

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Sixth Legislature
State of Maine

Daily Edition

Second Regular Session
beginning January 8, 2014

beginning at Page 1544

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 To Achieve the Savings Required under Part F of the Biennial Budget and To Change Certain Provisions of the Law for Fiscal Years Ending June 30, 2014 and June 30, 2015

H.P. 1349 L.D. 1858
(H "B" H-833)

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

Senator **HILL:** Thank you Mr. President. I would like to speak to some items in the budget, if I may.

THE PRESIDENT: The Senator may proceed.

Senator **HILL:** Thank you very much Mr. President. This is the last budget we're doing this session and I think it warrants some conversation. Maybe a little bit of departure from the usual kind of conversation about a budget, a supplemental. I've given a lot of thought about this because I feel really good about this budget and I said, "Well, how did that happen?" It's so clear to me it's about the people who come together to make this budget happen. I have to share with you that, as I'm sure you are with your committee members, I am immensely proud of the Appropriations and Financial Affairs Committee members. They worked so hard and so long. Last Saturday they worked until 3 o'clock in the morning. Then, of course, this week we worked until 7 o'clock in the morning. We walked into Appropriations at five of midnight after negotiating all day and the budget was voted out at 7 o'clock in the morning. I can tell you they never left the horseshoe. They didn't take a break. They didn't take a dinner break. They didn't take a coffee break. They just stayed there and they went item after item after item. We came out with a wonderful document, a unanimous report. I love that word "unanimous," as I always say. I just have to tell you that these people are true appropriators. Despite their philosophical differences, despite their party thinking or wants or needs, they work away at it until they absolutely come together and say, "We can do this." We can do this because if we can't do this downstairs in Appropriations how can we ever bring it upstairs and get you to buy into it. It's so important, the process. It's not easily gotten there. I want you to understand that.

Again, in FY 2015, which is this budget that we're talking about, it's a groundbreaking budget because Appropriations had to create this. They created it from some lists, some ideas, a few letters from agencies and departments, and their own thoughts. We did it. We did it for the first time in history. We created this long list of what we thought needed to be taken care of and then we created this long list of how we could possibly fund it and we put it out there and we said, "Come to public hearings and give us feedback." They came and we listened and we worked with what we were told by people. Then we went in and we negotiated and we negotiated and we negotiated.

Here's the thing that was really neat about negotiations: they just love to talk about how we split up, how we have a parting of the ways. I don't know anybody who could work the kind of hours we do with each other down there in the back of 228, in those little rooms, all cramped. A lot of times the heat's not working or the air conditioner is not working or we can't get the window open. Everything's been closed down so we can't get food. Of course people get a little irritated. There's really never been a break-up. We just have a little flare up and then we go back to working on this. These are really decent human beings because we come together in a respectful way, we come together in a very professional way, and, ultimately, we're looking at the big picture: what can we do for the people of the state of Maine? It's important to have that understanding, that this bill really came together in a very different way by a wonderful group of people who present it to you today.

I have to tell you that Senator Cain has been an absolute pleasure to work with. She's creative, she knows where to go, she knows how to help, she knows how to do the heavy lifting, and I thank you, Senator Cain. It's been a pleasure this session working with you in Appropriations. I truly mean that. She also brings a lot of laughs, the two of us have some good funny times. You need a little relief. I have to also tell you that I need to give special thanks and recognition to Senator Flood. He, one, is always a gentleman. Two, is always patient, like the patience of Job. When I first met him I kept thinking, "He must have been a priest in his earlier life," because he never seems to like sort of come apart or get angry. Maybe at least in a former life, if not earlier, in life. Aside from that, what a wonderful choice by the Republican Party to put him forth as the lead negotiator in the Senate because, besides being respectful and professional and just a patient man, he's really a smart man and I have to credit him with some of the very creative solutions that helped us put this budget together when we had very little help from other places. The solutions that I refer to as creative, they're not gimmicks. They are smart, they are creative, and some of them are like best practices. I'll just mention the cash management, the way that's been set up to pay providers, the larger providers, out of the MaineCare cycle payments. Very smart, very good for the state going forward, long-term. He also helped craft the idea of how to take people off the waiver list by using funds within a baseline and repurposing them. These were wonderful solutions and he has made my life so much easier, coming up with these. I can't thank him enough. Of course, it's really, ultimately, for the people of the state of Maine and for all the legislators to be able to vote for this and feel really good about doing it, especially as we leave here this session.

Now, I have to tell you about the budget. I remember when I sat over across the room and was a lead. I would always get up and say, "The budget is not about making people happy. It's about keeping the doors open. It's about keeping government running." I always heard people saying, "Well, I'm not happy with the budget." I'd think, "You're kidding. It only has 2,000 lines or 2,500 lines. How could you be happy with the budget?" I don't expect you to be happy but I do expect you to realize it's where we need to go. Nonetheless, I constantly would get up during speeches and say it's not about being happy, it's about taking care of Mainers who have very diverse needs, and, like I said, keeping government running and keeping the lights on and paying the bills when we need to. Here's the kicker for today. I am happy about this budget. I am really happy. I told my caucus I remain happy, I remain excited about it, because what's not to

like about taking all of the developmentally disabled people off of the waiver list for Section 29? What's not to like about taking people off of Section 21? All of them. What's not to like about lifting nursing homes up and raising their rates so that they don't close and they can take care of our elderly who have no other choices, who are alone in life, and really need a place to taken care of 24-7? What's not to like about giving the funding to Riverview and Warren? What's not to like about taking care of our consent decree? I ask you to think about that. I'm actually going to ask you to be happy today about the budget. I'm certainly going to ask you to vote for it. Thank you.

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

Senator **FLOOD:** Thank you Mr. President. Ladies and gentlemen of the Senate, I do agree with the Senate Chair, Senator Hill, in full support of this unanimous Supplemental Budget. I thank her for the kind words, but I think in my entire life I've had maybe one creative thought, so if you're giving me credit for creative thoughts I would say that those thoughts come from many people who are very helpful on our staff downstairs and within the department and within the committee. Sometimes even a blind hog finds an acorn now and then. I did want to say thank you very much to Senator Cain. I've worked with her for, I think, eight years in one capacity or another on budget items. Her strength and her creativity makes it a pleasure. She's my seatmate and I have enjoyed every minute of the six years sitting on the committee with her and two years as she was the Minority Lead in the House. Also, I wanted to say very publicly that this bill wouldn't have been possible without the leadership of the Senator from York, Senator Hill, in that there were many times when there were just very difficult things that came forward and it required a great deal of patience and leadership and the perseverance in building that consensus, you looked to the leader. She was the one we looked to and she was extremely gracious and very patient.

This is a very small Supplemental Budget when you look at all the budgets that we've done over the years. This is actually a small one, but for some reason we were able to put in it some very important items that I think should meet or exceed your expectations.

I did want to take a few minutes to thank every person on the OFPR staff. They are the folks who put the amendments together for us. I think on the night that we put the bill together, my recollection is there were 36 different amendments, they were all put together in the last hour or two by the staff. I want to say thanks to Candance Wells, James Robbins, Chris Nolan, Alex Avore, Julie Jones, Susan Voyink, Maureen Dawson, Rachel Trembly, Mark Cyr, Grant Pennoyer, and Maryann McMaster for the help that they provided to us. I forgot to mention, I wanted to say also the Administration did provide as much help as they felt comfortable doing. I wanted to thank them for, in an awkward setting, providing as much help as they could. I appreciate that very much. Also our leaders in the caucuses, when requested, gave us guidance that we needed and we do need that.

I think the key thing that I wanted to spend some time talking about, in much the same way that Senator Hill did, was the power of consensus and care. I think if we keep looking for solutions for situations that will help people, we'll find them. If we don't give up, we will find them. We were able to find some ways to help disabled people. We were able to find some ways to help nursing

homes. Again, I want to thank the staff for helping us discover the little nooks and crannies and ways to get there. I want to thank the department also. The key thing for me in this whole process this time around was the fact that we were all listening to each other. We had a couple of meetings when new ideas were being broached that were a little a little different. They weren't dismissed. They weren't ridiculed. People were genuinely listening to new ideas and the fact that that happened and that that environment nurtures that is very very important. Head Start, Jobs for Maine's Graduates, the Bridge Program, Clean Waters, consent decree, indigent legal services, National Guard headquarters, \$17 million additional MaineCare funding, more than \$1 million for the Board of Corrections; those are things that we really needed to do and I think, again, like the Senator from York, I'm pretty happy. Usually you kind of come to these things half happy, but this time around I feel darned good about the fact that we were able to accomplish these things.

I guess I wanted to say, regarding the work that we do here in this building, mostly it's through committees and small groups. I believe that what really matters for effectiveness is to build truly, not artificial, trusting and real working relationships and I think we did that. Once in a while you hear about how the true, trusting relationships in the committee flare up, just like in a family. It's great to have those moments and they make you stronger. I think we had a really good working relationship in our committee and I think we reached our full potential because we had that kind of trusting working relationship. I guess I want to close by saying in one respect to me nothing really matters. It's not necessary that you love the people you work with but it probably doesn't hurt. Thank you.

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

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I affectionately dub this supplemental budget "Sunrise from the State House" because inside of a week the Appropriations Committee saw the sunrise from Augusta. As the good Senator from York mentioned earlier, at one point it was after about 7 hours of being out at the horseshoe. I support this supplemental budget and ask you to do the same because it is good for kids, for families, for seniors, and for communities. Kids will be supported through Head Start, through Bridge Year, through the State Museum, and Jobs for Maine's Graduates. Families will be supported through wait lists finally getting shorter and shorter and shorter and nearly disappearing for services for people with developmental disabilities. Many of those are kids or are families with adult children. Also guardian ad litem services are very good for families. Seniors will be supported through the support for nursing homes, especially those who are right on the edge. Communities will be supported by things like water, the Homestead Exemption getting funded, and disaster assistance. There are many more reasons to support this budget and many of those have already been outlined.

I want to add my thanks and appreciation to my colleagues here in the Senate. First, the good Senator from York, Senator Hill. She has become a true friend and a real teammate. We are quite a team down there, I would say, and we bring different approaches and different strengths, but she has shown a steadiness and a strength over the past year and a half that I think was essential to our success, not just with this budget but all of the prior budgets. I'm very deeply grateful for that. My good

friend, the Senator from Kennebec, Senator Flood. He and I started on the same day in this building 10 years ago. We served on the Appropriations most of that time together. He is a person of such incredible integrity. He is a quiet leader with a very kind and full heart and a very genuine nature and approach to everything, whether it's complicated or not. I won't read all of their names, but will add my thanks to OFPR, who is really an extension of the Appropriations family and one that keeps us going.

Really after 10 years here, this could possibly be my final budget vote. I just want to leave with you a couple of words of wisdom about budgeting. Appropriations is a process I love, which sounds strange because it could seem really boring or tedious and staying overnight at the State House more than once a week or many times in a year. People can say, "How can you get so emotional or excited about the budget?" I want to tell you why. The reason is because a budget is more than math. The State budget is not a list of items or initiatives that have blippies. It is not a spreadsheet that goes on and on and on. The State budget is really a living, breathing document. It's been said it's a statement of priorities, but really it is a reflection of what we care about and it represents more than just math. Really anybody can do addition and subtraction and balance that budget. I believe that's true. The true art to budgeting comes in your ability to understand what's in that budget and how it effects families, how it effects kids, how it effects communities, how it creates opportunities for economic growth, and how sometimes it can limit it, and those are the toughest times. What I have learned about budgets is that, in fact, budgets are where the real action is in this building and they are tedious and they do take a long time, but every single line in that budget, whether it's this one or any of the ones I've been a part of over the past 10 years, means something. A lot of those lines we may not like, myself included, even ones we've voted for as parts of compromise. At the end of the day, those budgets are a statement of priorities and they are living, breathing documents that require our attention and our care. That's why I'm very proud not just to ask you to support this budget today but to thank you for your work in helping us in Appropriations to do our work better through your feedback, sometimes your complaints, and always your support of our hard work. Thank you, Mr. President. It's my pleasure.

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#583)

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFOSKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: None

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

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

Senator TUTTLE of York was granted unanimous consent to address the Senate on the Record.

Senator TUTTLE: Thank you Mr. President. I'd like to congratulate you on your new addition to your family, your daughter Esther. As I said in caucus, it's only going to get better. Congratulations, Mr. President.

Senator PLUMMER of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator KATZ of Kennebec was granted unanimous consent to address the Senate off the Record.

Senator HASKELL of Cumberland was granted unanimous consent to address the Senate off the Record.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator JACKSON of Aroostook, **ADJOURNED** to Wednesday, April 16, 2014, at 10:00 in the morning.