

## Maine House and Senate Adjourn *Sine Die* After Legislative All-Nighter

Following a full night of work the 129th Maine Legislature concluded its First Regular Session on June 20th at roughly 6:30 a.m. Thursday morning. Despite the need for a joint-order to extend session past the Wednesday, June 19 statutory adjournment deadline in the moments that led to midnight, the 129th Legislature will be remembered for its efficiency. And while some bills still hang in limbo, the vast majority of the 1,846 legislative documents printed during the past six-plus months have received a final disposition.

The last several legislatures have been noted for their perceived dysfunction and high-stakes battles, particularly during the first year of the two-year session when the state's Biennial Budget is crafted. Two years ago at this time, lawmakers were still two weeks away from final adjournment as a budget showdown between then-Governor Paul LePage, the Democratic House of Representatives, and the Republican State Senate careened toward Maine's first shutdown of state government since 1991. The Biennial Budget in question then was not signed until the early morning hours of July 4, Independence Day.

But this year's Biennial Budget has already been enacted for a week. Following an 11-1-1 majority report from the budget-writing Appropriations & Financial Affairs Committee on Wednesday, June 12, legislative leaders continued to negotiate around the particulars of the document and met with Governor Janet Mills several times. After two days of negotiations, both chambers of the legislature formally enacted the budget document during the evening of Friday, June 14. It was then signed into law by Governor Mills three days later.

That left the Legislature free to focus their attention on bills without final disposition, including those needing approval for funding. Democrats had received enough Republican support to pass the budget in return for keeping it under \$8 billion, but this arrangement left only \$6 million available for a collective \$800 million in various funding requests. These were bills enacted by the House but sent to the Appropriations Committee's "Special Appropriations Table" before the same could occur in the Senate.

Monday evening, the committee dealt with bills that could be addressed without funding, Tuesday it worked the majority of those that did require spending, and Wednesday it finalized the Table with legislation that had required amendments previously unavailable. In the end, the committee worked

with the same efficiency that defined their budget work and passed, or “exempted”, several dozen individual pieces of legislation from the Special Appropriations Table despite the narrow funding constraints they were forced to operate within.

While Democrats’ trifecta control of state government (between Governor Mills and the two bodies of the legislature) has much to do with the unexpected efficiency and pace of this legislative session, a more amiable relationship between the respective members of legislative leadership is also at play.

Senate President Troy Jackson and House Speaker Sara Gideon, both Democrats and the Legislature’s presiding officers, had advised members throughout Monday and Tuesday that it could be difficult to adjourn in time for Wednesday’s midnight deadline. It became clear sometime in the hours leading to that deadline that an agreement to extend the session would be needed. However, the joint order to extend was adopted and “paper” continued to flow back and forth on the State House’s third floor as each body racked up more than fifty individual supplements a piece.

Legislation enacted during this time included high-ticket items like tobacco equalization and nursing home special wage allowance adjustments, in addition to a myriad of other bills. However, one sticking point that had to be “carried over” to a future session of the legislature was LD 1836, a multi-pronged bond package proposed by Governor Mills. Republican leadership indicated their caucuses’ willingness to support its transportation-related components so long as that funding was taken up line-item and separated from other portions of the bill. Democrats were not keen to fracture the package in this way, though, and preferred to run it as previously conceived. Ultimately, it failed to achieve the two-thirds vote required to enact and will be addressed at a later date.

In fact, a large cohort of bills will be carried over, either on the Special Appropriations Table or between a joint order passed by the House and Senate.

As the night waned into Thursday morning, the nearing summer solstice meant an early sunrise. Bleary-eyed legislators, staff, and lobbyists alike watched the grey light slowly press through the windows of the State House as the presiding officers’ gavels continued to swing and roll-call bells rang out. Sometime around 6 a.m., the chambers formally informed one another they were ready to adjourn sine die, “without day”.

Governor Mills appeared in each legislative body to thank legislators and staff for their work and wish them well. The presiding officers expressed the same sentiment and their hope that tired members would drive safely after a day without sleep. Then the 129th Legislature finally adjourned without day.

Preti Flaherty's legislative team has experienced many nights just like these during the last six decades and our half-century as Maine's most-dedicated government affairs practice group. We expect to see many more sunsets and sunrises from inside the halls of the State House. In the meantime, you can count on us to be watching and responding to the latest news and developments in Maine state government.

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