

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 7, 2016

beginning at Page 1

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

Off Record Remarks

In Senate Chamber
Friday
June 30, 2017

Senate called to order by President Pro Tempore Garrett P. Mason of Androscoggin County.

Prayer by Senator Eloise A. Vitelli of Sagadahoc County.

SENATOR VITELLI: Thank you, President Pro Tem. It's a privilege to be here this morning with all of you, as always. I've really appreciated the moments we take every day before we begin our work to reflect on our role in the broader scheme of things. So this morning as we face what is probably our most significant task yet, I would like to offer the words of Rabbi Harold Kushner. His Prayer for the World.

Let the rain come and wash away
the ancient grudges, the bitter hatreds
held and nurtured over generations.
Let the rain wash away the memory
of the hurt, the neglect.
Then let the sun come out and
fill the sky with rainbows.
Let the warmth of the sun heal us
wherever we are broken.
Let it burn away the fog so that
we can see each other clearly.
So that we can see beyond labels,
beyond accents, gender, or skin color.
Let the warmth and brightness
of the sun melt our selfishness.
So that we can share the joys and
feel the sorrows of our neighbors.
And let the light of the sun
be so strong that we will see all
people as our neighbors.
Let the earth, nourished by rain,
bring forth flowers
to surround us with beauty.
And let the mountains teach our hearts
to reach upward to heaven.
Amen.

Pledge of Allegiance led by Senator Mark N. Dion of Cumberland County.

Reading of the Journal of Thursday, June 29, 2017.

ENACTORS

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

Act

An Act To Regulate Fantasy Sports Contests
S.P. 449 L.D. 1320
(C "A" S-314)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT** in concurrence.

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

Senate at Ease.

The Senate was called to order by President Pro Tempore Mason.

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:

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 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, 2018 and June 30, 2019" (EMERGENCY)

H.P. 281 L.D. 390

Had the same under consideration and asked leave to report:

That the House **RECEDE; ACCEPT** Report "**C**" **Ought to Pass as Amended; READ** Committee Amendment "**C**" (H-475); **READ** and **ADOPT** Committee of Conference Amendment "**A**" (H-555) to Committee Amendment "**C**" (H-475); **ADOPT** Committee Amendment "**C**" (H-475) as amended by Committee of Conference Amendment "**A**" (H-555) thereto; and **PASS** the **BILL TO BE ENGROSSED** as amended by Committee Amendment "**C**" (H-475) as amended by Committee of Conference Amendment "**A**" (H-555) thereto.

That the Senate **RECEDE** and **CONCUR** with the House.

On the Part of the Senate:

President THIBODEAU of Waldo
Senator KATZ of Kennebec
Senator BREEN of Cumberland

On the Part of the House:

Speaker GIDEON of Freeport
Representative FREY of Bangor

Comes from the House with the Committee of Conference Report **READ** and **ACCEPTED**.

Report **READ**.

On motion by Senator **HAMPER** of Oxford, Report **ACCEPTED**, in concurrence.

Same Senator moved the Senate **RECEDE** and **CONCUR**.

THE PRESIDENT: The Senator may proceed.

Senator **HAMPER:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, what we have in front of us today is a compromise and, Mr. President, I would request a Roll Call.

On motion by Senator **HAMPER** of Oxford, 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 Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, I rise to speak in support of the Recede and Concur motion on this compromise budget and I rise, I don't normally - I've never spoken on a budget mostly because Appropriations folks do that. But in my estimation this budget will be known as the education budget and it's in and amongst the larger construct of the overall budget. But I just want to point out to you that this has tremendous value for our students and our taxpayers. I see it as a victory for students and also our taxpayers. It sends more funding to GPA, \$162 million; reallocates the funding formula to send more money to our economically disadvantaged and our - as well as our special needs students; incentivizes districts to collaborate; but most important, it does meet our 55% obligation. But I'd also like to talk a little bit about the process. I never had been involved this

heavily in the budget process as this one. I am very appreciative that my caucus has entrusted me to do a lot of the legwork on the education side of things. I met with a counterpart from the other Body to go through more than 65 lines of education policy. That was well after public hearings in the Appropriations Committee and many multiple work sessions in the Education Committee, with input from both sides of the aisle. Once we got to - into - the negotiation of the actual budget piece we had met with our colleagues - my colleagues - on the Education Committee from the Senate - the good Senator from Cumberland - as well as our House members - our Republican House members - members of the Education Committee from the other Body. I learned quite a bit from that experience and I found that I would almost like to see this as a model for how we might do things in the future, where we sat in a room and I would say the minority caucuses had a tremendous amount to say on the education policies - the reform package that was in here. My good colleague from Cumberland is a tremendous negotiator, as I sat and listened as she negotiated with folks on the committee from the other Body. With that, I would strongly support what we have in front of us on behalf of what it does for our students. Thank you very much, Mr. President and men and women of the Senate.

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

Senator **BREEN:** Thank you, Mr. President. I rise simply to thank my colleagues on the other side of the aisle who served on Appropriations. It's been an honor to work with the good Senator from Oxford, Senator Hamper; the good Senator from Kennebec, Senator Katz. I'm grateful for the opportunity to serve on the committee and the committee of conference and I wholeheartedly support this budget. Thank you.

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I wish I could agree with the good Senator from Hancock. But I cannot share his enthusiasm for this process and I cannot, in good conscience, say that it should serve as a model for the future. There are pages after pages of education policy in this document. Some of these policies were voted out by the Majority Ought Not to Pass and yet they are in the budget. There are some things that are in this document that haven't even been vetted in a public fashion, with a public hearing and a committee discussion and a committee vote. Yes, there are some things in here that will strengthen our schools. But I would argue there are also some things in here that will not. Either way, the process by which we landed on these policies in this document I hope we will not repeat again. I hope we will respect the long-standing tradition of our policy committees and the long-standing traditions of our Appropriation Committee. What's most difficult for me this evening is that we are still very far off in funding the State obligation of 55% and there was no dedicated revenue to go to that. We will be struggling mightily very soon to reach that 55% goal. Having said all of that, Mr. President, none of this is worth shutting down our government. None of this is worth inflicting pain on our Maine citizens. I do appreciate the work and the hours that were put into it and, as such, I will plan to vote in support.

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

Senator **BELLOWS:** Thank you, Mr. President. I rise with a heavy heart. Over the past week, since the shutdown began to be discussed, I have received numerous e-mails and phone calls from constituents who are State workers. They are hard working. They are loyal. They did not deserve to be pawns in a political game of chicken. Some of them are the sole breadwinners in their families and some are parents with kids headed to college or new babies on the way. Some are recent graduates with student loan debt. All of them would be devastated by the loss of a paycheck or several paychecks. It's not just State workers. Last night I visited the Boys and Girls Club in Gardiner. State employees combined contribute \$6,500 a week in childcare fees there. The club has talked with them to let them know that summer camp for their kids will go on as planned. That is a lot of money for a non-profit to go without if the State shuts down. I spoke with the mother of an adult with significant intellectual and developmental disabilities. Her son lives in a group home. His care is subsidized by the State. She said, "Agencies won't be able to withstand a government shutdown. These non-profits operate on the thinnest of margins, putting all of their funds into direct care for some of our communities' most vulnerable citizens and we cannot risk their health and safety." I'm the daughter of a carpenter. I grew up poor. I know what it's like. Where I come from I know that a week without a paycheck for a lot of people would have a devastating and potentially permanent consequence. Our Chief Executive said, "A shutdown is necessary for the future of Maine." I have a message for him. No, it is not. Real people's lives are at stake. He won. This budget eliminates the surcharge. This budget cuts taxes for the wealthy. This budget eliminates sustainable education funding and makes serious policy changes that I believe will harm our children. This budget eviscerates mental health services at time when the opiate crisis demands that we do more. This budget raids the Fund for Healthy Maine. This budget raises taxes for campgrounds, bed and breakfasts, and motels in my district. It didn't have to be this way. Supporting the will of the people is not an extreme position. I don't agree that this budget is a reasonable compromise, but it's a truce. As I cast my vote in favor of this motion I cast it in protest. But I will continue to advocate for education for every Maine child. I will continue to advocate for comprehensive meaningful approach to mental health services and the opiate crisis. I will continue to fight for what the people tell us they want. Mr. President, I know that you and my colleagues in this room have received, as I have, numerous e-mails, letters, and phone calls from people who voted for Question 2, which is repealed by this budget, and I know that some members of the public are deeply disappointed that that has happened, and sometimes it can be heartbreaking when the people closest to us, our allies, let us down. But make no mistake, I will not give up and neither should the Mainers who are committed to quality public education for all children, to healthcare for all, to investments in Maine's economic future that benefit working people and not just the wealthy. There may be some that hope today that if the government does shutdown that these relentless assaults on education, on healthcare, and on infrastructure, and on our values will discourage or embitter us so much that we will stop trying. But we cannot abandon the good fight and we have not won today but we will not give up. We will not let our sadness or anger today over this compromise

undermine our determination to make a better world. We must, and we will, persist. Thank you.

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I hate this budget. I think this budget shortchanges what we promised for education. I think it's going to be bad for health. I really - I'm very unhappy what it's done to the referendum process. On the other hand, I love the State of Maine and in Maine we stand for taking care of each other, regardless. We stand for compromise. We stand for good sense. I'll be voting for this budget. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I had every intention of voting against this because I have almost exclusively heard from folks that the referendum process needs to be honored and it hasn't been. There's been a callous disregard for it, but there's been a disregard for many pieces of the process. Legislative bodies and committees that look at these bills in-depth and then make recommendations that have been ignored. Different bodies of leadership that are supposed to come together and have been left out. There are pieces of this, and they'll be dissected from part, from each direction. There are my colleagues who will understand different pieces better than I do about certain parts, but I know that this country and this state were built on people coming together and spending a lot more money to build it and then it was left to us to take care of. If we want to build it further, and leave something for our kids, then we can't just get caught in the cut and take-away and leave everybody to fend for themselves mentality that seems to be affecting this country lately. We need to stand up and honor the people who stood up for the referendums when they thought we weren't doing the job we were supposed to be doing and they stepped up and they got signatures and they got votes and they passed a law. The law they passed means as much as any election that you won by, and if you won by one vote I don't see you running around and validating the value of your election, and neither should you on the citizen's referendums and the surtax or anything else. So I am going to vote green because, as someone wiser than me said, I'm not going to use the State employees as a pawn. I, too, love this state. We just represent so much that we would undo by not passing this budget tonight, and we will build on it when we have reasonable people in the future.

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

Senator **CARSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this has been a difficult decision for me. Too many times in this Body have I heard a member stand and say that's a good program, or that's a good idea, but we cannot afford it. The people of my district sent me here, I believe, to honor the referendum, to put more money into education, and I would have gladly compromised at phasing in 3%, or enacting 1% or 1.5%, and finding another sustainable source of funding for our public education for our children's future. Unfortunately, I have to

stand here tonight and will have to go back to my district and say there is, in this budget, no additional contribution from those people who have - no additional contribution from those people who have the greatest ability to pay. I don't believe we are investing enough in job skills and job training, particularly for those who are on public assistance or who are underemployed or unemployed, who, if we invested in their future with job training, with childcare, would much more quickly, and willingly, become productive taxpaying citizens of the State of Maine. I want to thank members of this Body, and particularly thank the Appropriations Committee, for holding the line and not cutting those positions, which have been in the budget for some years, for our public health nurses. Those men and women are on the front lines, protecting our communities, our children, and our most vulnerable. Yes, we protected those positions, but we have not said to the Department of Human Services, not yet, you must put to work nurses in these public health nursing positions so that our school children will be protected and our most vulnerable will be protected. I hope that will happen. I wrote a note yesterday to members of the Committee of Conference and to some of our leaders, and in it I said please do not transfer out \$15 million for a Fund for a Healthy Maine into other purposes. One of the reasons I said that was because I discovered a study done nationally, but with findings here in the State of Maine, which said, unequivocally, \$1 invested in chronic disease prevention, \$1, yields \$7.50 in additional new economic activity. Which one of us would not put \$1 into a savings account if we knew that it was going to yield \$7.50 in return? I'm going to have some difficulty explaining to the men and women and families in my district why I supported a budget which fell short, but like my colleagues who have already spoken, and I trust, like you men and women on the other side of the aisle, we have the serious obligation to the people of the State of Maine not to shut down this government, not to leave the people who have chosen public service, whether it be police and fire and other first responders or whether it be clerks in the back offices of the Department of Human Services or the Department of Agriculture, Conservation and Forestry, not to leave them without a paycheck. I will leave you with something I told my caucus I was going to speak just briefly to you about. There are some really hard jobs in this world, but we do them anyways. There were many dark, rainy, threatening nights when I was a young infantry officer on the lines with my Marine Corps platoon in Vietnam. I did not want to be out there walking or crawling between foxholes and bunkers, but I did it because I knew that the men of my platoon needed to know that I was out there with them and not back in some warm, dry hooch or bunker. I hope that when we cast this vote in the Senate of the State of Maine that you, my colleagues on the Republican side of the aisle, will say to your colleagues on the Republican side of the aisle in the House we all, all of us, did what was right for the State of Maine. Now, you, men and women of the House of Representatives, step up, join us, and do it with us. Thank you, Mr. President. Thank you, ladies and gentlemen of the Senate.

THE PRESIDENT: The Chair would remind members that they are to address the Chair when speaking. The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I lived through a shutdown 26 years ago as an elected official. In fact, there are only two elected officials in this Chamber that did live through that. I can tell you first hand,

as a first hand witness, it was terrible. The hardships and the travesties that followed the shutdown, which lasted over two weeks, was something I can tell you we do not want to do again. From day one when we started talking about this budget, my goal was to help get as best a budget as we could. I served a little bit of time on the Chairs and Leads just to help with those lines and that was all good, but my biggest reason was to make sure we did not go through that event of a shutdown, which hurt so many innocent people. They didn't see it coming. They don't pay attention to us. They're working, trying to make a living. All of a sudden the door slammed. I would say, Mr. President, that, and I may be dreaming, that it would be a wonderful, dramatic statement if we were able to send out a unanimous vote on this budget. That could have, possibly, the biggest effect on whether or not this state shuts down. I'm already proud of this Senate. I'm already proud of both sides and the speakers who have spoken and those who haven't. Just imagine what that would say. Imagine what that would say to the people of this state. This Maine State Senate said no, we're not going to shut down. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, for the record, and for anyone listening, I need to be very clear. If my vote occurred in a vacuum I would be voting against this budget for the way that I believe it favors the wealthy at the expense of our schools and the way it disregards the will of the voters who elected this very same Legislature. Mr. President, I've heard yourself and others in recent days say that this budget contains a historic investment in public education and I've heard my colleagues argue that this budget represents a single largest increase in education spending ever in our state. But the only way to make such an argument is to ignore the reality that happened in November when Mainers passed the law, not a suggestion or not an idea but an actual law, to impose a small tax increase on the wealthiest Mainers and businesses so that we could truly make the largest investment in education in our State's history. This budget only delivers half of what the voters approved. So, Mr. President, I offer to you that this budget is not the largest education funding increase in our history. It is the largest cut to public education in our State's history and Maine students will be the worst for it. For what? For what reason are we dismissing the will of the voters, the same voters that elected us here today in this Legislature? From what I can see in this budget, we're doing it so that we can cut taxes for the top 2% of earners in Maine, the same group that voters asked to chip in a little more so we could fully fund our schools for the first time ever. Mr. President, I've been compared to Bernie Sanders more than a few times in the past few days and I can see why, because I believe that giving a tax cut to the rich so that we can cut education funding and cut property tax relief is just plain wrong. I'm more than proud to stand here and be compared to Bernie Sanders every day of the week because working class people in my district and across the state are struggling. Families like mine are doing everything they can just to stay on top of their bills, put food on the table, and pay their healthcare. At the same time, teachers are forced to buy school supplies out of their very own pockets. School districts are forced to choose between cuts to programs and property tax raises that only make life harder for working class families. But meanwhile, for the past six years, the

wealthiest Mainers have received cut after cut to their tax burden. Just like we see all around this country, the wealthy elites are doing just fine while income inequality grows and the folks at the bottom are left behind and get the scraps. I know that people will say that the voter approved surcharge hurts small businesses. They want you to believe that the surcharge will affect Mom and Pop shops. But here are the facts: 93% of the business owners wouldn't have even been affected by the surcharge. Of those people earning more than \$200,000 in taxable income per year, just 15% are business owners. Many of those are lawyers, stockbrokers, or realtors. So, Mr. President, don't get me wrong, I'm sure those lawyers and financial service providers and other business people will be over the moon to get this tax cut. But if you ask me, the budget, a moral document, should focus on the needs of the many, not just the few that we're providing today. To me, a tax cut for a handful of wealthy families and businesses is not worth undermining the will of the voters and slashing funding for our schools. Today, all I can say is I cannot wait for the day when I stand in this Legislature and we stop debating how much we should be giving to those without needs so we can finally start debating how to take care of everyone else. Mr. President, you can tell from my comments, and I think you and everyone in this Chamber can tell, that I hate this budget. I hate this process. I hate how Education members were left out. I hate our Appropriations members who were left out. I hate how I was left out. I hate the idea of passing this just as much as the 15 or so Republicans in the House who just voted against it, but for very different reasons. But I hate the idea of a government shutdown even more. Mr. President, I know, I honestly know, what it means to lose a paycheck. I know what it means to live in a state of uncertainty to know when or how that next paycheck is going to come. I know what it means for a father to look his son in the eyes and wonder whether he'll be able to provide for him the way that you know you should. Mr. President, I've spoken many times about the cruel world that allows one man to hold another man's fate in his hands. Well today we find ourselves in that situation. We hold the fate of thousands and thousands of Maine families in our hands. Our action could bring them certainty, that fear and financial insecurity to those families. As powerful as my hate is for this budget, I cannot allow that hate to cloud my vision. I cannot have a shutdown and the pain and suffering it would put on Maine families on my conscience. I think some of you knew running out the clock would put us in an impossible position. I won't be voting for a budget today. I'll be voting against a shutdown. So, Mr. President, for that reason I will put a green light on the board for this budget that I hate and I ask my fellow Senators to hold their noses and follow my light.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, I thank the good Senator from Aroostook for his comments, many of which I disagree with. But the good Senator, as well as the rest of this Senate, understands the children's story of Goldilocks and the Three Bears because that's been our job here, Mr. President, to find a budget which was not too hot, not too cold, but just right to be able to get to at least two-thirds of this Body, and hopefully the other Body. I've never been prouder to be a member of this Senate than I am today because every single speaker has embodied that in their comments. Last night I was reflecting on today, and our role today, and reminded that in the

Constitution we are given only one thing we must do - that is a directive to pass a budget. We don't have to pass any bills. We don't have to pass any sentiments. We have to pass a budget and that's our responsibility that all of us are taking so seriously. So whose fingerprints are on this budget, Mr. President? All of our fingerprints are on this budget, at both ends of the hall. The Governor's fingerprints - the Chief Executive's are on this budget. He proposed the budget originally. The public hearings were held, so our citizen's, our constituent's, fingerprints are on this budget. Certainly the Appropriations Committee's fingerprints are on this budget, and I thank the good Senator from Oxford, Senator Hamper, and the good Senator from Cumberland, Senator Breen, for their hard work that brought us there. Ninety-nine percent of the work on this budget was done in the Appropriations Committee, with the help of every single person in this room through their committees of jurisdiction that weighed in, leaving only about 1%, the final decisions, to leadership, and very late in the process, yesterday, a tiny portion of 1%, through the Presiding Officers. Was the process perfect? Absolutely not. But it was the best efforts by a large number of imperfect human beings, to try to find the middle, a document which can get to two-thirds. We've done our best and we certainly hope it is enough. I see the budget slightly different than some of the other speakers. I see the glass as more than half full. I see a \$162 million of additional spending for public education. I do see it as the largest single increase in public school funding in our State's history. I'm proud that 50% of that is going to go for property tax relief, back to our local constituents. I see a budget, Mr. President, that, from our perspective, in fact does in year two finally reach 55%. I also see a budget, Mr. President, that, from the perspective of many of us, does eliminate something which was going to be extremely damaging to our economy in the repeal of the surcharge. I also see education reforms, that were outlined by Senator Langley, that will, I believe, bear dividends, as he indicated, for generations to come. I also see significant property tax relief, both through the additional school funding and through our efforts to beef up the Homestead Exemption. I also see an important, too small I agree but important, down payment on payments to direct care workers. As we decide, Mr. President, on this vote - and I share the wishes of Senator Diamond that this would be a unanimous vote and maybe we can send this message down the hall - I think the proposal by you is an honest compromise. Not perfect. All of us perhaps holding our nose a little bit, but a heartfelt attempt to thread the needle and keep government open. As more than seven people have pointed out, make no mistake about it. If we fail today the State will shut down, hurting our economy, inflicting pain on thousands of collaterally damaged State employees and their families, shutting down important State services to all of our constituents, and causing damage that will live on for years in our communities. Mr. President, I just want to end with a story about a time in my life, after I got out of law school. I clerked for a judge in the State of Maryland. I spent many days sitting in a courtroom watching jury trials. The jury sat over, we'll say, on that wall across the way here. The back row of the jury could rest their heads on the wall. Over years, and probably decades, the imprint of those people leaning their heads on the wall were there from the oil on their hair, I suppose, and when there was nobody in the court room you could see those imprints of people's heads. It was almost like the ghosts of jurors. I remember thinking about that and thinking that, even though the jury was only deciding a particular case that day, the standard that they set would live on and that future jurors would live up to the standard, high or low,

that their predecessors had set. I think of that story today, Mr. President, because, just like those jurors, we are judging our actions today by what we have seen our predecessors do and other Legislatures that come after us will judge us by the standard that we have set. I hope we can get this done today, Mr. President, in this Legislature, but I have never been more proud to be a member of this Body. Thank you.

THE PRESIDENT: A roll call has been ordered. The pending question before the Senate is the motion to Recede and Concur. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#395)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senator: BRAKEY

34 Senators having voted in the affirmative and 1 Senator having voted in the negative, the motion by Senator **HAMPER** of Oxford to **RECEDE** and **CONCUR PREVAILED**.

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, 2018 and June 30, 2019

H.P. 281 L.D. 390
(C "C" H-475; CC "A" H-555)

Comes From the House, **FAILED ENACTMENT**.

The Chair noted the absence of the Senator from York, Senator **WOODSOME**, and further excused the same Senator from today's Roll Call votes.

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and signed by the President, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess the Senate was called to order by the President.

The following proceedings were conducted after 12:01 a.m., Saturday, July 1, 2017.

Off Record Remarks

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, Highway 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, 2018 and June 30, 2019

H.P. 995 L.D. 1440
(C "A" H-504)