

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Sixth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 5, 2012

beginning at Page 1

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Concerning Product Stewardship in Maine"

H.P. 952 L.D. 1335

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-470)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-470)**.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-470) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Facilitate the Processing of Livestock That Is Not for Resale"

S.P. 104 L.D. 271

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-272)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-273)** (4 members)

In Senate, June 12, 2013, on motion by Senator **JACKSON** of Aroostook, the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-272)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-272)**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED**.

Senate at Ease.

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015

H.P. 1079 L.D. 1509

(H "P" H-499 to C "A" H-468)

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hill.

Senator **HILL:** Thank you Mr. President. Colleagues in the Senate, I am truly honored to stand here before you tonight and talk to you a little bit about the budget. It was a long time coming and it was a lot of work and effort. The product is finally done. I can't say anything about the budget without talking about the people that were involved with it first. I have to tell you, I have to tell my Republican colleagues, that they can be incredibly proud of Senator Flood. He is always a gentleman. He is always professional. He always has the best of Maine first and foremost in his mind. I have considered it a true honor and a privilege to work with this man and then to get to know him as a friend. I have to say quickly that his co-lead, Representative Chase, was quite a fighter. She kept me on my toes. As for the rest of the committee members, they are all wonderful. I'm sorry, Senator Cain. I did not mean to over shoot you. We're connected at the hip. I apologize for not speaking about another person to work with, who was at my side and constantly giving me great ideas and tips and smiling all the time, day or night, no matter what the hour was, bringing very much to the budget in terms of creative solutions. I'm honored to know and work with Senator Cain. It's been a privilege. Thank you. Of course all the other members of the committee, I'm so proud of them and all their work and how they acted so professional all the time and that, despite all sorts of things going on around us, they never lost sight of the task.

I also have to mention the Office of Fiscal and Program Review. There's a crowd. I do not know how they stay awake the hours they do. I do not know how they do the quality of work they do for us, given the long hours, given the complexity of it. Somehow they do it and I know that without them we could never get through the complexities and the size of the budget. I thank them profusely. I realize that at the other side of the building, tucked down the hall, is an office called the Revisor's Office. They are also often unsung heroes who just labor away, continually working on the many changes and the language and putting this budget together the first time for the Executive Department, and then various versions of it and then continuing to work on it and giving us our final product. I thank each and every one of them for all of their work. I reflected a bit on this, and I thought that, yes, the Appropriations Committee does a lot of hard work for this, but I cannot overlook my leadership and the leadership of Senator Flood. They are behind us. They give us a lot of guidance. They give us support. They give us encouragement. When you are working on the budget for four months, you need all of that. Here are some other people that we don't thank enough; the staff behind us. The Majority Office staff, the President's Office staff, they are there constantly saying, "What can I do? How can I help? What can I get you?" They do research and they do reading. It's actually hard to even describe everything they do, but they are ever present, they are ever smiling, and they are ever dedicated. I shall always remember their hard work in this chapter of my life.

I just want to tell you that I thought about this budget, and it strikes me that while we think of budgets of being a lot about language and policy and numbers, this is really about people. People put it together. People took it apart. People put it back together. We all did it for people, people of the state of Maine. This budget is about us, as legislators. It's about what we can bring back to our districts and what we can bring to our people in our districts. It wasn't an easy budget, but, despite that, I think we did a very good job. We did a good job because it was bi-partisan. We did a good job because we thought of all of you, all of our colleagues and not just the Appropriations Committee. We wanted to give you something to bring back home. We gave you \$58 million in education. We gave you \$125 million in revenue sharing. We gave the State employees longevity, merit, and health insurance, which there is no question they deserve. They are hard working. They surround us every day. They are throughout the state, taking care of our people. We made sure that none of our elderly will go without the drugs they need. That gives me peace of mind. I know it gives you peace of mind. Good Lord, it gives them peace of mind. We were able to look at our hospitals and say, "Yes, we do have to come up with a base." You know what? We're going to ease it a little bit with a match. Our critical access hospitals, we decided they are critical and we had to be really sensitive and avoid a cut to them. I just want to go back to the Appropriations Committee for a moment. I assure you I spent many hours with all of them because I have come to care about them. I respect them as a whole, both the Republicans and the Democrats. I kid you not. I protected them fiercely because I knew of the task they had. I know they are very special people because they are able to rise above pretty much everything happening and stay focused. Given the economic circumstances that they had, I think they did a really good job. They keep fairness in mind and they tried to spread out the impact of both reductions and taxes. The committee, as I said, never let politics get in their way. I hope this you find to be a

good thing and you are not disappointed in the fact that we never broke up. I'm proud of that. I think it says a lot about them as professionals. Professionally, and always keeping in mind that they wanted to keep Maine running and they wanted to address the needs of the people, they forged forward. I am going to ask you tonight to honor the bi-partisan work of this committee, your Appropriations Committee who worked for you and worked for your people, and I'm going to ask you to honor them by voting for this budget. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Flood.

Senator **FLOOD:** Thank you Mr. President. Ladies and gentlemen of the Senate, I want to first thank the Senator from York for her kind comments. I would like to certainly request your support of this unanimous budget bill. I've worked on eight of these critters now; some supplemental, some biennial. This was the hardest one. Not that we're expecting sympathy from people, but it was difficult to get unanimity and I want to thank the committee certainly for that. I don't really like to speak so much, but I will tell you that I very much enjoyed the work of the giant puzzle that is called the State budget and trying to find a way of solving that puzzle. We can't solve it without the nice people who I'm hoping are listening down at the Office of Fiscal and Program Review. They are some of the most capable people you would ever work with and I thank them. I also want to say a special thanks to the Senator from York and the Senator from Penobscot; Senator Hill and Senator Cain. They are great teammates and I think that's the way we tend to try to run things there, as a team. Also the smaller sub-set of that group, Representative Rotundo and Representative Chase, along with Senator Hill. If we were golf, we'd be a foursome. We do a lot of things together and not all of those together moments are as nice as this one. We learned to live with each other and to do the work that you expect us to do. I was very privileged to work with Representative Chase, who was a real good soul mate during this whole process. She's a great ally to have. I hope she's listening. All the others on the committee, we had a great affection for each other and I hope some of them are here. We worked very very hard to get to "yes."

I wanted to just say a few things about the concepts that I went into this with, and I think that the team did. I think we worried very much about fairness and transitioning and trying to be fair to the entities that we were really working with. This was municipalities, schools, State employees, hospitals, and a wide variety of other areas to be fair about. I think we were striving very hard to find where was the fairest place that we could get and could we all get there together. This is a budget that is based on realism and it's not a budget based on rhetoric, exaggeration, politics, or anything of that nature. It is built so that it will work. I do believe that every member of the committee felt that way when we were finished. We faced the realities that we were dealing with and I think we found ways to break through. The only way you can do that, in an environment like that for four months, is if you have a work environment where people trust each other and you treat each other with respect, even in those moments where you are making the other person cry because things are so difficult and expressing those strong differences in way that allows you to break through to find answers, I think, is what made the committee very very special.

One thing I think that several caucuses found difficult this time around was that our caucuses were very independent, quite divided. I think it made it very difficult to kind of check in as we were going. We were constantly trying to check back in with our caucus groups to see how we're doing for them. It was very difficult, I think, for several of the caucuses to find commonality. That was a unique difference for me. Of the eight budget documents I've worked on, that was a unique characteristic of this particular one. I'm sorry for the people that we weren't able to please and I don't want anybody to think it was for lack of effort. Each of the broad caucuses, the Democrat and Republican Parties, each had, I think, what would you call them, must haves and can't do's. It was really important to respect those and to get those out on the table initially and then try to find ways to work around those. I think I don't want to dwell on those very much. I think we, in this room, all understand what those must haves and can't do's were. I think the fact that we talked openly about those things right at the outset and then worked around them respectfully, I think, was what really lent itself a final conclusion. Also in this building the easiest thing is to disagree because the building, the structure, and everything about working here kind of tailors things towards departure and disagreement. That's not a bad thing. Government is a democracy built on principles of expressing differences. It's also very difficult sometimes to agree, particularly when you have a complex document like this. It's like taking 300 or 400 bills of controversy and sticking them together. It's really hard to find agreement. The committee felt very strong and was faithfully working towards finding agreement in all those areas. With that as a premise to our work, I think it allowed us to truly find agreement.

Again, I want to say that just because we find agreement doesn't mean it was particularly fun. There were certainly good moments, but a lot of the work we do is working through these differences to get agreement comes with a lot of strong expressions and a lot of difficult nights. We don't want your sympathy, but we do want you to know that we work very hard on your behalf to express the caucus views on those matters. Again, this was a budget that was built on realism of our financial situation and I think we proudly present you this unanimous report. I will say on behalf of your Senate Chair of the committee, I want to be sure that you know that this was not just a unanimous committee report. Every single vote that Senate Chair brought before us was a unanimous vote. I don't know how many votes there were, but I'm guessing there were 300 or 400 or 500 votes. Every single one. I'm very proud that the committee struggled through. There were two or three times, in any budget bill I've ever work on, when it goes through a pattern and you are going to have two or three real bad days and we had those. When you get to the third one, by golly, we're almost there. It was really great about six days ago when we had that day. We broke through it and we got to the conclusion. I think there is a perception sometimes that if we get a unanimous bill that it was so easy and they didn't struggle. It's a lot of struggle and not too many really joyful moments. I tell you, when that hammer comes down, when the bill is voted out, that's, I think, a very fulfilling moment for each. We worked very hard to bring you a unanimous report. Frankly, I think that is what the people of Maine expect from us. They expect us to work together. They expect us to find solutions. I think that's done best when we trust and we respect one another and we're willing to talk to each other that way. I want to thank you all for the opportunity to serve you in that

capacity and I hope you will support the bill before you and I want to thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cain.

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, the Senator from Kennebec is right. Getting to yes on a budget is hard. It is hard to get to yes and this budget, in particular, was a heavy lift for the 13 members of the Appropriations Committee. I would say tonight that this budget is a heavy lift for the 126th Legislature, but it is the right thing to do. I'm going to join the praise and thanks of my friend and my colleague, literally attached at the hip is true, from York, Senator Hill. This budget has been a journey for the two of us as well, getting to know the right way to work together. I think we found it. The Senator from Kennebec and I go way back, both on the Appropriations Committee, joining it together in our second term in the other Body, and now here in our first term together in the Senate. We were back at it again and it was like we never missed a beat. I'm very proud of that. Certainly our colleagues from the other Body, the Representative from Wells, Representative Chase, and the Representative from Lewiston, Representative Rotundo, and the entire Appropriations team really did work as well as you've heard tonight. I don't need to repeat that, but it is clear we didn't do it alone. The Office of Fiscal and Program Review, on our side, certainly Ted, Bill, and Mike who anytime you thought you forgot something, they had already done it. Really the entire set of committees and the work that you do because I think that's the part that sometimes gets missed. You go through the first round of the budget with us. You make your recommendations. Most of what we do is what you told us to do. It's true. It's not all, I'll admit, and if it were that simple it wouldn't be as complicated a puzzle. The committee work is an extremely important part of this process. It makes us ask better questions when it comes time to finally assemble that complex jigsaw puzzle that the Senator from Kennebec referenced to earlier.

This is a tough budget, but it is a fair budget. It was, I believe, the best possible budget that 126th Legislature could have put forward. It was really a marathon. It has been. We are crossing a finish line tonight. There were a lot of public hearings on this budget. You probably remember them. I know I can't forget them because it was weeks and weeks and it was on the road. It was those town leaders, it was the parents, it was the teachers, public safety workers, law enforcement, healthcare providers, and State employees that came forward to say, "This is too much and you can do better than this." We listened to them and we heard what they said. That is reflected in the budget that's before you tonight. We listened to municipal leaders across the state and, as a result, tonight about 65% of the revenue sharing that was in place last year will go back to communities across the state. We will fully fund enough so we will return the Homestead Exemption to what it was last year. We will take an important structural step when it comes to property tax relief in our state that I think is one of the best parts of this budget. We are finally taking the circuit breaker program, something you had to apply for and something that you had to remember to do, and paperwork that you had to fill out, and changing that into the Property Tax Fairness Credit, something that will enable the property tax relief, though modest, to reach more people who need it the most. That, I think, is something that will be a lasting

positive effect of this budget on property tax payers across the state. We listened to our State workforce and we listened to our State employees and retirees not talk about needing more money but about workforce environment. We heard about the challenges of recruitment and retention that are having serious impacts across our entire state and tonight we're doing something about that. We have recruitment and retention back on track for the State of Maine. That means more productivity in our State. That means employees that want to stay and do their job, which they have done so well and so hard for the past several years. We're saying it's time to put that back on track. We're certainly taking important steps to protect the most vulnerable. Some of the heaviest parts of this budget to lift involved the Drugs for the Elderly program, the Medicare Savings program, and General Assistance. I need to use these as examples of how we do things sometimes in one Legislature and say, "I hope this makes things easier the next time." We did that. Whether we are looking at ways we found savings to offset the cuts, these are programs that make sure the elderly don't have to choose between food, lifesaving medicine, and heat; basic protections, basic security. Because of savings and creativity we were able to come up with in the past year, we were able to save those programs. Particularly, Mr. President, I want to thank the General Assistance Working Group. This was something that the prior Legislature put in place. Probably most of you don't even know about it. Members from Maine Municipalities, the Department of Health and Human Services, and others who were appointed to the GA Work Group met their charge to provide us with efficiencies and cost savings in the General Assistance program, something that last year took more than ten days to resolve one item in the budget. In large part in this budget we have been able to adopt these thoughtful recommendations that achieved significant savings and we've also eliminated assistance for those that we all agree should not be receiving General Assistance well at the same time protecting those most vulnerable; including seniors, people with disabilities, people fleeing unsafe conditions in their country of origin, and families with young children. We did that because we thought ahead. We knew we could run that program better. Tonight we're putting those things in place. Finally, in education, I think communities across the state, while they are accepting the responsibility of the teacher retirement normal costs, at the same time will welcome the funding that comes along with that, which takes us a little bit closer to our shared statewide goal of reaching 55% and really will enable us to partner with schools. They are accepting the responsibilities of the normal costs and we are saying we are going to move forward with them and not just shift that there. It's a structural change and it's a partnership about a smarter way to move forward. That is positive for our communities.

Mr. President, I ask the members of this Body to join me in voting for this budget because this budget sustains our communities, it protects the most vulnerable, it values our State workforce, and supports education in a very meaningful way. Voting for this budget tonight, Mr. President, is the right thing to do. I ask my colleagues to join me tonight in voting yes. Thank you, Mr. President.

On motion by Senator **HILL** of York, 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 Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to rise and say that I will be supporting the budget tonight. I believe this is the sixth budget that I've had the ability to vote on. I believe out of those six I think the two previous I voted against. I know many people probably in this Body and outside of this Body know that I'm a pretty stubborn guy at times. Sometimes I dig in and I think I've been accused more than once of wanting to fight as opposed to compromising. Last session was one of those times that I didn't support the budget. I didn't like it. I don't think any of the budgets that I've had the ability to vote on I actually truly liked. Despite what some people might say, I think since I've been here there's been an awful lot of cuts to a lot of programs I thought were important. When that last night, that Thursday night and Friday morning, when the Appropriations members were putting the budget together I sat down there and watched them go through it. Maybe this time, being in leadership, I had a little bit better understanding of how hard the Appropriations Committee has to work. It's a committee I've never wanted to be on, mind you. When I was sitting there, and the deal was coming together, I had an understanding of exactly what the budget was going to be. I sat there, I don't know what time it was, four or five o'clock in the morning, and thought to myself, "Well, you know there are still going to be cuts and revenue sharing, there are still cuts in this." Where this committee started from to where they got to, in the end, I thought to myself there is no anger, there's no outrage in this budget and I've just got to support it because I don't think I've seen the Appropriations Committee come together and compromise any more than I've seen with this committee. This truly was a budget that both sides moved on and reflects, I think, the spirit of what the Maine State Legislature should be; both sides of the aisle coming together for a compromise. I know that everyone in here probably has something in this budget that they don't like about it. I'm one of those people. They made this budget so much better than it was when they first started out and they worked so hard at it and they compromised so very much that there is no way that I could sit here and vote against it. For the members of this Body, my good friend and seatmate Senator Hill, my good friend Senator Cain, and my good friend Senator Flood, even though he was a forester in the past life, I want to say thank you very much for everything that you did for this budget and for all the House members that are in the building tonight that are on the Appropriations Committee I really do think that you worked a miracle with this budget tonight and getting a unanimous report. I truly do support and thank you for everything you did. I appreciate it. It's probably one of the best, it certainly is one of the best, budgets I've had a chance to vote on. Quite possibly one of the higher things that I've seen done here as far as truly coming together. Thank you for that, all of you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today firstly, if you will grant me the latitude, Mr. President, to thank those who worked so hard on this budget because having observed this during the last session in a leadership position and having had the privilege of working with Senator Flood during that period and now having him serve

us as our Appropriations Lead, I have come to a great respect and appreciation by the manner in which he has thoughtfully and calmly explained to us, sometimes during some rather fiery discussions in our caucus, why we reached the point we did. In that, he has always sought to be respectful. He has always sought to impart with us as much of an understanding as we could get. I have watched the Senators from your caucus, the Chairman Senator Hill and Senator Cain, and the dynamics of that committee were critical.

When we take our oath to uphold the Constitution, one of those components is the recognition that we must have a balanced budget. Through all the hyperbole of possibly shutting down state government, nobody who is rational, who has worked within this building, wants to subject this Body or the different branches of government to the pressure and the agony. We don't want to create uncertainty in a tough economy among businesses that rely on government or upon State employees who rely upon and trust us to make sure that their checks come on a regular basis. I think sometimes there are statements that are made, perhaps in the heat of discussions or as comments, that do not do justice to the people who serve this state because I think every one of them genuinely believe that when they come to work in the morning that they are going to do their best for something that they believe in and we have an obligation to respect that. I am not in the position tonight, which is difficult for me, where I feel I can vote in favor of this. That does not say that I don't respect the people and the work that has gone into this. Out of this we have been able to make a little more whole what has been a historic commitment to towns through revenue sharing. We have been able to recognize the patience and the delay that has happened to State employees and their ability to see increases on an overall basis, something that many of us in the private sector has struggled with for years as well. We sent a signal to the education community that we have a strong commitment in this state to education and we wanted to exhibit that by investing more in education. I think that is a top priority for many of us in this Body and I, without speaking for the Executive Branch, think it's been a priority of his. We also recognized some crises and some difficulties out there by putting \$3 million towards the dairy industry and stabilizing that. We also made some structural changes.

I have been going through the 160 and some-odd pages at the back of the budget document that we just received tonight. It's a little difficult for some of us also. This is not in any way of disrespect of the committee who did their work very well. It's part of the process and where we stand time-wise. To have this this afternoon for engrossment and to get copies. Personally I want to send our appreciation that, since there are only six copies available, you were kind enough to give us those for members who wanted to have it. It is troubling, as somebody who's worked on budgets at a municipal level and on behalf of organizations, to not have had a little bit more time to go through some of these things. Again, in fairness to our caucus lead and the House members, I believe they have tried to keep us abreast as this has gone on. That is not in any way meant to denigrate how the process has evolved, but it is difficult with something of this nature and one of the other reasons why I'm not in a position to cast my vote for it.

The good things, the positives are more, but others will want their opportunity to speak on this. The concerns I have are that a budget document is a financial document in my mind, Mr. President, but it is also a policy statement. There are structural

changes in here which I respect were both hard but were necessary, in my opinion, to make. There are good things that went on in recognition of some of the positive changes to career path legislation. I think that overall there was a respect to the process. There also are tax increases. There are tax increases generally to consumer goods. There are tax increases to meals and lodging. These all affect the citizens in this state. At the same time we have \$40 million in what is referred to as tax expenditures, whether you define those as tax breaks, tax loopholes, tax incentives, or whatever you call them, that yet have to be identified for savings to make this budget whole. I appreciate the difficulty that the committee had and I thank them for the manner in which they did this, which I sincerely think respected the process without using gimmicks. For many of those in my caucus that I have spoken with, the challenge we have is in adopting something that we feel philosophically has not met the standards that we believe in. To that end, I thank you for listening. I thank you for your time. I thank you for your understanding of why some of us will not be able to join you on that report.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise tonight to first thank the individuals that have worked hard on bringing this budget forward; Senator Flood, Senator Hill, and Senator Cain from this Chamber as well as the House members. They put a lot of effort into developing this product, just like many of the other individuals that have other committees that worked terribly hard to make sure that they bring good product back here. Whether it's the Energy Committee, the Judiciary Committee, or any other committee in this State House, I know that each one of us takes their job very very seriously. I know that folks on Appropriations do as well and I know that they have put a lot of effort into this. With that said, ladies and gentlemen, the folks at home are putting a lot of effort into trying to make ends meet as well. This budget does have some tax increases that I simply cannot support. I'm sure that everyone in this Chamber that intends to support this believes it is absolutely the best possible product that could be turned out. I appreciate that opinion. Let me say that the vast majority of Senate Republicans believe that we don't have a revenue problem, but indeed we have a spending problem. In this budget we are faced with substantial sales tax increases. As a matter of fact, 10% increase in the sales tax that hard working Mainers are going to have to pay. A 12% increase in the meals and lodging tax. There is \$40 million worth of loopholes in our tax code that are going to be closed. Ladies and gentlemen, if you've had kids you've probably used this line. I refer to my children as tax deductions, but I've never referred to them as loopholes. There are people who are going to be affected by the closing of these supposed loopholes. It is going to have a grave effect on their bottom line. These tax deductions that we're going to close are there for a reason. In many cases it's in order to encourage business to invest here in our state. As a matter of fact, just last night we were here quite late having a very rigorous debate about a new tax deduction, or a new loophole, for the movie industry. It was rigorously debated for an extended period of time. Ultimately it was voted down, but it was given serious consideration because we want to encourage business in our state; economic development. That \$40 million worth of loopholes, or tax

deductions, is a grave concern to each one of us. We've had other opportunities and suggestions made around potential ways to close this budget without going to tax increases, particularly around some of the energy subsidies. All of those ideas have been rejected and instead we're going to propose to raise taxes for hard working Mainers. What are we going to do with that money? Well, one of the things we're going to do is make sure that politicians have \$500,000 more to run their campaigns on. During the election you'll be able to hear your name on the radio a few more times. If you go to the post office you'll probably be able to see your picture in the trash can a few more times. I know that this budget is full of compromises. I think that it is unfortunate that that was one of them. Ladies and gentlemen, we've made our state's budget a priority over our family's budget back home. I appreciate the fact that there are other people who feel differently about this, but I can't help but feel that we're asking folks for a bigger portion of their paycheck. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, Maine is just beginning to recover from the worst economy in our lifetime. The people we represent are being forced to do more with less as their incomes fall and the cost of living goes up. It's not the time to raise taxes. This budget spends too much and it taxes too much. We can do better. My vote will be no. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you very much Mr. President. Men and women of the Senate, first of all I think one thing you're seeing here tonight, Mr. President, is people with honest disagreements that they feel to their core. I am particularly proud to be a member of my caucus, which not only allows for a divergence of views but encourages it. When I have to stand here and say something which is contrary to other members of my caucus, in particular my friend and my leader Senator Thibodeau, I know that I am doing so with the idea that such divergence of opinion is, I believe, what makes our caucus and our party strong. I come to this vote, Mr. President, having spent two years on the Appropriations Committee and having gone through that remarkable experience where you are dealing with thirteen people who are chosen, I think, to represent a wide spectrum of views, from the most conservative to the most liberal, if I can over simplify, and asking those people to work hard over a period of six months, listen to hundreds of people, go through hours of testimony, and spend many late nights to try to get to not only a majority opinion of those people but to a unanimous conclusion. It's an extraordinary journey that I found myself on two years ago and that these folks did this year.

When you are delegated that responsibility by the other 186 of us, you have to take it very seriously. You have to give up some things that you think are important. I voted for the budget two years ago in the committee and it was a 13-0 vote. There were parts of it I had to hold my nose for because I knew that that was the only way we were going to get to a budget which could gain the acceptance of two-thirds of the people here. That's what I think folks sent us here to do, to listen and to compromise and to come to consensus. That's what has happened here. It's not

easy to get to 13-0 and it's certainly not easy to get to two-thirds. There are things in this budget I have a problem with. I won't go through the list of them. I know that if you ask all 186 of us we could each spend five minutes, at least, talking about the things we don't like.

I will vote for this budget because we have delegated this to this incredible group of thirteen people. Three of them are in this Body, Senator Hill, Senator Cain, and Senator Flood. I don't think we could have chosen any better than those three people, as well as the other members of the Appropriations Committee. We have delegated to them our trust to take our heartfelt principles that we hold as Republicans and Democrats, to not lose sight of those, but to go and try to work together and negotiate the best agreement as possible. I think that they have done a remarkable job. I think, from my perspective, we owe them that trust and that respect for the work that they have done. As my good friend from Aroostook, Senator Jackson, indicated, I think you only need to go down there at 3 o'clock in the morning a couple of times before you realize how incredibly hard that task is. Some, Mr. President, would cast this vote as a decision on whether we should raise taxes or whether we shouldn't raise taxes. I really don't see it that way. I think that given the realities of the situation which we find ourselves with the fixed costs we have, the commitments we have, and the commitments we've collectively decided to make we are going to raise taxes in this state. It's just a question of which ones. Are we going to raise the sales tax, meals and lodging tax, or are we going to do what Washington has done and turn around and do it to our hometowns and our home communities and force them to raise the property tax? As a former Mayor of this city, I know that that would be the results in Augusta if we completely eliminated, or further reduced, revenue sharing. We would make more cuts, absolutely, but property taxes would go up. From my perspective, that's the last tax we ought to be raising. None of us should be happy voting for this budget. Raising the sales tax, raising the meals and lodging tax, is nothing any of us wants to do. It is, in my view, the lesser of two evils. My congratulations to the Appropriations Committee. It's a very tough budget and it's not one that any of us, I think, will embrace, but I urge my colleagues to vote yes. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today in support of the pending motion. I rise today thankful for the effort of the leadership of Appropriations and all the members for their hard work, their willingness to be understanding and hearing each other's opinions to overcome the challenges and to compromise. I firmly believe that there is one united goal by the voters when they sent us all here. The one goal that set out above all others was for us to work together, for us to do their work, to compromise, to do what we think is in the best interest of the entire state to make our future stronger.

Is this budget perfect? No. Is this budget that we're about to vote on much better than what was presented to us? Yes. We've heard a lot tonight about the hard work. We've heard a lot tonight about some of the things that we like in the budget and some of the things we dislike in the budget. We cannot deny that tonight we are avoiding a significant property tax increase on the people of Maine. We have resolved that challenge, that problem, that significant impact that would have on Maine families across the

state. Did we address every component of it? No. In my hometown the budget, as proposed, would have been nearly \$650 on every homeowner. That burden is just not manageable by Maine families. That burden cannot be afforded by Maine families. Today, through the hard work of the Appropriations Committee, we are avoiding, overwhelmingly, that increase. Will there be increases in property taxes across the state? I'm sure there will be. Will they be even close to what was originally proposed before us on our desks? No.

We're looking towards the future. We've heard references to burdens on our children. In this budget we're increasing funding to education. We're making public education stronger. We're making that a priority. We are finally making progress and recognizing the hard work of our State employees, the people that do the work, the public service that makes our government tick every day. They are a key component of this state. We are addressing significant challenges that are presented to us in regards to drugs for the elderly. We addressed many of the concerns in the programs of Health and Human Services.

Is there more work for us to be done in the future? Is there more work for us to be done this session? Absolutely, Mr. President. In government, in the Legislature, we're sent here to work together. We're sent here to compromise. We're sent here to do what is in the best interest of the state of Maine. The budget, this vote, the vote we take every two years, is probably the most challenging vote that we take. As we've heard from many people that spoke before me, there are many things that we like and many things that we dislike. This document, this piece of legislation, requires us to set aside our philosophical differences and do what is right. It requires us to set aside any ideology and look towards the future but address the challenges of today. Mr. President, I'm thankful, I'm confident in the future, I'm confident in the budget that we're presenting and voting on, and I encourage all of us to strongly support it. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment. 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 (#277)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, FLOOD, GERZOFKY, GOODALL, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, SHERMAN, TUTTLE, VALENTINO, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, HAMPER, MASON, PLUMMER, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 10 Senators having voted in the negative, and 25 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.

Ordered sent down forthwith.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/6/13) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restore Funding for Head Start"

S.P. 207 L.D. 517

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-199)** (1 member)

Tabled - June 6, 2013, by Senator **CRAVEN** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, June 6, 2013, Reports **READ**.)

On motion by Senator **GOODALL** of Sagadahoc, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/13) matter:

An Act Relating to the Unlawful Cutting of Trees
S.P. 26 L.D. 59
(C "A" S-175)

Tabled - June 7, 2013, by Senator **JACKSON** of Aroostook

Pending - **ENACTMENT**, in concurrence

(In Senate, June 3, 2013, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-175)**.)

(In House, June 6, 2013, **PASSED TO BE ENACTED**.)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.