. I don't think the issue is if anybody up here works hard. I think we all work hard. I know a lot of people back home work hard. I know my wife works hard. I certainly work hard when I am at my regular job and at this one too, when I am shingling a work or whatever. This has to do with priorities. It doesn't have to do with funding it at the 35-percent level, the 45-percent level or the 85 percent. It has to do with funding it at the full level. I have towns in my area that are now saying that people who have shorefront property and a little acreage of land behind them to make the 10 acre or whatever threshold, putting their property into tree growth. These small towns and this property is assessed at a very high level. I have one town that has property that was assessed at \$120,000 and I think the tax was \$1,020 or something like that. When they put it in tree growth it got assessed way, way down and now they get \$12. These small towns can't afford to do this. This is a case of priorities. We ought to put this money where it belongs and make our commitment full and not at a certain percentage below that full amount. I urge you to defeat the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Union, Representative Savage.

Representative SAVAGE: Madam Speaker, Men and Women of the House. One of the earlier speakers impressed upon us how hard the staff worked. We all agree with that. We do thank them from the bottom of our heart. I know in our committee room our staff has worked very hard for us in Transportation. Back home in my district, there are people who are working very hard. There are people who are working two jobs to pay their taxes. This is one step that we can take to help those people who are working two jobs to pay their taxes. Thank you.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "J" (H-43) to Committee Amendment "A" (H-15). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 22

YEA - Ahearn, Bagley, Baker CL, Baker JL, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bull, Bunker, Chartrand, Clark, Colwell, Cowger, Davidson, Desmond, Driscoll, Dunlap, Dutremble, Etnier, Farnsworth, Fisher, Frechette, Fuller, Gagne, Gagnon, Gamache, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Kane, Kerr, Kontos, Lemaire, Mailhot, McKee, Mitchell JE, Morgan, Muse, O'Neal, O'Neil, Paul, Perry, Pieh, Poulin, Povich, Powers, Quint, Richard, Rines, Rowe, Samson, Sanborn, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Stanley, Stevens, Tessier, Thompson, Townsend, Tripp, Tuttle, Usher, Vigue, Volenik, Watson, Wheeler GJ, Wright, Madam Speaker.

NAY - Barth, Belanger DJ, Belanger IG, Berry DP, Bigl, Bodwell, Bragdon, Buck, Bumps, Campbell, Carleton, Chick, Chizmar, Cianchette, Clukey, Cross, Dexter, Donnelly, Fisk, Foster, Gerry, Gieringer, Gooley, Honey, Jones SA, Joy, Joyce, Joyner, Kasprzak, Kneeland, Labrecque, Lane, LaVerdiere, Layton, Lemke, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Marvin, Mayo, McAlevy, McElroy, Meres, Murphy,

Nass, Nickerson, O'Brien, Peavey, Pendleton, Perkins, Pinkham RG, Pinkham WD, Plowman, Savage, Snowe-Mello, Spear, Stedman, Taylor, Tobin, Treadwell, True, Underwood, Vedral, Waterhouse, Wheeler EM, Winglass, Winn, Winsor.

ABSENT - Bruno, Cameron, Ott.

Yes, 77; No, 71; Absent, 3; Excused, 0.

77 having voted in the affirmative and 71 voted in the negative, with 3 being absent, House Amendment "J" (H-43) to Committee Amendment "A" (H-15) was indefinitely postponed.

Representative LEMONT of Kittery presented House Amendment "K" (H-44) to Committee Amendment "A" (H-15) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Lemont.

Representative LEMONT: Madam Speaker, Ladies and Gentlemen of the House. I am concerned about the Magnet School being able to maintain its excellent level of education. Unfortunately, in this budget, the Magnet School is underfunded greatly and creates a hardship for the students and administration at this fine school. If this amendment is successful, it takes the defunded money of the Magnet School and this money will follow these students back to their public schools, because, as you probably know, the GPA has one of its components is the student population. This amendment would obviously return a small portion of this money directly to the school districts that had lost these students. All the money would go to GPA.

This money would allow the public school districts to continue to offer the programs and courses, which they now have, for example, weighted classes, honor classes, independent studies, gifted and talented, science Olympics and the math leagues. These are all programs that would directly benefit these exceptional students. I hope you will join me in passing this amendment. Thank you.

Representative STEVENS of Orono moved that House Amendment "K" (H-44) to Committee Amendment "A" (H-15) be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Stevens.

Representative STEVENS: Madam Speaker, Ladies and Gentlemen of the House. I see this amendment as a win, win situation. When we received the Chief Executive's budget on our Appropriations Committee table, we were really in a tough decision deciding about this Magnet School for science in Limestone. In deference to some of our friends in this chamber who represent areas that service the Limestone facility and for those of us who have students who attend the Limestone School, we did include it back into our budget. I will be voting against this amendment and I will be interested to see how this body does.

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

Representative PERKINS: Madam Speaker, Men and Women of the House. I don't know if you all realize this, but if you have degrees in nuclear physics and have been teaching or working in the field of physics for 20 years, you can't get a job in the public schools unless you have taken basic education courses one, two and three? You probably already know that, but the question is, I wonder how many of you have ever taken any of those courses, basic education one, two and three. I support the Magnet School for one major reason. You can get a job up there with these kinds of qualifications. You don't have to take those courses. That is enough for me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative O'Neal.

Representative O'NEAL: Madam Speaker, Men and Women of the House. The Maine School of Science and Mathematics is a practical, cost efficient way of offering high quality education to bright and gifted students, no matter their social or economic background. Continued state support for the MSSM is an investment in the future of the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative MACK: Madam Speaker, Men and Women of the House. I also am in favor of the Magnet School. I am going to vote against the pending motion to Indefinitely Postpone. I urge my colleagues to join me. Even though I do favor the Magnet School, my honorable colleague from Kittery deserves his amendment to be voted on, so we can vote on his amendment and then debate the Magnet School.

The Chair ordered a division on the motion to indefinitely postpone House Amendment "K" (H-44) to Committee Amendment "A" (H-15).

Representative BARTH of Bethel requested a roll call on the motion to indefinitely postpone House Amendment "K" (H-44) to Committee Amendment "A" (H-15).

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "K" (H-44) to Committee Amendment "A" (H-15). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 23

YEA - Ahearne, Bagley, Baker CL, Baker JL, Barth, Belanger DJ, Belanger IG, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Buck, Bull, Bumps, Bunker, Campbell, Carleton, Chartrand, Chick, Chizmar, Clark, Clukey, Colwell, Cowger, Cross, Davidson, Desmond, Donnelly, Driscoll, Dunlap, Dutremble, Etnier, Farnsworth, Fisk, Frechette, Fuller, Gagne, Gagnon, Gamache, Gerry, Gieringer, Gooley, Green, Hatch, Honey, Jabar, Jones KW, Jones SL, Jones SA, Joy, Joyce, Joyner, Kane, Kerr, Kneeland, Kontos, LaVerdiere, Layton, Lemaire, Lemke, Lovett, Madore, Mailhot, Mayo, Mitchell JE, Morgan, Murphy, Muse, Nickerson, O'Brien, O'Neal, O'Neil, Paul, Perkins, Perry, Pieh, Plowman, Poulin, Povich, Powers, Quint, Richard, Rines, Rowe, Samson, Sanborn, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Spear, Stanley, Stevens, Taylor, Tessier, Thompson, Townsend, Tripp, True, Tuttle, Usher, Vigue, Volenik, Waterhouse, Watson, Wheeler EM, Winsor, Wright, Madam Speaker.

NAY - Berry DP, Bigl, Bodwell, Bragdon, Cianchette, Dexter, Fisher, Foster, Goodwin, Kasprzak, Labrecque, Lane, Lemont, Lindahl, MacDougall, Mack, Marvin, McAlevey, McElroy, McKee, Meres, Nass, Ott, Peavey, Pendleton, Pinkham RG, Pinkham WD, Snowe-Mello, Stedman, Tobin, Treadwell, Underwood, Vedral, Wheeler GJ.

ABSENT - Bruno, Cameron, Winglass, Winn.

Yes, 113; No, 34; Absent, 4; Excused, 0.

113 having voted in the affirmative and 34 voted in the negative, with 4 being absent, House Amendment "K" (H-44) to Committee Amendment "A" (H-15) was indefinitely postponed.

Representative DONNELLY of Presque Isle presented House Amendment "L" (H-45) to Committee Amendment "A" (H-15) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Donnelly.

Representative DONNELLY: Madam Speaker, Men and Women of the House. I will bring you back to the debate of last night when someone talked about setting funding priorities and some things that were not being done in this budget that ought to be done. This is an issue that I have heard a lot about from