

MAINE STATE LEGISLATURE

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FRIDAY, JUNE 17, 2005

but right now it is us, and only us, with the power to make this decision. I believe this is a defining moment and I urge you all to vote yes on this solution. I thank you for your kind attention.

On motion by Senator **BRENNAN** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **ROTUNDO** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

On motion by Senator **BRENNAN** of Cumberland,
RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Improve the Delivery of Maine's Mental Health Services"

S.P. 57 L.D. 151
(S "B" S-373 to C "A" S-367)

In Senate, June 16, 2005, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-367) AS AMENDED BY SENATE AMENDMENT "B" (S-373)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-367) AS AMENDED BY HOUSE AMENDMENT "A" (H-716) AND SENATE AMENDMENT "B" (S-373)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **MAYO** of Sagadahoc, the Senate **RECEDED** and **CONCURRED**.

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 Today Assigned matter:

HOUSE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Eliminate Pension Cost Reduction Bonding and Provide Replacement Budgeting Measures"

H.P. 1199 L.D. 1691

Majority - **Ought to Pass**, pursuant to Joint Order (H.P. 1194) (8 members)

Minority - **Ought Not To Pass**, pursuant to Joint Order (H.P. 1194) (5 members)

Tabled - June 17, 2005, by Senator **BRENNAN** of Cumberland

Pending - motion by Senator **ROTUNDO** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence

(In House, June 17, 2005, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, June 17, 2005, Reports **READ**.)

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

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. I rise to urge your support of the majority Ought to Pass report before you. After the announcement of the BRAC Commission and the possible base closings there was increased interest on the part of many people in the Legislature to go back and reconsider the \$447 million worth of borrowing contained in the Part I budget that was designed to pay down the unfunded liability for our state teachers' retirement fund. The economic uncertainty created by the BRAC news and the half billion dollar impact that those closings could potentially have on the state were driving factors in the work that has consumed the Appropriations Committee for the past week as we have discussed the reduction of the \$250 million worth of borrowing. I first want to commend the Appropriations Committee members for their diligence in examining every idea that was brought before us as potential cuts. I want to publicly thank the good Senator from Aroostook, Senator Martin, and the good Senator from York, Senator Nass, for their leadership and cooperation in the work done on the borrowing reduction.

Early in the process we had created one list, a blending of Democratic and Republican ideas which we worked through with care and thoroughness. I'm proud that the committee engaged in a public examination of all of the ideas brought before us. It was important that all of the proposals were discussed openly and respectfully amongst the members. As we went into our deliberations on potential cuts we agreed that we would honor our promise of increasing funding for our public schools by \$250 million so that everything else should, and could, be placed on the table for debate. We didn't discuss new revenues. Our focus was on cuts and we all worked to see if we couldn't reach the \$250 million reduction together. We worked meticulously, looking at all aspects of state spending. It was a healthy process. Democrats adopted Republican proposals and Republicans adopted Democratic proposals. Working together, we got to around \$110 million worth of cuts which we unanimously agreed upon. These were difficult cuts, spread across the board. We then parted ways, however, because it became apparent to the majority of the committee that we were not able to go further in cuts beyond the \$125 million unless we stripped healthcare and social services from thousands of Maine families, elderly, and children. We just couldn't go there. With the uncertainty of the

FRIDAY, JUNE 17, 2005

base closings, we refused to create more uncertainty through huge cuts to healthcare for Maine families. We refused to freeze the healthcare for the non-categoricals as well as coverage for Cub Care parents and families and individuals and employers who are now being covered through Dirigo. We knew that the cuts to the non-categoricals, as well as cuts to Cub Care parents and the Dirigo program, would jeopardize health insurance coverage for nearly 40,000 Maine people who were either currently covered or who would otherwise be eligible for coverage. These statistics have faces. Some of the people being helped through these programs are the working poor who work two or three jobs at minimum wage but still have trouble making ends meet for their families. Some of the sickest and poorest residents of the state qualify as non-categoricals. In the case of Dirigo, we are helping small business owners who can, for the first time, offer health insurance to their employees. We also knew that these cuts of approximately \$52 million proposed by our Republican colleagues would result in an additional cut of approximately \$90 million in matching funds from the federal government, resulting in harm not only to those receiving services but to others who depend upon our funding; our community hospitals, doctors, and other healthcare providers. Cuts to healthcare coverage by the state also results in healthcare cost increases for everyone who has private insurance. The bad debt and charity costs to the hospitals incur when the care for the uninsured simply are shifted to the health insurance premiums that everyone else who has private insurance pay.

In the report before you, you will see that there were other cuts that we refused to take. We refused increasing cuts for services for people afflicted with AIDS. We already have a waiting list in the state of people who are HIV infected who are going untreated because of insufficient funding. We also wanted to make sure the elderly continued to get the drugs they needed as they transitioned from the state prescription drug program to the new federal prescription drug program at the end of the year. We didn't want to cut further into respite care for families caring for sick children, very sick children I should add. Finally, we wanted to make sure funds for homeless youth were not cut more deeply and that we kept in place health safeguards for the people of Maine such as the monitoring of surface water quality so people would know whether or not it was safe to eat the fish they caught in Maine's lakes and rivers.

When faced with the choice of cutting services to the most vulnerable in the state or raising new revenues, primarily through a targeted cigarette tax, the majority of the Appropriations Committee members chose to raise the cigarette tax by \$1 per pack. We cut as far as we could, almost \$120 million of state spending, and just couldn't responsibly go any further in cutting social and health services for some of our poorest and sickest citizens in Maine.

You have a responsible and balanced bill before you that eliminates that borrowing from the Part I budget and also reduces the structural gap by \$300 million per year. I strongly urge acceptance of the motion on the floor. Before I sit down I do want to thank OFPR and the Revisor's Office who have worked around the clock in recent days to produce the documents before us today. I also want to thank my Democratic and Republican colleagues on Appropriations for working so hard to eliminate this borrowing. While our work together might have led us to different conclusions about the cuts, we all worked together in good faith and the people of Maine are much better for it. Thank you.

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

Senator **NASS:** Thank you, Madame President, ladies and gentlemen of the Senate. Madame President, I will speak just briefly, if I can, about the bill and then address the details in the amendment that will be offered, hopefully, shortly.

It is just amazing that we should be here, at least I think it's amazing, talking about what we are talking about. I've been here for a few years. We've never been in a situation that we've had to cut this much money. We take no joy in that. It is important, I think, to recognize how we got here and what has happened. We had a Part I budget that wasn't going to work for a number of reasons. We needed to come together. It was late in the session. With the help of both parties, I think and I give most of the credit to my colleagues over here, somebody came up with the idea of putting these two lists together kind of anonymously. It worked because nobody had to be responsible. That's an awful thing to say, but nobody was responsible for anything, particularly on the list. It gave us a tremendous, what you might call a giant step, forward in dealing with the potential. I was equally surprised when we assembled the list and there wasn't really all that much that was Democratic or Republican. A lot of the stuff came from the 5% and what we would do with the 5%. The Presiding Officers actually requested from the Commissioners, in that very short letter, to provide us with the Part 2 thing. When you looked at the yellow sheets, the list, it was mostly that. They gave us the opportunity to deal with this and we did so, I think. I am pleased to say that we got halfway there. For us, that wasn't good enough, but getting halfway there, I think, at this point was pretty amazing. We spent a week or so talking almost exclusively about reducing the size and cost of state government. To me, that was just amazing.

Where do we go from here? We'll talk about the division when I present my amendment, but I think, Madame President, now is the time to recognize that we did important work, and we did it very quickly, in a relative sense. It was very uncomfortable, but collectively we can do these things. I think that is part of the message right now.

Madame President, when we take the vote on this, and I think that is the next procedure, I ask that we do it by roll call. I think it is then that I will get to present my amendment.

On further motion by same Senator, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Rotundo to Accept the Majority Ought to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.