

MAINE STATE LEGISLATURE

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House of Representatives
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State of Maine

Daily Edition

First Regular Session
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ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
12th Legislative Day
Monday, February 11, 2019

The Speaker resumed the Chair.

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Mark K. Tanner, Skowhegan Federated Church.

National Anthem by Katie Boston, Augusta.

Pledge of Allegiance.

At this point, a message came from the Senate borne by Senator Vitelli, of Sagadahoc, of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 6:30 in the evening for the purpose of extending to Her Excellency, Governor Janet T. Mills, an invitation to attend the Joint Convention and to make such communication as pleases her.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 6:30 in the evening and the Speaker appointed Representative MOONEN of Portland to convey this message to the Senate.

The Journal of Thursday, February 7, 2019 was read and approved.

Subsequently, Representative MOONEN of Portland reported that he had delivered the message with which he was charged.

The House was called to order by the Speaker.

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Troy D. Jackson in the Chair.

The Convention was called to order by the Chair.

On motion of Senator VITELLI of Sagadahoc, it was ORDERED, that a Committee be appointed to wait upon the First Family of the State of Maine, inviting them to attend this Joint Convention now assembled in the Hall of the House for the purpose of extending to Governor Janet T. Mills, an invitation to attend and make such communication as pleases her

The ORDER was READ and PASSED.

The Chair appointed the following on the part of the Senate:

The Sen. from Androscoggin, Sen. CLAXTON

The Sen. from York, Sen. DESCHAMBAULT

The Sen. from Piscataquis, Sen. DAVIS

The Chair appointed the following on the part of the House:

The Rep. from Sinclair, Rep. MARTIN

The Rep. from Windham, Rep. BRYANT

The Rep. from Brewer, Rep. VEROW

The Rep. from Blue Hill, Rep. PEBWORTH

The Rep. from Bethel, Rep. HEAD

The Rep. from Knox, Rep. KINNEY

The Rep. from East Machias, Rep. TUELL

The Rep. from Friendship, Rep. EVANGELOS

The Rep. from Harrison, Rep. RISEMAN

Subsequently, Senator CLAXTON of Androscoggin, for the Committee, reported that the Committee had delivered the message with which it was charged and that the members of the First Family of the State of Maine would attend forthwith.

The Chair welcomed in the House Gallery, the First Family of the State of Maine.

On motion of Senator VITELLI of Sagadahoc, it was ORDERED, that a Committee be appointed to wait upon the Honorable Janet T. Mills, Governor of the State of Maine and Chief Justice Leigh Saufley, extending to them an invitation to attend this Convention and to extend to Governor Janet T. Mills an invitation to make such communication as pleases her.

The ORDER was READ and PASSED.

The Chair appointed the following on the part of the Senate:

The Sen. from Cumberland, Sen. BREEN

The Sen. from Cumberland, Sen. SANBORN

The Sen. from Oxford, Sen. HAMPER

The Chair appointed the following on the part of the House:

The Rep. from Westbrook, Rep. GATTINE

The Rep. from Eagle Lake, Rep. MARTIN

The Rep. from Bar Harbor, Rep. HUBBELL

The Rep. from Portland, Rep. JORGENSON

The Rep. from Old Town, Rep. DUNPHY

The Rep. from Falmouth, Rep. PIERCE

The Rep. from Waterford, Rep. MILLET

The Rep. from Belgrade, Rep. KESCHL

The Rep. from Hiram, Rep. WADSWORTH

The Rep. from New Gloucester, Rep. ARATA

The Chair recognized in the House Gallery, the Constitutional and Statutory Officers of the State of Maine: Secretary of State, Matthew Dunlap; Attorney General, Aaron Frey; State Treasurer, Henry Beck; and State Auditor, Pola Buckley.

The Chair also recognized in the House Gallery, Maine's Tribal Leaders: Chief Kirk Francis of the Penobscot Nation; Chief William J. Nicholas Sr. of the Passamaquoddy Tribe; Chief Clarissa Sabbitis of the Houlton Band of Maliseet Indians; and Chief Edward Peter Paul of the Aroostook Band of Micmacs.

The Chair further recognized in the House Gallery, the Leaders of Higher Education for the State of Maine: Dr. James

Page, Chancellor of the University of Maine System; David Daigler, President of the Community College System Dr. Joan Ferrini-Mundy, President of the University of Maine; Eric Brown, President of the University of Maine at Farmington; Raymond Rice, President of the University of Maine at Presque Isle; Glenn Cummings, President of the University of Southern Maine; Rebecca Wyke, President of the University of Maine at Augusta; John Short, President of the University of Maine at Fort Kent; David Greene, President of Colby College; and James Herbert, President of the University of New England.

The Chair also recognized in the House Gallery, Members of the Governor's Cabinet, Commissioners: Jeanne Lambrew; Kirsten Figueroa; Pender Makin; Jerry Reid; Bruce Van Note; Heather Johnson; Judy Camuso; Randall Liberty; John Rohde; Patrick Keliher; Anne Head; and Randy Charette.

Subsequently, Senator GATTINE of Westbrook, for the Committee, reported that the Committee had delivered the message with which it was charged and that the Honorable Janet T. Mills, Governor of the State of Maine, accompanied by Chief Justice, Leigh Saufley, would attend forthwith.

The Chair welcomed to the Convention the Honorable Janet T. Mills, Governor of the State of Maine, accompanied by Honorable Leigh I. Saufley, Chief Justice of the Maine Supreme Judicial Court.

The Chair recognized the evening's Herald, Major Colleen Thayer.

The Chair welcomed the Honorable Janet T. Mills, Governor of the State of Maine, to the rostrum.

Governor **MILLS**: Thank you. Thank you. Thank you. Thank you. Thank you. Thank you very much. Mr. President and Madam Speaker, Chief Justice Saufley, Chief Francis and Chief Nicholas, Chief Sabattis, Chief Paul, Ambassador Dana, Secretary of State Dunlap, Treasurer Beck, Attorney General Frey and Auditor Buckley, Honorable Members of the 129th Legislature, three months have passed since the general election, two months since the Legislature was sworn in. Nearly all of our cabinet members are confirmed, sworn, and qualified, and they are here tonight. We are getting to work.

I want to take a moment to thank the people of Maine for the outpouring of warmth that you've shown me in the last month. I have felt in my heart the very best of Maine from all of the state; the energy, the strength, the hope of Maine people. Today we dig out from tunnels of snow and ice and we find the light of our days to be longer, our dark nights shorter, and we sense that nature and the world are moving towards spring. While we care for our neighbors, old and new, frail or strong, we care about those who need the most, those who work the most, and those who pay the most. Today we take account of the past and plan for a new and better future.

Our unemployment rate is low, but our economy has grown more slowly than that of the United States and that of New England since 2010. Our poverty rate is below the national average, yet one-sixth of our children live in poverty. Our per capita income is growing, but it is still the lowest in

New England, as is our average household income. Maine's public high schools rank fifth in the country, but the percentage of our adult population with postsecondary degrees is well below the New England average. The quality of our healthcare ranks tenth in the country, yet the public health of our citizens is ranked only 33rd in the nation. Maine has many assets but it also has many challenges. We cannot afford to stand still, so this budget moves us forward.

The budget is about health, it is about opportunity, it is about prosperity, it is about education. In sum, it is about hope. Healthcare is a major focus of this budget, and it is a vital part of moving our economy forward. You may have heard by now that more than 4,000 people are newly enrolled in MaineCare since January; people from all across the state, in every district. We intend that expanded MaineCare will help up to 70,000 people who now lack affordable health insurance so that they can obtain preventative care, they can obtain early treatment for disease, they can remain in the workforce, and they will never again have to face the choice between medical care and bankruptcy.

These individuals are not the only ones who will be helped. Expanding MaineCare and enabling people to have health insurance will also help our rural hospitals, which are some of the largest employers in their communities, and are often the only source of care and often on the edge of financial collapse because expansion would reduce the amount of uncompensated care that they are asked to provide now. In turn, this will lower the inflation pressures on private health insurance policies. We expect that this will reduce the cost of health insurance to small businesses, to self-employed individuals, and their employees, whose insurance rates are essentially making up the difference now for hospitals' uncompensated care. But that's not enough. We will work with the Bureau of Insurance and the small business community to find additional ways to lower the cost of health insurance for small businesses. Finally, MaineCare expansion will help Maine's economy. It will bring \$500 million of federal funds to Maine. I mean, that's like getting a new contract for a ship at Bath Iron Works every year, except that the jobs will be all across the State of Maine.

This influx of funds is projected to create 6,000 additional jobs from Sanford to Calais to Fort Kent. All of these workers will pay income taxes and sales taxes, which will in turn help the state's and community's, bottom line. This is economic development on a large scale. Oh, and it is the law.

To support MaineCare expansion as the people voted, we include \$147 million in the state budget over the next two years. That figure was arrived at based on the independent nonpartisan analysis of the Manatt report. We're also budgeting just in case for a \$29 million Medicaid reserve account to cover any contingencies. These budget items are funded by normal income and sales tax receipts and revenues as predicted by the Independent Revenue Forecasting Committee, pure and simple. That means no new taxes or fees. Yet that \$147 million will trigger about a billion dollars in additional federal money for Maine. It is the bargain of a century. And as good stewards, we will continuously review and manage the MaineCare program and evaluate the effects of expansion on health outcomes for our citizens, on hospital finances, on private health insurance rates, and on job creation.

The budget also addresses other public health challenges facing our state. Among the most critical of these challenges is the opioid epidemic. This week Attorney General Frey released statistics showing that 282 drug overdose deaths

occurred in the first nine months of last year. That is exactly one overdose death each day in our state. But those numbers don't tell the whole story. One of those individuals was 21-year-old Sean M. Yankowsky of Bangor. He died ten months after his own brother, his only sibling and his best friend, 25-year-old Adam Yankowsky died from ingesting heroin laced with fentanyl. Adam had overdosed before as well. He had been revived, he'd been Narcaned twice on one occasion and sent home without any guidance about what he could do or where he could get help. Adam's and Sean's father, Maine State Police Detective David Yankowsky, and their mother, Shelly Yankowsky of Glenburn join us this evening. They are now working with the Bangor Area Recovery Network to help others battle the illness that claimed their two children. I want to thank them and I want you to thank them for their courage; the courage to carry on, the courage to speak up, the courage to help so many others because they are saving lives. David and Shelly, I thank you.

Oxford County Sheriff's Deputy Matt Baker also joins us. Matt is a 30-year veteran of law enforcement. He has told hushed audiences many times now of how he tried to revive his own 23-year-old daughter, Ronni, after she overdosed on heroin. Coming home at 2:30 in the morning after working the late shift one night in 2015, Deputy Baker found his daughter in the bathroom, slumped over the toilet, not moving. Her face was blue and she was unresponsive. Quote, I felt her heart beat once and I started CPR, he says, basically my daughter died when I was doing CPR on her. And about three hours later, he says, I watched them wheel my daughter out on a gurney. This was my daughter who used to sit on my lap and talk about fishing with me. Now she sits on my mantle. Today he's sharing this terrible experience in the hope that others will listen and learn as he brings up the little girl that Ronni left behind. Matt, we are listening to you and we applaud you as well.

Also here tonight are Robert Fickett and Sharon Fields from Bangor. Both of them are in recovery. Bob coordinates the recovery coaches and Sharon coordinates the volunteers for the Bangor Area Recovery Network, or BARN. They are success stories. They are giving back to their community. They are helping others and they too, are saving lives. Thank you, Bob and Sharon.

For David and Shelly and Matt, Bob, and Sharon, and so many families like theirs all around the state; help is on the way. In addition to making more services available through MaineCare, and with federal monies currently available, and with \$5.5 million in non-tax money in this budget, we will provide training of recovery coaches for our emergency rooms, treatment based on hub and spokes model, purchase and distribution of Narcan at every appropriate venue, medication-assisted treatment, resources for friends and families of persons with substance use disorder, and robust prevention and education efforts to stem the tide of this epidemic. I am pleased with the progress to date on these initiatives under the leadership of our Director of Opioid Response, Gordon Smith. Thank you, Gordon.

And these initiatives supplement the vigorous efforts of law enforcement at all levels to stem the tide of drug trafficking in Maine. We propose other public health measures; expanding access to low-cost drugs for the elderly and disabled, and this is only the first step of many we will take to help our seniors in the coming years. We will be investing \$10 million from the Fund for Healthy Maine for tobacco and nicotine prevention measures. It is critical to address the dramatic increase in vaping and other nicotine use among our

young people, with an aim to get them hooked on tobacco and nicotine. We'll stop that tide as well.

And we will fill the vacancies in our public health nursing corps as the legislature already directed us to do. In this budget, we fill longstanding critical vacancies in the Maine Centers for Disease Control and Prevention, an agency that has seen a 25% reduction in staff in recent years. And for our veterans, we fully fund the Bureau of Veterans Services outreach program to prevent homelessness and hunger among those who have served our country with distinction. To those heroes -- to those heroes, I say we will never forget you.

In these ways and many others, we're rebuilding our public health infrastructure. We're also rebuilding our education infrastructure. The Department of Education has suffered from some degree of neglect. Look, last December, it took up to six months for the understaffed department to simply certify new teachers waiting to start work or to recertify those teachers already working. That's unacceptable. With staffing adjustments this past month, under Pender Makin, we have already reduced the wait time to less than six weeks, and we will not stop there. The Maine Department of Education will once again be at a place -- be a place that inspires, leads, and fully supports our schools, teachers, and students.

This budget begins to make pre-kindergarten programs available to every 4-year-old in Maine. This is a voluntary four-year phased-in program. The initial phases are included in this budget. We also provide \$18.5 million of overdue funds to children's development -- child development services to support the needs of our youngest and neediest children. For kindergarten through high school, we provide an additional \$126 million over the biennium. That -- that brings the state's share of public education funding K through 12 to nearly 51% of essential programs and services and if you include the state's payments towards the teacher retirement fund, the state's share of K through education is 55%. This budget invests in recruitment and retention to ensure that teachers in Maine will not be forced to leave the state for a living wage. It is time to treat our teachers with the respect and dignity they deserve.

This budget ensures that no teacher in Maine will make less than \$40,000 a year. And tonight we are delighted that Maine's 2019 Teacher of the Year could join us; Joseph Hennessey from Piscataquis Community High School in Guilford. Joe teaches English and he has created- creative imaginative curricula, literature-based, active reading, analytical writing, and public speaking curricula. Thank you for your service, Joe, and congratulations, to you, Teacher of the Year.

The budget also increases funding for adult education and for career technical high schools so that every Mainer can compete for skilled jobs in an ever-changing economy. So, tonight, we also welcome the 2018 Career Technical Education Teacher of the Year in the gallery, Russell Clark from the Sanford Regional Technical Center. Russ teaches engineering and architectural design and he exposes his students to the exciting things you can do with computer-aided design, CAD tools, 3-D printers and a laser cutter and engraver. Thank you, Russ, for inspiring Maine's next generation of architects and engineers.

Now, Maine will not succeed if our graduates are burdened by debt and if adults cannot access continuing education. The budget therefore increases funding for the University of Maine System, for the community colleges and for the Maine Maritime Academy, and it provides \$3 million more

for scholarships through the Maine State Grant Program to prevent our students from going into debt in the first place.

Our investments in K through 12 education are intended to help local schools and help local property taxpayers, but we propose to do more for those taxpayers. The budget increases revenue sharing each year of the biennium. It also increases reimbursements to municipalities for the homestead tax relief program and for disaster assistance; money we owe them from the disasters of several years ago. And it provides more money for county jails. Taken together, more school aid, more revenue sharing, more homestead reimbursements, more disaster assistance, more money for the jails; the net result is relief for the overburdened property taxpayers of Maine.

We're also investing in infrastructure, because that's jobs too. Over the next two years, we'll be able to pave about 2,000 miles of roadway, fix or replace about 135 of those old bridges, and invest in rail, public transit, and seaports. That will be supported by about \$531 million of state -- dedicated state highway fund revenue, leveraged federal revenues, and about \$200 million potentially of state bonds. And to expand the economy, the budget further invests \$2 million in broadband, designed to draw down much larger amounts of federal money to our state. It funds \$5 million for rural development and it directs funding to market all parts of Maine, not just as a tourist destination, but as places to live and work and raise a family all over the state of Maine.

Our Department of Economic and Community Development looks forward to leading in the creation of a long-range economic plan for our state. The world is changing and we need to define Maine's place in the new world. So we will work with the private sector and with groups like the Maine Development Foundation to identify our state's many assets and to build upon them to foster and attract sustainable farming, diversified fisheries, innovative forest products businesses, clean energy producers, high-tech industries, data centers, places for people to work remotely, and a quality of life that will attract young working families back to our state.

The budget also allows for bonding for such things as broadband and Land for Maine's Future and other appropriate investments and we look forward to working with the Legislature on a bond package that fully meets the state's needs.

Now, climate change is also a priority issue. Our Office of Policy Innovation and the Future is preparing a climate agenda which I will be able to announce in the coming weeks. Suffice it to say, for now, we will make every effort without additional general fund dollars to assist the University of Maine in the research and development of offshore wind power, to provide incentives for community and residential solar power, to promote energy efficiency and weatherization, to increase the use of heat pumps, to build charging stations and incentives for electric vehicles, to help local and state governments go green. Right now, Hannah Pingree, who leads the Office of Policy Innovation and the Future, is working with Efficiency Maine to develop a program to promote the installation of 100,000 heat pumps in businesses and houses by the year 2025. That alone will save \$30-60 million annually in heating bills and it will lower carbon emissions by 100,000 to 200,000 metric tons a year and it will wean our state off of fossil fuels. We look forward to unveiling the details of that effort shortly.

And then our budget bolsters public safety, which is one of the fundamental responsibilities of government. We do this by beefing up security in courtrooms to ensure the safety of those seeking access to justice. And we authorize 15 additional state troopers and sergeants to ensure a 24-hour

presence statewide of our police, including in all rural areas. And we add seven positions to the Maine State Police Computer Crimes Unit. As Senator Diamond and all of you know, there can be no more important purpose of government than to protect our children from those violent predators, whoever they are, wherever they are, and whatever their evil techniques. And by adding a new position in the Attorney General's office we will help detect and pursue those who prey upon our seniors and steal their hard-earned savings. And we fulfill the promise to the good people of Washington County to fund a correctional facility there.

At the same time, we continue to work with all community groups to combat the scourge of domestic violence and we will no longer reject valuable federal resources for vital services such as domestic violence services, including substance abuse disorder funds, lifesaving cancer screenings, funds for Alzheimer's treatment, federal funds for nutrition assistance for hungry families, children's health insurance, the forest legacy program, and transportation funding. By some estimates, Maine has turned down almost \$2 billion in federal money in recent years. That's money that Maine people have paid in federal taxes out of their own pockets that's not being returned to them, but is going to other states instead. So my administration will work with the congressional delegation to identify every source of benefits to which the Maine people are entitled, and make sure our people get their fair share.

So this is our budget. Now, there will be those who say this budget is government spending run amok and there will be those who say we ought to spend more and more. I respectfully disagree. Here's what I heard on the campaign trail last year. Maine people want better healthcare. Maine people want better schools. Maine people want better jobs and greater economic opportunity, and Maine people do not want higher taxes. This is a pragmatic, commonsense budget that lives within our means and that delivers what Maine people want. It is based on the projections of independent experts on the Revenue Forecasting Committee of the previous administration. Those experts also say that revenue beyond this biennium is expected to be in excess of \$8.3 billion. That's hundreds of millions of dollars more than what this budget proposes. When taken in combination with the rainy-day fund that we have protected in this budget, Maine, I believe, is well positioned in the years to come. In short, this budget is sustainable. This budget is balanced, as the constitution requires. It makes responsible investments to tackle serious challenges facing our state and it honors the will of the people.

So, for you, the members of the 129th Maine Legislature, I welcome your thoughts, concerns, and suggestions in the coming months. Having sat in these chairs, I know that you will bring your concerns, the concerns of your constituents, to bear on this budget and I look forward to that very productive discussion. But keep in mind, in this budget there are no tax increases. In this budget, there are no gimmicks. In this budget, there are no negative balances. This budget is pro-growth, it is pro-jobs, it is pro-people. This budget is for the small business struggling with healthcare costs and for some employers seeking a skilled workforce. This budget is for the parents who've lost their children to overdose and who are now raising their own grandchildren. This budget is for the families, children, and seniors living without basic healthcare. This budget is for the state workers who need the resources to get things done for Maine people. This budget is for the teachers who are paying for school supplies and food for their students out of their own pockets while earning salaries that are not commensurate to the value of their work. This budget is for

Maine towns and the property tax payers who have had to pick up the tab for things state government should have been paying for. This budget is about health, opportunity, prosperity, education; it is about hope. It is about helping those who have been left behind. For teachers like you, Russ and Joe, it is about help for your schools, your students, and your colleagues across the state. And for you, Shelly and David, for Matt, Bob and Sharon, and for thousands of other families, loved ones and unsung survivors, there is hope. I promise you, there is hope.

Finally, I thank you; thank you to all the people of Maine whom I love with all my heart. Thank you.

At the conclusion of the address, Governor Janet T. Mills withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative HYMANSON of York, the House adjourned at 7:32 p.m., until 10:00 a.m., Tuesday, February 12, 2019.