

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twentieth Legislature  
State of Maine

Volume 2

First Regular Session (Continued)  
May 24, 2001 to June 22, 2001

First Confirmation Session  
October 24, 2001

Second Confirmation Session  
December 6, 2001

Second Regular Session  
January 2, 2002 to April 1, 2002

Pages 912 - 1844

**ENACTORS**

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

**Emergency Measure**

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003

H.P. 1574 L.D. 2080  
(H "K" H-986 to C "A" H-968)

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The President requested the Sergeant-At-Arms escort the Senator from Hancock, Senator **GOLDTHWAIT** to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **JILL M. GOLDTHWAIT** of Hancock County.

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**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you, Madame President. As we go to vote on this final version of the budget, I'd just like to, first off, congratulate the Appropriations Committee. It was great news, as the chair of the Health and Human Services Committee, to see what funds were restored for healthcare, specifically in the Fund for a Healthy Maine. It's been one of our best years in terms of the Fund for a Healthy Maine after what had been 3 earlier very rough years. I just want to point out that we managed to not have any programs cut. We did get hit in our reserve, which was unfortunate, in my opinion. Fortunately, the programs got saved. Before I vote for this budget, and I will be voting for this budget, I want to go on record saying that, so you know, 4 years ago, when we got our tobacco money and put it into the Fund for a Healthy Maine, Maine lead the nation in how we allocated those monies. We dedicated it towards preventive health. There were articles written in newspapers and magazines nationwide noticing how well Maine dedicated its money to healthcare. That was great news. The very ungreat news is that, in the 4 years since, the Fund for a Healthy Maine has been cut 33¢ on the dollar. This year it was threatened to be cut 40¢ on the dollar. Because the Appropriations Committee, and I'd think the Health Committee, were working to restore cuts and budget rejections helped us all a lot, it's down to only 33¢ on the dollar. But that is still not very good. We can do better and I look forward to you, who are returning here, to do what you can to protect the Fund for a Healthy Maine. There is no more important issue out there than healthcare. It's what we hear from all of our constituents. We have a huge opportunity with the Fund for a Healthy Maine. Its taken hits in the 3 previous years. This year it took less of a hit. We've got to stop making the Fund for a Healthy Maine the fund of first resort. It's absolutely what your constituents are saying they want. They want and need

healthcare. We need to help them with healthcare. I'll be voting for this budget. I appreciate that the hit was minor, relative to earlier years. I'm just encouraging that we all make sure that we discontinue taking so much money out of the Fund for a Healthy Maine, 33¢ on the dollar taken over the last 4 years is not a good record. Maine can and should do much better. Thank you.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from York, Senator McAlevey.

Senator **MCALLEVEY:** Thank you, Madame Chair, men and women of the Senate. I've never spoken on a budget issue before, enactment. This is the first time in 8 years. I'll be brief. There are some that would say that this is a good budget. I would disagree. It's a good start. It doesn't go far enough for education. I personally believe our number one responsibility, as legislators, is to provide for the best possible education in this state for each child. I have 5 school districts and have children in 80 portables throughout those 5 districts. Money that we are setting aside for a technology grant for portables is laudable. But in my priority of things, I'd rather get the children out of portables and into real classrooms than give 7<sup>th</sup> and 8<sup>th</sup> graders portables. That is the feeling of most of the people in my district. But that is only one of two issues that I have. We passed and enacted legislation last year creating programs and funds that the Governor has cut or frozen; a domestic violence coordinator for the state, and a cold case homicide squad. Those positions stood the test of time with the committee work. Debated in both chambers. Enacted. Signing by the Governor. Funded by the Appropriations Committee. Those positions are now unfilled and will go unfilled. I'm concerned that we don't make whole what we worked on last session before we hire 80 new positions. Those are the two reasons why I don't support the budget in its present form. I wish we had more time. I commend the people who worked on it. It's a difficult job. My comments are in no way meant to be negative on their hard effort. But we haven't gone far enough. We need to go further. Thank you.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Cumberland, Senator Bromley.

Senator **BROMLEY:** Thank you, Madame Chair. It won't come as a great surprise to the men and women of the Senate that I'll not be voting for this budget. I want to say what that vote means, briefly, for the record. I want to acknowledge that I'm pleased that I will be able to use my plane tickets and visit my mother in Missouri because of the fast and efficient work of the Appropriation Committee. I want to also acknowledge that there are many core agreements about the budget document and for that the Appropriations Committee has my admiration. It is simply the disproportionate impact in my district that causes me to not be able to vote for the budget. What my no vote will mean is a commitment to work for sustainable and fair funding in the next legislature. I look forward to doing that. Thank you, Madame Chair.

**THE PRESIDENT PRO TEM:** The Chair recognizes President Bennett of Oxford.

President **BENNETT:** Thank you, Madame President, fellow members of the Senate. It is an interesting position from where I stand tonight. I can say ever so briefly, that I've sat in the chair of the Senator from Hancock, Senator Goldthwait, the seat of the

chair of the Appropriations Committee. Looking at the pile of documents and papers on her desk, I wish to return to my perch as soon as possible. I do want to take this opportunity to say a word of gratitude to the Senator from Hancock, Senator Goldthwait, the Senator from Somerset, Senator Mills, and the Senator from Penobscot, Senator Cathcart, as this 120<sup>th</sup> Maine Senate grinds its way toward its inevitable end, which I assure you will be soon. I think it's appropriate just to pause for a moment and recognize the good work of 3 of the hardest working members of this body. Those 3 people who have volunteered their energies and their time to serve on the Appropriations Committee. This budget was not easy. The work of the Appropriations Committee continues past this budget. There are a number of matters that continue beyond this that need attention. The table, bond issues, other matters. But I think it's appropriate to recognize their role, lead by the Senator from Hancock, Senator Goldthwait, in pulling a lot of dispersed groups and dispersed interests together and crafting what is not perfect, but is a budget. It is a compromise. I think that we should lend them, as members of this body, our support and vote for this budget because, as much as we may not like parts of it, overall I think it is a great compromise, one that will stand the test of time. I commend the work of the Appropriations Committee and I commend this budget to you and your affirmative vote. Thank you.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President, members of the Senate. I, too, want to congratulate the work of the Appropriations Committee and the members of this Senate who were on the Appropriations Committee. I will be voting for the budget. I just want to make one point, as a member of the Health and Human Services Committee. That is, whatever you do tonight, when you think about the number of people that may be added to this budget as state employees, it may be 80, but I would point out to you that about 50 of those are in the Department of Human Services to deal with the problems of domestic abuse and child abuse and foster children, etcetera. That's where most of the new employees are going to be in this budget. We ought not to be ashamed when we go home and tell the people of Maine why we added state employees.

On motion by Senator **SMALL** of Sagadahoc, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT PRO TEM:** The Chair recognizes President Pro Tem Michaud of Penobscot.

President Pro Tem **MICHAUD:** Thank you, Madame President, men and women of the Senate. I, too, hope that you will support this budget. There was an amendment offered earlier, a couple of them that did not get on, although I supported one of those amendments. I think this budget document, probably with the exception of GPA distribution, is a fair document. It does take care of a lot of the needs in the state. A lot of the committees have done excellent jobs in bringing their recommendations back to the Appropriations Committee. The Fund for a Healthy Maine program was pretty much kept in tack. The Medicaid cuts; domestic violence and tax conformity, which was a big issue and threw a big loop before members of this body, with a \$30 million

cost to the state budget. I don't think we're going to get a better product than we currently have here this evening. I've been through many budgets over 22 years and there is a lot of give and take. This budget document I will support, although there are some parts I don't totally agree with. I think it's the best we're going to get at this time. So I would encourage your support for the budget. Thank you.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Cumberland, Senator Brennan.

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. After some thought, I too will support this budget. I think there are a number of programs and services and opportunities in this budget that are very positive. At the same time, I would be remiss without going on record and saying that I think it is terribly unfortunate that we couldn't do more for GPA. There are a number of communities in this state that will be hurt because of this budget and I look forward to working with members of the 121<sup>st</sup> legislature and looking at ways that we can come up with a more fair and equitable school funding formula. Thank you.

**THE PRESIDENT PRO TEM:** 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 (#268)

**YEAS:** Senators: BENNETT, BRENNAN, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, GAGNON, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MICHAUD, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, THE PRESIDENT PRO TEM - JILL M. GOLDTHWAIT

**NAYS:** Senators: BROMLEY, MCALEVEY, RAND, WOODCOCK, YOUNGBLOOD

**ABSENT:** Senator: FERGUSON

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 5 Senators having voted in the negative, and 29 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 Pro Tem, was presented by the Secretary to the Governor for his approval.

Under suspension of the Rules, ordered sent forthwith to the Governor.

The President Pro Tem requested the Sergeant-At-Arms escort President **BENNETT** of Oxford to the rostrum where he resumed his duties as President.