

MAINE STATE LEGISLATURE

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Senate Legislative Record
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House Paper

Bill "An Act To Ensure Maine's Readiness To Respond to Decisions Relative to the Base Realignment and Closure Process" (EMERGENCY)

H.P. 1195 L.D. 1689

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

Off Record Remarks

Senator **BRENNAN** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

On motion by Senator **BRENNAN** of Cumberland, **RECESSED** until 11:45 in the morning.

After Recess

Senate 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 To Allow Counties a One-year Exemption For Jail Costs from the Limitation on County Assessments"

H.P. 1175 L.D. 1666

Had the same under consideration, and asked leave to report:

That they are **Unable To Agree**.

On the Part of the Senate:

Senator SCHNEIDER of Penobscot
Senator MARTIN of Aroostook
Senator ANDREWS of York

On the Part of the House:

Representative BARSTOW of Gorham
Representative GROSE of Woolwich
Representative BISHOP of Boothbay

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

Report **READ** and **ACCEPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007" (EMERGENCY)

H.P. 1186 L.D. 1677

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-673)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-673)**.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-673) **READ**.

On motion by Senator **MILLS** of Somerset, Senate Amendment "A" (S-362) to Committee Amendment "A" (H-673) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you, Madame President and men and women of the Senate. This is a one-sentence amendment to the Part 2 budget that creates a \$447 million hole. I think it's time that all of us, on both sides of the aisle, who have articulated outright hostility to the idea or the very thought of borrowing \$447

million, or some portion of it, to balance the next biennial budget to join hands together and pull the net from out from under the trapeze and let's fly together. Let's get it done. Let's get rid of the borrowing. The Chief Executive has expressed the view that it ought to be gone. Both sides of the aisle have expressed this view in one form or another. We have put a special bill directive down to the Appropriations Committee to create what we are coming to call a Part 3 budget, which is in reality the real budget and perhaps the first real budget this legislature will have confronted. The agenda for the Appropriations Committee, beginning yesterday, was to review the list of \$380 million of proposed cuts that we very cleverly and appropriately listed on sheets of paper without attribution to political party. We have both parties working together, finally, to produce a balanced budget that the people of Maine can live with. It will be a painful budget. It will be a difficult budget to achieve. We are going to have to do it in a very short timeframe. It is a significant challenge to this institution. It is a challenge, I believe, that we need to confront without the possibility of a default position, falling back onto this terribly inappropriate bond that was the safety net adopted by a majority of this institution on March 30th. Many of you have inquired of me in the hall whether the citizens of Maine will provide a significant number of signatures on petitions to see that this issue is repealed by People's Veto. I can report to you that we have between 35,000 and 45,000 signatures in hand. We are well within striking distance of achieving the goal of the necessary number by June 28th and we can do this the hard way or we can do it the easy way. I think we should do it in the responsible way. I think we should do it as in institution. I think we should do it in a bi-partisan way. I think we should pay more than lip service to the notion of getting rid of this very poor idea that emerged from sheer laziness, frankly, in adopting a thin majority budget on the evening of March 30th. Thank you, Madame President.

Senator **NASS** of York moved to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-362) to Committee Amendment "A" (H-673).

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

Senator **NASS:** Thank you, Madame President, men and women of the Senate. What you heard from the Senator from Somerset, Senator Mills, is largely true. As I said, most of us in this chamber know how difficult it is to reach unanimity on a budget. We have that and that document is in front of you, all but a small piece of the total spending plan for the state. This would be a disruption of that effort. I'm urging all the members of this body to support the indefinite postponement. We have, and hopefully will have shortly because we don't have much time left, an effort which I think all of us working on it assume is going to repeal this because we're hoping to present you with an alternative. That is oncoming rapidly, we hope. I urge that you support the motion. Thank you, Madame President.

On motion by Senator **MILLS** of Somerset, 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 York, Senator Nass to Indefinitely

Postpone Senate Amendment "A" (S-362) to Committee Amendment "A" (H-673). 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 (#257)

YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COWGER, DAMON, DAVIS, DIAMOND, GAGNON, HOBBS, MARTIN, MAYO, MITCHELL, NASS, NUTTING, PERRY, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, WESTON, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: ANDREWS, COURTNEY, DOW, HASTINGS, MILLS, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WOODCOCK

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **NASS** of York to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-362) to Committee Amendment "A" (H-673), **PREVAILED**.

Committee Amendment "A" (H-673) **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

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 To Make Supplemental Highway Allocations for the Expenditures of State Government and To Change Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007

H.P. 946 L.D. 1363
(C "A" H-663)

On motion by Senator **DAMON** of Hancock, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.