

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 20, 1991 to July 10, 1991

suggested the Committee on Appropriations and Financial Affairs.)

Under suspension of the rules, without reference to any committee, the Bill was read once and assigned for second reading later in today's session.

ORDERS OF THE DAY

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Saturday, July 6, 1991, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first item of Unfinished Business.

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Period of July 1, 1991 until July 10, 1991 (EMERGENCY) (H.P. 1380) (L.D. 1970) (H. "B" H-745)
 PENDING - Passage to be Enacted. (Roll Call Requested)

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and later today assigned. (Roll Call requested)

At this point, the Speaker appointed Representative Michaud of East Millinocket to act as Speaker pro tem.

The House was called to order by the Speaker pro tem.

The Chair laid before the House the second item of Unfinished Business:

HOUSE DIVIDED REPORT - Majority (10) "Ought to Pass" as amended by Committee Amendment "A" (H-499) - Minority (3) "Ought Not to Pass" - Committee on State and Local Government on Bill "An Act to Provide for Deferrals of Unfunded State Mandates for Municipalities Experiencing Financial Hardships" (EMERGENCY) (H.P. 1190) (L.D. 1743)
 TABLED - June 29, 1991 (Till Later Today) by Representative MAYO of Thomaston.
 PENDING - Motion of Representative JOSEPH of Waterville to accept the Minority "Ought Not to Pass" Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: As you all know, this bill has been moved on the calendar for probably a month now. I am glad we finally have an opportunity to

debate it. It is a 10 to 3 Majority "Ought to Pass" Report out of State and Local Government.

Before I make a few remarks about it, I would like to read from today's Portland Press Herald editorial whose title is "U.S. Cities Become Beasts of Burden, they are hauling the load for all levels of government in Maine, the Northeast and the Nation." The editorial begins, "While public attention focuses on state and national governments, U.S. cities are becoming what Paul Thornton, Chairman of the National League of Cities, rightly calls "beasts of burdens carrying the loads that no one else wants to bear and their knees are buckling. No where is that more true than in the recession-wracked northeast where cities are being increasingly left on their own to meet mandates imposed by federal and state governments ranging from Medicaid to removing underground fuel tanks."

This bill before you, L.D. 1743, allows the deferral of unfunded state mandates for municipalities which are experiencing financial hardship. Communities must have the option of mandate relief during these tough economic times and, if they do not have an appeal route as in this bill through State Planning Office, I think we show an insensitivity to their problems as they try to keep property tax increases under control.

This bill would allow for deferrals of those unfunded mandates for up to 12 months with a stipulation that communities must provide a detailed plan on how the mandate will be implemented after they delay.

I would also like to read to you from the New York Times of June 3rd which talks about, "The Cash Crises Force Localities in U.S. to Slash Services. Cities are facing the toughest times since the Great Depression, said the Mayor of New Orleans, President of the National League of Cities." And, in this article in the New York Times there is a reference to Bangor, "If Bangor, Maine cannot raise \$50,784 in tax revenue to pay the world's best childrens dentist, in the words of City Manager Edward A. Barrett, Bangor will lose \$64,500 in federal Medicaid grants and more than 600 indigent children will be at risk of decaying teeth. The dentist is so highly prized that his 20-year old dental clinic for the children of low-income families appears on Mr. Barrett's end of the world scenario, a list of the most draconian service reductions that would be needed to keep next year's property tax increase below 14 percent."

It seems to me it is the least we can do for Maine's towns and cities, for them to have control over their own financial destiny. It is my belief they must have some flexibility.

Mr. Speaker, I request a roll call.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Waterville, Representative Joseph.
 Representative JOSEPH: Mr. Speaker, Men and Women of the House: I urge you to vote for the "Ought Not to Pass" Report. I intend to give you good reason to do so.

First of all, every one of us are concerned about our towns and our cities. Each of us are concerned about property taxes and possible property tax increases in our towns and cities, but this is not the way to go.

This particular piece of legislation says, if a municipality can demonstrate to the State Planning Office that it would suffer financial hardship by funding a state mandate, the State Planning Office

may defer the mandate for up to 12 months.

Although this bill may sound good, there are serious problems with this piece of legislation. First of all, it gives the State Planning Office carte blanche to in fact decide whether or not that municipality is going to suffer financial hardship. Therefore, this bill does create an enormous potential for the misapplication of executive power that could nullify any act of this legislature and the Legislative Branch and the Judicial Branch. In fact, what this bill would say is that a court decree could also be deferred if in fact the State Planning Office would decide that that was what should occur. It is our opinion that there are several flaws in this piece of legislation. It is vague and unclear in a number of areas. It is bad policy and, therefore, a very bad bill.

It is absolutely in the worst interest of this state, our State of Maine, that one person, the Director of State Planning, could decide whether or not a municipality is suffering that financial hardship or to render ineffective any law passed by this legislature and signed by the Governor of this state, any law prior to July 1, 1991, and that means any law, any act that had been passed by this legislature or legislatures of the past since statehood of 1820. I do not consider that good public policy.

I urge you to vote "Ought Not to Pass."

The SPEAKER PRO TEM: The Chair recognizes the Representative from Belfast, Representative Marsano.

Representative MARSANO: Mr. Speaker, I would request that the Report be read.

Subsequently, the Report was read in its entirety by the Clerk.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brunswick, Representative Pfeiffer.

Representative PFEIFFER: Mr. Speaker, Men and Women of the House: I am not positive, but if the current legislation that we are considering has any exclusion in it for education mandates, I would like to remind the House that on June 20th the Governor signed into law the act concerning state education mandate waivers. This provides for application to the Commissioner of Education when a municipality finds undue hardship in carrying out a mandate that has to do with education. I think there is a potential for conflict with the bill under reference and I urge you to adopt the Minority Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Jonesboro, Representative Look.

Representative LOOK: Mr. Speaker, Ladies and Gentlemen of the House: I feel quite confident that most of you have heard from your towns and cities in your district and I respectfully ask that you search your mind. It has been a long time since this bill was first presented before us and for it to come for discussion. Remember what your towns and cities have said to you, unfunded mandates have created a lot of problems in the municipalities and I respectfully ask that you not support the motion before you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, I would like to pose a question through the Chair, please.

To anyone who may know the answer — is there any sunset on this bill or will this bill apply for the indefinite future?

The SPEAKER PRO TEM: Representative Coles of

Harpswell has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: There is no sunset in this bill. I do want to make a comment about an earlier speaker's presentation about misapplication of executive power and giving State Planning carte blanche and that this is bad policy and a bad bill. I think it is good policy, it is reaching our hand out to the municipal level and offering them some relief now.

It was reported yesterday that 85 percent of the towns and cities in this country have faced property tax increases in the last year and I think it is time that we offered them this breathing space of 12 months.

The State Planning Office would require from the municipalities explicit plans on how those towns and cities would implement the mandate after the delay.

I urge that you vote against the "Ought Not to Pass" motion.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Men and Women of the House: Just yesterday I had the occasion to meet with my city clerk and he was quite strongly in favor of this type of legislation. He also said to me some very interesting things — among them was, "If you don't do it, I assure you it will go out to petition."

The SPEAKER PRO TEM: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I want to respond to the comments of Representative Lewiston, Representative Aliberti. I don't want there to be confusion as to the two issues before us.

Later on in your calendar is L.D. 66 which is a "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide State Funding for Mandates Imposed on Municipalities."

The issue before us is L.D. 1743 and, as Representative Joseph has indicated, it would allow the State Planning Office to defer an unfunded state mandate based on the opinion of the State Planning Office.

Mr. Speaker, I would pose a question through the Chair.

To anyone who may care to respond. As I read the bill, I understand the comments that have been made but my question is, if we are to be allowing the State Planning Office the opportunity to defer a mandate from a municipality that would suffer a financial hardship, what criteria would be used to make a determination as to what is a financial hardship? I see none listed in the bill before me.

The SPEAKER PRO TEM: Representative Gwadosky of Fairfield has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: Earlier when I spoke I said that many things were unclear in this bill and that is one area of the bill that I say is unclear. The definition of financial hardship is not defined in this piece of legislation as well as state mandate.

In fact, any state mandate could be called a financial hardship.

Let me read a list of what those financial hardships or state mandates could be. They could be funding of education, funding of road construction and maintenance, they could be local funding of environmental activities, they could be any cost incurred by passage of the comprehensive planning legislation that this legislature or the past legislature did enact, cost incurred by a municipality or county for prison and jail facilities, cost incurred by municipalities, county or any special district such as a quasi-municipal district, water, sewage, etcetera and any other local unit as a result of passage of any state law, rule or court decree. In this particular piece of legislation, all things could be a state mandate.

While I am speaking, I would like to remind you that the 114th Legislature passed a piece of legislation that, as of July 2nd, requires any piece of legislation that requires additional funding must provide for full funding by the state. The funding requirements to implement the mandate must be identified in the legislation and any legislation subject to this section for which full funding is not provided may not be enacted. And, for the purpose of this section, a state mandate means any state regulatory or statutory action that requires county or municipal government or a unit of county or municipal government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to comply with the federal mandate.

So state mandates, laws that require municipal funding of any sort, are now covered by a piece of legislation that went into effect just last week, July 2, 1991.

I urge you to vote "Ought Not to Pass." I feel that this piece of legislation is not well thought through, it is unclear, administrative costs are not spelled out and I do not believe it is responsible. I still consider this a bad law, bad policy and a bad bill.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Men and Women of the House: I urge you to pass this piece of legislation today. This legislation is an insurance policy for our municipalities and our tax rate back home. This has been a hard year in the legislature, we haven't had much money to spend and we have had to make a lot of cuts. We really do not know here today what we have done to our municipalities as far as sending mandates back home and what it is going to cost them. We don't know what effect the cuts we have made is going to cost them. This will be a way out to keep the property taxes in line in the State of Maine.

As far as defining financial hardships, I don't know about anyone else in here but I can speak for myself, I know what a financial hardship is.

Property taxes in the State of Maine has escalated over the past few years, especially those of us who live in the southern part of the state. It is getting to the point where people can no longer afford their homes or even their businesses down there.

I urge you to pass this as an insurance policy

for your municipality so that when they are truly having a hard time and people can't pay their tax bills, such as is happening in the district that I come from, we have more unpaid taxes in 1990 than ever before and it is because we were revalued in 1989 and the valuation just went sky-high and people just don't have the money. We are having a hard time meeting it and this is just an insurance policy to help those towns so they can keep the tax rate where people can keep their homes. Please vote to accept the Majority "Ought to Pass" Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative Melendy.

Representative MELENDY: Mr. Speaker, I would like to pose a question through the Chair to anyone who would answer.

My question is, what happens to the mandates that we have set on our communities for the many, many things that the Maine Municipal Association has lobbied very, very heavily for and they themselves have even brought in language for? Are we also going to have to be paying for these things that the communities have asked us to mandate on them?

The SPEAKER PRO TEM: Representative Melendy of Rockland has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Waterville, Representative JOSEPH:

Representative JOSEPH: Mr. Speaker, Men and Women of the House: Yes, these could be considered mandates — road assistance, actually to protect children, to assist families, all of those issues could be considered state mandates but moreover, if your town or municipality would consider it was a financial hardship, they could appeal to the Director of State Planning and that person alone, upon that request, could make that decision. In fact, that person alone would then have veto power over all bills, all legislation, all rules and court decrees that have been in effect.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Men and Women of the House: I want to state for the Record some figures that I just called down and confirmed. For this fiscal year that we are in, hopefully — if the budget is finally agreed to, there is \$526 million for municipalities and school districts for aid to education, there is \$80 million for the teachers retirement that is paid by the state, there is \$60 million for revenue sharing, there is \$16 million for road assistance, there is \$25 million for property tax relief and there is \$15 million for general assistance for city and town reimbursement. A total of just those six areas is \$732 million in one fiscal year. I think it is important to have those figures and have a discussion of this bill in that context, almost three-quarters of a billion dollars in one year from the state's General Fund going to municipalities to help support and reduce the property tax.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: I want to respond to some points and questions made earlier. First, as far as guidelines, it was clear when we discussed this in committee that they would be set up by the State Planning Office with a threshold so that the municipalities would know what their increase would

have to be before they could apply.

As far as the legislation that went into effect on July 2nd, we did have a long middle-of-the-night debate about that last year, that is for prospective mandates, for future mandates, it does not deal with unfunded mandates of the past.

I would like to remind you that we have heard the same specious arguments last year about the other mandate bill from those who do not want to restrict the legislature's ability to mandate without adequate funding and we were able to pass that bill overwhelmingly. I believe it was 92/38. I hope we can defeat the "Ought Not to Pass" motion by that margin.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to second the comments of the Representative from Waterville. If you read this bill very carefully, it essentially cedes legislative power. It yields legislative power to the Executive Branch in the form of the State Planning Office, practically without limit. The mandates may be deferred one year and then they may be deferred indefinitely in the future as well. These aren't just unfunded mandates as was just suggested, these are any state law that costs any town any money, and, as Representative Joseph said, state laws running back to 1820 and even before that.

Do we as a legislature think it is a good idea to say to the Executive Branch, you may waive any law which we and all past legislatures have approved and enacted at your discretion without any standards to make those decisions in law? It seems to me to pass this bill would be folly. We will be giving up the prime prerogative of this body and the other body combined, a legislature as a whole, that is the ability to enact laws which the Executive Branch must then manage. If we give up our ability to decide which laws shall be obeyed and which shall not to the Executive Branch, we might just as well pass a law ending our own existence.

The SPEAKER PRO TEM: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: Briefly, there are several points that I think need to be made on this piece of legislation. One is that it has been suggested that there is somehow a level of responsibility at the local municipal level that is not capable of determining when there is a financial crisis and when they should not apply for some relief from mandates.

I think there is a clear difference of opinions as to the ability of our local elected officials. It has been stated very clearly before that, not only are there hard times at state government, where we have in our own budget deferred our responsibilities, delayed implementation of laws that we had enacted previously, talked about ways of getting around our own mandates, this seems to be only fair for the local people to be able to apply on limited

circumstances with a very specific 12 month detailed plan for how they could better finance mandates that we have imposed.

There was a discussion earlier about the responsibility or the money that we have dropped on our municipalities to help them pay for state mandates and my only answer is that it is not nearly enough to cover all the costs that we have imposed upon towns.

I urge defeat of the motion before us and acceptance of the Majority Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Ladies and Gentlemen of the House: Once again, we have a government which consists of checks and balances, separation of powers between the Executive, the Legislative and the Judicial. Passage of this bill will cede most of our power to the Executive Branch, the right to waive any law which we pass under conditions which will be determined solely by the Executive Branch and for the indefinite future since there is no sunset. In order to retrieve this power, we will have to have the agreement of the Executive Branch in the future. That, ladies and gentlemen, ought to raise a warning flag in any legislator's mind.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is the motion of Representative Joseph of Waterville that the House accept the Minority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 224

YEA - Adams, Anthony, Bell, Cahill, M.; Carroll, D.; Cathcart, Clark, M.; Coles, Constantine, Crowley, DiPietro, Dutremble, L.; Erwin, Farnsworth, Gean, Goodridge, Graham, Gurney, Gwadosky, Hale, Handy, Heesch, Hichborn, Hognlund, Holt, Jacques, Joseph, Ketover, Kontos, LaPointe, Larrivee, Lemke, Mahany, Manning, Mayo, McHenry, McKeen, Melendy, Mitchell, E.; Nadeau, O'Dea, Oliver, Paradis, J.; Paradis, P.; Paul, Pfeiffer, Pineau, Plourde, Powers, Rand, Richardson, Ruhlin, Saint Onge, Sheltra, Simonds, Simpson, Skoglund, Stevens, P.; Swazey, Townsend, Treat, Wentworth, The Speaker.

NAY - Aikman, Aliberti, Anderson, Ault, Bailey, H.; Bailey, R.; Barth, Bennett, Boutilier, Bowers, Butland, Carleton, Carroll, J.; Chonko, Clark, H.; Daggett, Donnelly, Dore, Farnum, Farren, Foss, Garland, Gould, R. A.; Gray, Greenlaw, Hanley, Heino, Hepburn, Hussey, Jalbert, Kerr, Kilkelly, Lawrence, Lebowitz, Libby, Look, Lord, Luther, MacBride, Macomber, Marsano, Marsh, Martin, H.; Merrill, Morrison, Murphy, Nash, Norton, Nutting, Ott, Parent, Pendexter, Pendleton, Pines, Pouliot, Reed, G.; Reed, W.; Richards, Ricker, Rotondi, Salisbury, Savage, Small, Spear, Stevens, A.; Stevenson, Strout, Tammaro, Tardy, Tracy, Vigue, Waterman, Whitcomb.

ABSENT - Cashman, Cote, Duffy, Duplessis, Hastings, Hichens, Ketterer, Kutasi, Lipman, Michaud, Mitchell, J.; O'Gara, Poulin, Rydell, Tupper.

Yes, 63; No, 73; Absent, 15; Paired, 0; Excused, 0.

63 having voted in the affirmative and 73 in the negative with 15 absent, the motion did not prevail.

Subsequently, the Majority "Ought to Pass" Report was accepted, the bill read once.

Committee Amendment "A" (H-499) was read by the Clerk and adopted and the bill assigned for second reading later in today's session.

The Chair laid before the House the third item of Unfinished Business:

HOUSE DIVIDED REPORT - Majority (8) **"Ought Not to Pass"** - Minority (5) **"Ought to Pass"** as amended by Committee Amendment "A" (H-277) - Committee on **Legal Affairs** on Bill "An Act to Impose a Limit on Campaign Contributions" (H.P. 785) (L.D. 1117) TABLED - June 29, 1991 (Till Later Today) by Representative MAYO of Thomaston.
PENDING - Motion of Representative LAWRENCE of Kittery to accept the Majority **"Ought Not to Pass"** Report. (Roll Call Requested)

On motion of Representative Gwadosky of Fairfield, retabled pending the motion of Representative Lawrence of Kittery that the House accept the Majority **"Ought Not to Pass"** Report and later today assigned. (Roll Call requested)

The Chair laid before the House the fourth item of Unfinished Business.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide State Funding of any Mandate Imposed on Municipalities (S.P. 42) (L.D. 66) - In House, Bill and Accompanying Papers Recommended to the Committee on **State and Local Government** on June 29, 1991.
- In Senate, Senate Insisted on its Former Action whereby the Majority **"Ought to Pass"** as Amended Report of the Committee on **State and Local Government** was Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (S-292) and Senate Amendment "A" (S-379) in non-concurrence.
TABLED - July 2, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.
PENDING - Further consideration.

On motion of Representative Gwadosky of Fairfield, retabled pending further consideration and later today assigned.

The Chair laid before the House the fifth item of Unfinished Business:

Bill "An Act to Repeal the Maine Educational Assessment Program" (EMERGENCY) (H.P. 1081) (L.D. 1575)
-In Senate, the Majority **"Ought to Pass"** as amended Report of the Committee on **Education** read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-650) in non-concurrence.
TABLED - July 3, 1991 (Till Later Today) by Representative HANDY of Lewiston.
PENDING - Motion of same Representative to Reconsider whereby the House Adhered to its former action whereby the Bill and Accompanying Papers were

Indefinitely Postponed.

Subsequently, the House reconsidered its action whereby L.D. 1575 and all accompanying papers were indefinitely postponed.

Representative Handy of Lewiston moved that the House recede and concur.

Representative Marsano of Belfast requested a roll call vote.

The SPEAKER PRO TEM: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker, Men and Women of the House: This bill would, with the Committee's amendment if passed by this House, provide for a two year moratorium on the administration of the Maine Educational Assessment program. As many of you are aware, the MEA provides for testing of fourth, eighth and eleventh graders throughout the State of Maine.

It has been some nine months since I submitted this bill for consideration in the 115th Legislature, submitted with two things in mind. One, from a programmatic standpoint, the MEA is not an accurate measure of accountability for any aspect of our education in the State of Maine. When the department has been questioned and other people in education have been questioned about how it is accountable, they have been left dumbfounded, they have not been able to provide us with a response of where the accountability actually exists from the tests.

The second impetus for this legislation is that of our fiscal condition. Since I presented this legislation, I have found that many people are not aware of the cost of this program to the state. I am sure all of you over the past several months have received letters from people and phone calls saying, "downsize government, cut government spending." In fact, I received one over the weekend with the same message.

Well, this Representative has taken that message seriously and has proposed streamlining government by eliminating this program. The cost savings that would be realized is \$2.3 million. Yes, you heard correctly, \$2.3 million is what we, the people of the State of Maine, pay for a program that has no direct benefit to the children in our schools in the state.

I would hope that you would support the motion to recede and concur so that we can show the people of the State of Maine that we are serious about downsizing government and having only those programs that we need for education in the State of Maine.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winthrop, Representative Norton.

Representative NORTON: Mr. Speaker, Ladies and Gentlemen of the House: I view myself as a fiscal conservative but we are not here to debate that. We are here to consider the only thing in the whole reform act, as passed, that deals with accountability. We have one of the few tools in this country available on a statewide basis covering a longitudinal study - that means that we have had this in place for a period of time. My reason for not wanting to put this on a moratorium is to