

# MAINE STATE LEGISLATURE

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One Hundred and Twenty-Fifth Legislature  
State of Maine

Daily Edition

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Senate at Ease.

Senate called to order by the President.

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

**REPORTS OF COMMITTEES**

**House**

**Committee of Conference**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Establish the St. John Valley Regional Planning Commission"

H.P. 578 L.D. 771

Had the same under consideration, and asked leave to report:

That the House **Recede** from **Passage to be Engrossed as Amended by Committee Amendment "B" (H-865)**; **Recede** from **Adoption** of Committee Amendment "B" (H-865) and **Indefinitely Postpone** the same. **Read and Adopt** Committee of Conference Amendment "A" (H-948) and **Pass the Bill to be Engrossed as Amended by Committee of Conference Amendment "A" (H-948) in Non-Concurrence.**

That the Senate **Recede** and **Concur** with the House.

On the Part of the House:

Representative DOW of Waldoboro  
Representative AYOTTE of Caswell  
Representative TUTTLE of Sanford

On the part of the Senate:

Senator RECTOR of Knox  
Senator MARTIN of Kennebec  
Senator HOBBS of York

Comes from the House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (H-948)**, in **NON-CONCURRENCE.**

On motion by Senator **RECTOR** of Knox, the Senate **RECEDED** and **CONCURRED.**

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Senator **COURTNEY** of York was granted unanimous consent to address the Senate off the Record.

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

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Senator **LANGLEY** of Hancock was granted unanimous consent to address the Senate off the Record.

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Senator **JOHNSON** of Lincoln was granted unanimous consent to address the Senate off the Record.

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**RECESED** until 8:00 in the evening.

After Recess

Senate called to order by the President.

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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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

H.P. 1405 L.D. 1903

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-938).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-938) AS AMENDED BY HOUSE AMENDMENT "F" (H-949)** thereto.

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

**READ ONCE.**

Committee Amendment "A" (H-938) **READ.**

House Amendment "F" (H-949) to Committee Amendment "A" (H-938) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-938) as Amended by House Amendment "F" (H-949) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME.**

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

Senator **ROSEN:** Thank you Mr. President. Men and women of the Senate, just a few words. You have before you the second supplemental budget this session. I simply want to acknowledge the work of the members of the committee; Representative Flood, the Chair from the other Body, Senator Hill, and Senator Katz for their very hard work on this supplemental budget. Representative Rotundo, as the Lead in the other Body. All the members of the committee. Representative Winsor, Chase, Fredette, Keschl, Clark, Martin, Webster, and Stevens. All having done an excellent job in pulling this agreement together. I also want to mention and recognize Grant Pennoyer and the entire staff in the Fiscal Office; Maureen Dawson, our principle analyst; Commissioner Millett; and the faith that our leaders put in us and provided to the members of the committee, leaders of both caucuses and both Chambers, and your support in helping us report this bill out. A couple of quick highlights, if I may. Seventy-three percent of the spending in this supplemental budget goes to three items. Number one, the disproportionate share of hospital funding for people that are in secure custody as a result of criminal charges. Stepping up and funding that obligation that the State has. Number two, funding the shortfall in child development services. Number three, funding the shortfall in the General Assistance account. The bill also includes reforms related to General Assistance. Some may consider the proposal that survived related to General Assistance as half hearted and insignificant. You need to realize and appreciate that the intensity of the negotiations and the level of significance as it relates to the progress of the measures that are in this budget pertaining to General Assistance are significant. They are significant because the members of the committee listened. The members of the committee listened to the Mayors of the larger communities. We listened to the welfare directors that manage these programs. We listened to the people in the smaller communities. I believe the report before you reflects that input, understanding and appreciation that the steps that we have all agreed to in this report are prudent and those that we rejected needed further work. This bill also includes a significant policy initiative related to the reassignment of all of the functions in the former State Planning Office and the establishment of the new Office of Policy and Management. I appreciate and hope that we have earned your support. I appreciate the work of the members of the committee. Finally, I would like to simply say that those of us on the Appropriations Committee acknowledge, with our effort that we put into this budget, the passing of Kathy Crowley Fuller, who served many years in the Office of Fiscal and Program Review. We all dearly miss and acknowledge the loss that her colleagues have suffered but have continued to persevere and stay with us day and night to produce the document that is now before you. Thank you, Mr. President.

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Off Record Remarks

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

Senator **HILL:** Thank you Mr. President. Women and men and the Senate, after voting out a unanimous budget close to midnight on Monday, I had the interesting experience of having people, the next couple of days, say to me that they were not completely happy with the budget or not totally happy with the budget or maybe they were happy with the budget. As I said, I found this interesting and I reflected on it a little bit because budgets I don't think are about making people happy. Never during the course of the five budgets that we have worked with in the 125<sup>th</sup> Legislature did the Appropriations Committee members do the work to make people happy. Nor did they do it to make people unhappy. To do so would have really set us up for failure. Instead we focused on keeping government running and doing its work for the people of Maine. These people come from all walks of life, with diverse needs and very diverse opinions. Rather than happiness, we strived for a budget that is safe, smart, structural, sensitive, and solid. In L.D. 1903 we achieved such unanimously. We kept funding for MPBN, higher ed, and the Fund for a Healthy Maine. We funded court security, indigent legal services, the computer crime lab, the Fire Marshall's Office, and we funded and made structural changes to CDS and General Assistance. We did this all with minimizing the shift of cost to municipalities and taxpayers. I owe a great gratitude to the committee, as a whole, and especially to Chairman Rosen, who is the consummate professional, and also to the good Senator Katz, who is always a pleasure to work with and works very hard, as I know because we sit right next to each other. I do hope that you will think about what's really important about this budget and what it does for the people of Maine and I ask my colleagues to vote for it. Thank you, Mr. President.

On motion by Senator **COURTNEY** 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 Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, just a brief word. I commend the Committee on Appropriations for all of their hard work and five unanimous budgets. It doesn't surprise me, knowing the people on that committee. It's a fantastic job. I do want to make one little point, Mr. President. That is that I'm not sure the people of Maine yet realize a quiet little thing that this committee did. That is for the first time, because of the support of the Criminal Justice and Public Safety Committee and others, we now have enough people in the Computer Crimes Unit to start addressing the backlog of evidence, where predators are now going free and won't be for long. We're coming after you. The Appropriations Committee has made that certain and I want to thank the Committee on Appropriations. In a time of cuts and reductions they actually hired three more people, forensic examiners and detectives, to deal with this all important issue. The people of the state of Maine need to understand what a great job they did. Amongst other things, but to me and others the most important thing they did was to provide that kind of expertise to help these kids. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON**: Thank you Mr. President. Ladies and gentlemen, I'm sure I'm one of those people that spoke with Dawn and said I'm not happy with everything in this budget. I'm sure that actually most people in this room share that feeling on one aspect or another of this budget. Rather than focusing on those things, I'd like to just take a moment to focus on something that I think is very positive in what was done by this committee. I'm very appreciative of the effort made on GA in terms of trying to put something in place that would help manage the cost and the ability to provide services to people both with the pilot project. I see that as a very smart and responsible thing that has been done on GA. Thank you.

**THE PRESIDENT**: The pending question before the Senate is Passage to be Engrossed. 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 (#473)**

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFSKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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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 Allow the Town of Fort Kent To Create a Downtown Tax Increment Financing District Using the Current Assessed Value of the Downtown

H.P. 1414 L.D. 1910  
(C "A" H-929)

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.

Ordered sent down forthwith.

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

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Senate at Ease.

Senate called to order by the President.

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

**REPORTS OF COMMITTEES**

Senate

**Divided Report**

Nine members of the Committee on **TRANSPORTATION** on Bill "An Act To Encourage Responsible Teen Driving" S.P. 684 L.D. 1912

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A"** (S-551).

Signed:

Senators:

COLLINS of York  
DIAMOND of Cumberland

Representatives:

CEBRA of Naples  
GILLWAY of Searsport  
MAZUREK of Rockland  
PARRY of Arundel  
PEOPLES of Westbrook  
RIOUX of Winterport  
ROSEN of Bucksport

Three members of the same Committee on the same subject reported in Report **"B"** that the same **Ought to Pass as Amended by Committee Amendment "B"** (S-552).