

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Fourth Legislature

State of Maine

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### 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 Year Ending June 30, 2009

H.P. 40 L.D. 45  
(C "A" H-2)

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Madame President. Men and women of the Senate, this state, like many other states, is facing many difficult budgetary decisions. We face tough times and the challenges are significant. The current shortfall of our existing budget is a little over \$166 million. As you know, it was the job of the Appropriations Committee to find a way to close that rather substantial budget hole. We were committed to doing that without raising taxes, without raising fees, and without making further cuts in education and in Medicaid beyond the curtailments. To add just a little challenge to the mix, we had to get this budget out of our committee in three weeks.

Let me pause here and say that without the hard work of the policy committees, and that is all of you, this budget would not have been possible. Your expertise and commitment were vital to our cast. In fact, the Appropriations Committee accepted 99.8% of the policy committee recommendations. I'm also very proud of our committee for working hard in such a bipartisan manner. Both Democrats and Republicans, both sides of the aisle, listened with respect to each other and came to solutions together. The result of that is that we had a unanimous vote out of our committee. A special thank you to the Senator from Androscoggin, Senator Craven; my co-chair, Representative Cain; and the two Republican leaders on our committee, the Senator from Hancock, Senator Rosen, and Representative Millett. Their leadership was key to our creating a budget which reduces spending and still reflects the values of Maine's people. I'd also like to thank the elected leaders of both parties in both houses; thank them for leading.

Specifically, with this budget the State will spend less money in 2009 than we did in 2008. We will reduce the DHHS budget by \$34 million. We will eliminate the \$1 million plus cut to critical access hospitals. We will reduce the legislative budget by \$1.6 million. We will not be closing the Charleston Prerelease Facility this fiscal year. We have restored mental health funding. Overall, this budget process clearly demonstrates that both political parties can work together to solve the serious budgetary problems in our state. I thank Governor Baldacci for sending us a supplemental budget that was sound in structure and gave us achievable options. We have set a tone of listening and mutual respect which will be imperative as we start work on the upcoming biennial budget. Madame President, men and women of the Senate, I proudly ask for your support in voting on the motion before us.

On further motion by same Senator, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you very much, Madame President. Men and women of the Senate, I rise to thank the members of the Appropriations Committee; the Senators from Hancock, Senator Rosen, Cumberland, Senator Diamond, and Androscoggin, Senator Craven, and their counterparts in the other Body as well as the members of the policy committees who worked so hard to fine tune the proposals that went to the Appropriations Committee and to produce this supplemental budget. We, on this side of the aisle, have made it clear from the outset of this session our commitment to work in a bipartisan manner to solve problems and I am very pleased that in the first real test that approach has produced positive results.

While it is not perfect, and many of the decisions embodied in it are difficult ones, the supplemental budget is a responsible blueprint for being the state into the black for the remainder of this fiscal year while restoring critical funding for adult education and critical access hospitals and making an important commitment going forward to address the long standing debt to Maine's hospitals. The spirit of bipartisan cooperation that produced this budget which we are about to pass is an example of how government can work when we all roll up our sleeves and work together to produce the best product we can, even in the face of challenging economic times. That is what Maine people expect us to do and it's a productive spirit that I hope will carry through as we move our attention to the biennial budget in the coming weeks.

In closing, I want to extend again my thanks to all of the members in both bodies who have worked so hard cooperatively to bring us to this point and I'm proud to lend my support to the supplemental budget.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN:** Thank you, Madame President. Men and women of the Senate, I would like to offer my voice and concurrence to encourage all of you to support the proposal that is before us and join our good Senate chair and also member of the Republican leadership that spoke to encourage that support. We are here because we are responding to the need to fulfill our constitutional requirement to bring the current biennial budget back into balance. It is the second time that the legislature has had to confront returning the 2008 - 2009 budget and fulfill our constitutional requirement. It's a very different type of exercise and obligation than the one that we are about to embark into with the biennial proposal. I think that the document that is before you, and here for your support, is crafted in as surgical a manner as possible to be careful regarding the impacts that nearly every policy area in the state will be feeling. As stated earlier, we respected the committee work that was brought to us, particularly from the Criminal Justice Committee, Education, the Agriculture and Conservation Committee, and Health and Human Services. They zeroed in on difficult components of this budget and brought us productive solutions that improved on the structure of the original proposal as presented by the Chief Executive. I'm sure he would also be pleased.

I would again point out the very significant language in this proposal as it relates to fulfilling our obligation of meeting the medical settlement payments to our hospitals for the years 2005 and 2006. The ability to work with members of the Appropriations Committee and members of the Health and Human Services

Committee and recognize in this document, along with members of leadership from both chambers, the importance of including that language in this proposal which I think is a mature and effective way of addressing what is before us as an outstanding, and longstanding, obligation.

It was a pleasure working with our good Senate chair and the Senator from Androscoggin, Senator Craven, and the entire team on the committee. I think it's a productive effort, a good dry run for everyone, policy committees, appropriations, and leadership combined, and I think we are now ready to embark on the next challenge. I encourage your support.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you, Madame President. I, too, rise in support of this supplemental budget and also wish to commend those who have worked so tirelessly to get us to this point. The good Senator from Cumberland, Senator Diamond, has provided extraordinary leadership in a very tight timeframe. The good Senator from Hancock, Senator Rosen, and the Senator from Androscoggin, Senator Craven, have worked tirelessly to bring people together and to work with the policy committees. In fact, every single person in this room, through their work on their policy committees, has offered constructive input to this budget and made sure we got to a place that while uncomfortable and difficult decisions were made, they were done with due consideration to the core values of Maine people, to make sure we were protecting the most vital services that the State provides, and also lay a good pathway for the weeks and months ahead. As we turn our attention to the biennial budget, we can learn a great deal from the decisions and compromises that were made during this process and use that as a springboard to lay out a biennial budget that can fulfill and similarly represent the core values of Maine people while sticking true to the commitment we've all made to reduce the budget and to deal with the fiscal crisis while making sound investments in Maine's future. Thank you, Madame President.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you, Madame President. I want to thank the Senate chair, the House chair, leadership, and our leads on Appropriations. This budget was negotiated carefully and I hope with sensitivity towards all of the cuts that we had to make in this difficult time. It was voted out unanimously. We had an unbelievable and wonderful team on the committee. I invite everybody to vote with the entire Appropriations Committee and with me in favor of this budget. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Passage to be Enacted. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#2)**

**YEAS:** Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, MILLS, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SULLIVAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

**NAYS:** Senators: NASS, SMITH, TRAHAN

**ABSENT:** Senator: NUTTING

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 3 Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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Senate at Ease.

Senate called to order by the President.

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Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

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On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED** to Thursday, January 29, 2009, at 10:00 in the morning.