

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 5, 2018

beginning at Page 1

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297)**.

Sent down for concurrence.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/10/19) matter:

SENATE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY) S.P. 446 L.D. 1461

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-244)**

Tabled - June 10, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-244) **READ**.

On motion by Senator **BREEN** of Cumberland, Senate Amendment "A" (S-300) to Committee Amendment "A" (S-244) **READ** and **ADOPTED**.

Committee Amendment "A" (S-244) as Amended by Senate Amendment "A" (S-300) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-244) AS AMENDED BY SENATE AMENDMENT "A" (S-300)** thereto.

Ordered sent down forthwith for concurrence.

RECESSED until the sound of the bell.

After Recess the Senate was 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, 2019, June 30, 2020 and June 30, 2021
H.P. 743 L.D. 1001
(C "A" H-586)

On motion by Senator **LIBBY** of Androscoggin, 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 Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. Ladies and gentlemen of the Chamber, tonight both Houses of Legislature will vote on a new State budget for the next two years. I am disappointed that \$185 million in savings left over from last year will be used to balance the next budget when that money should have been put in the Rainy Day Fund as insurance against future challenges. There are some indications that show we will see some form of economic down-turn during the life of this budget and we should be better prepared for this. Though Republicans are in the minority in both Houses of the Legislature, we were able to keep spending below the benchmark of \$8 billion and still provide significant revenue sharing to local communities in hopes of reducing local property taxes. In addition, we gained a commitment from Democratic leaders not to spend more money on the hundreds of bills that have passed this session but still need funding, totaling nearly \$1 billion. As Republicans, we remain committed to a common sense State government that is sustainable and we will continue to fight for these principles. Thank you, Mr. President.

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I encourage you to vote in favor of the pending motion tonight. That vote represents four and a half months of hard work by the Appropriations Committee that worked through over 1,154 lines of this budget and found unanimity and agreement and consensus on 99.9% of those lines. Given the tumult and the difficulty of doing even the most basic of government functions over the last eight years, that is an impressive accomplishment. This budget prioritizes property tax relief for Maine's hard working people. It increases funding for our public schools. It keeps expenses in line with revenues and, like with just about every budget that has been passed in recent memory, it uses a fund balance from the prior biennium to support expenses in the current biennium. That's no different in any of the last four budgets that we have passed in a bi-partisan way. This budget is less than the LePage budget that was given to us from the outgoing Chief Executive. This budget is less than the

budget proposal from the Chief Executive currently and it comes in about \$75 million less than that figure. This is a responsible budget. This is a sustainable budget and I urge my colleagues to vote in favor of the pending motion. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I would like to preface my remarks on L.D. 1001 with a few lines from a song. Relax, I'm not going to sing it. Singer/song writer an Irishman who goes by the name of Hozier. The song is Foreigner's God, and I quote: She moved with shameless wonder
The perfect creature rarely seen
Since some liar brought the thunder
When the land was godless and free
Her eyes look sharp and steady
Into the empty parts of me
But still my heart is heavy
With the hate of some other man's beliefs
Screaming the name of a foreigner's God
The purest expression of grief

When this budget adventure began in January of this year our spend was at \$7,215,000,000. The difference between where the previous budget started and where it ended was a total of \$369 million. Today we're looking at a spend of \$7,993,000,000. That's after the table and that doesn't include the nearly equal amount of money coming from the federal and other sources. If it were not for a surplus of \$185 million in the current budget we would not be able to reach this level of spending without a tax increase. Now mind you this is my fifth trip around the sun in room 228 and my 15th consecutive in this building and I've learned that government spending goes nowhere but up. So this budget in front of us today is an increase in spending of \$778 million, and you ask yourself why? Things naturally cost more and we all know that. We see the effects of inflation in our household budgets, food, fuel, insurances, and they all cost more and those things drive up the cost of government also. But when you factor in a couple of people referendums as cost drivers in the form of a minimum wage increase and the demand for free health coverage for an additional 5% of the population the cost of governing went up and will continue to go up. Last year this Body passed L.D. 924 and L.D. 925 but we all agreed to it and it was something that needed to be done. It increased wages for direct care workers in nursing homes and so on, an action on our part that was driven by the minimum wage and that increase. Those two bills were cost drivers in this budget to the tune of \$200 million. If you examine the bills passed by the Health and Human Services Committee this year you will see that the citizen's referendum is continuing to drive the cost of government upward. Then there's the cost driver of Medicaid expansion and we are dedicating \$128 million in this budget to pay those healthcare bills. So just about half of the increase in the spending from one budget to the next is driven by what the voters have thrust upon this Legislative Body. The budget before us today began at \$8,041,000,000. After the change package it sat at \$8,044,000,000. The cries went out from both sides of the aisle 'It's too much. It's too much,' said one and the other was 'It's nowhere near enough.' That, Mr. President, is life under the dome. When L.D. 1001 is passed both sides can go out and beat their chests about property taxes and increased money to

education and, Mr. President, if the natural laws that God has put in place are still in control the sun will come up tomorrow. So when the vote is taken and I press my green button I will be screaming the name of a Foreigners God, the purest expression of grief. Thank you, Mr. President.

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

Senator **BREEN:** Thank you, Mr. President. Men and women of the Senate, many in this building and in this Chamber have much more history here than I do. However, in my short time under this dome I've learned that the Appropriations Committee has a long and well-deserved reputation for bi-partisan budgets that were the result of good-faith negotiations over many months. That's why it's been such an honor to serve as Senate Chair of the Legislature's Appropriations and Financial Affairs Committee and why I have felt such an enormous responsibility to restore normalcy and bi-partisanship to the budget process. Throughout the drafting of the amendment process we worked line by line with each member of the Committee to secure unanimous support on 99% of the Majority Report. Of 1,154 straw votes only 7 were not unanimous. That's a remarkable achievement for all of the people we represent. It's what the people of Maine should be able to expect from their lawmakers here in Augusta. I want to thank Senator Linda Sanborn and Senator Jim Hamper who played essential roles in helping us craft a smart, responsible, and bi-partisan budget that addresses Maine's greatest needs but also puts savings aside for future emergencies that may occur. This budget includes no increase in any taxes for Mainers. There are many in my caucus who wanted to raise revenues. I said from the beginning that wasn't going to happen. We had plenty to work with and we needed to work with what we had. This budget actually provides \$75 million in property tax relief. It spends less than the transition budget left from Governor LePage. The budget also adds \$18 million to the Rainy Day Fund, bringing the total to \$281 million. It also sets aside funds to address the problems we had at Riverview Hospital and the money we owe the federal government, which is upwards of \$70 million, to make up for mistakes made in past years. The budget puts \$29 million into the Medicaid stabilization fund, in case Medicaid expansion costs exceed projects or in the event of an economic down-turn. The budget also addresses issues we've heard about for years from constituents and colleagues alike. It prioritizes tax relief for hardworking Mainers, seniors, families, and small businesses. It expands the property tax fairness credit to include an additional 13,000 Maine people. This means more Maine seniors can save up to \$1,250 in property taxes and eligible working Mainers and families can save up to \$800 on property taxes or rent. The budget increases the homestead exemption to \$25,000, which is a \$5,000 increase from our previous biennial budget. This means Maine homeowners can take \$25,000 off the value of their home and pay property taxes on the remaining amount. Towns will get 70% reimbursement from the State. The budget increases revenue sharing from 2.5% to 3% next year and almost 4% in the following year, making good on a statutory promise we have to our colleagues in municipal government. The budget prioritizes the safety of Maine children and families. It allocates \$5 million to domestic violence and sexual assault services and it adds 62 new child protection workers in the wake of the tragedies that happened last year. The budget provides a 3% cost of living increase to support nursing homes all over the state. The budget

includes 300 new slots for the Section 21 wait list. This budget provides over \$1 million to build a new pre-release correction facility in Washington County. Mainers all across the state put a lot of faith and trust in us when they elected us to represent their interests in government. They see beyond partisan politics and political games. They are tired of the bickering. Mainers want and expect us to work together and get things done. I'll be the first to admit that this budget doesn't do everything for everyone but it's something that all of us in this Chamber should be able to support. Lastly, I want to thank the members of the Office of Finance and Program Review. This extraordinary group of staffers are simply the best in the building. They are with us every step of the way, in the back rooms, around the horseshoe, weekends, evenings, whenever we need them they are ready for action with information at their fingertips all the time. I want to thank Chris Nolan and his entire office. I urge everyone in this Chamber to vote to Enact this budget. Let's show the people of Maine what bi-partisan government really looks like. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#309)

YEAS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, DOW, GRATWICK, HAMPER, HERBIG, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE

EXCUSED: Senators: FOLEY

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 9 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 approval.

Ordered sent down forthwith.

Off Record Remarks

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Monday, June 17, 2019 at 10:00 in the morning in memory of and lasting tribute to the Honorable James E. Davitt of Hampden.