

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

Second Regular Session
January 4, 2006 to May 24, 2006

Pages 1382 - 2139

Off Record Remarks

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

Off Record Remarks

On motion by Senator **BRENNAN** of Cumberland,
RECESSED until 1:00 in the afternoon.

After Recess

Senate 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 To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain 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. 1378 L.D. 1968
(H "D" H-901 to C "A" H-878)

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

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. I ask you to support the supplemental budget that is before you. This supplemental budget was unanimously voted out by the Appropriations Committee and is a fiscally responsible use of the surplus of \$150 million which the state projects. The budget adds \$29 million to the state's savings account, bringing the total amount in the Budget Stabilization Fund to over \$100 million. It keeps our promises to our local communities by finding an additional \$41.3 million for K-12 education, keeping us on track for 55% funding in just two more years. It provides another \$17 million for its settlement funds for our local hospitals, and with the federal match our hospitals will receive approximately \$45 million more. The budget also provides \$10.9 million for a Medicare Part D wrap, insuring that seniors who receive prescription drug benefits under the state's Drugs for the Elderly Program will not lose critical medications or have to pay more under their new Medicare Part D program. The budget provides continued healthcare coverage for adults living in

poverty. It also absorbs federal cuts to the Maine Emergency Management Agency and the Maine Drug Enforcement Agency.

There are things in this budget that some will like and some will dislike. There are many worthy things that some of us would like very much to see in this document that are not there. None of us got everything we would have liked, that is the nature of compromise. When all is said and done, however, this is a sound and responsible budget. I'm very proud of the Appropriations Committee for their courage and willingness to craft a unanimous budget and I want to publicly thank them for their hard work. I thank the good Senator from Aroostook, Senator Martin, who forcefully advocated for his beliefs until the very end of the process. I also want to thank the good Senator from York, Senator Nass, whose resolve to see this budget through made a unanimous report possible. There were several critical points in the committee's process when everyone could have walked away, but his willingness to stick with the process enabled us to succeed with crafting a budget that all could agree to.

I've been struck by comments that people outside the State House have made to me and other members of the Appropriations Committee since we closed this budget. People, upon numerous occasions, have expressed appreciation for a 2/3 budget. One woman said our work made her proud to live in the state of Maine. I happen to know that this woman didn't see everything she would have liked in the budget. The message that she and others were delivering, I believe, was an appreciation for seeing legislators work through their differences and work together to address issues that face the people of Maine. Their pride comes from knowing that we, in Maine, still have the capacity to work together on behalf of the people that we serve. I hope you will join us in supporting the motion on the floor. Thank you.

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

Senator **NASS:** Thank you, Madame President, men and women of the Senate. My comments derive separately but are very similar. She stole my thunder, but it wasn't very thunderous anyways. To comment about this supplemental budget, the one thing that strikes me about this, now that we are, hopefully, coming to the end, is that it is small. It's what a supplemental budget should be if our prior work was almost right. I think it was. This is significant. The other thing is that we didn't have a lot of extra money to spend. There weren't a lot of adjustments to be made. I think this is reflective of what we're talking about today.

Second, I think, to me, the demonstration of the burden of leadership is with us today. The Senator from Androscoggin, Senator Rotundo, handled that in a magnificent fashion. She is just so patient. I've come to believe and understand why patience is often talked about and occasionally demonstrated. She certainly did that this time.

I also was surprised, and I won't talk about the specifics because our caucuses have dealt with the specifics in great detail I think at this point, about the number of people, some members of this Body and members of the other Body and the public, that came up to me and said that they were thankful. That is not an experience that I have had even when we had a 2/3 budget before. My sense is that there was a pent up demand for agreement. People were thankful about that. I haven't heard much of that from home because I haven't been home much, but it is about here and the people in Augusta who had a working

knowledge of what was going on. I'm not accustomed to pent up demands for agreement here. It's not something we brag about or mark down much because we don't have much of it. The sense is that we've done an important thing. The other sense is that normally compromise is a pretty messy affair. By the time we're done, collectively, all of us are slightly resentful, we're angry about something, and we're a little cranky about the results. Probably all of those things are still here, but I just want to note that there was a great deal of what I would characterize as pent up demand to agree on something. We've done that and we present that to you today. I urge that you support this and move on to other more difficult problems. Thank you, Madame President.

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

Senator **BROMLEY:** Thank you, Madame President and colleagues in the Senate. I, too, want to congratulate the budget makers: the members of the Appropriations Committee; the good Senator from Androscoggin, Senator Rotundo; the Senator from York, Senator Nass; the good Senator from Aroostook, Senator Martin; also the leadership on both sides of the aisle; and the staff members who worked diligently into the night and beyond. I, too, am hearing positive remarks from people in my community about coming together to support a budget that 2/3 of us can support. What I am most interested and encouraged to think about is how we can carry this unity into the next session when many of us will be returning, because even though this is a budget that 2/3 of us can support, there are some really important things that we've left out. I think it's important for us to mark them and say them out loud because there are people out listening to this and watching us pass the budget. When they don't see themselves in it they are going to wonder if we noticed. I want them to know that we did.

Maine is now the oldest state demographically in the United States. The needs of our aging citizens are not going to diminish any time soon. There is incredible pressure, in terms of taxes and other burdens, on elders and others in our communities that aren't going to lessen dramatically any time soon. It's really important for us to ask the question, how are we going to grow our economy? How are going to keep paying for things that we need to, the services that we all need, as well as how are we going to invest in our future? There is a formula that many of us in the Business, Research, and Economic Development Committee have come to understand. We are sure that this is a formula for a robust economy. I want to share it with you here today, once again, and have us again hold this structure in our thoughts and minds for the next time we are together to build a budget. Often we are asked to think about running government like a business. What business doesn't invest in itself? What business that wants to grow doesn't invest? The things that we so need to be investing in are higher education, innovation, and a predictable and solid infrastructure to support our emerging businesses and the new economy. We need to support that. When we look closely at this budget, because we had to do what we had to do, some of those things are missing. I want to flag how important it's going to be for us to support higher education, how important it's going to be for us to support research and development and innovation because as we continue to lose some of the businesses of past we must replace them with the businesses of the future. To do that we have to invest in higher

education and we have to invest in innovation and research and development. There are certainly tax reform pieces that are critical to all of that as well.

I want to, again, applaud the work of the Appropriations Committee, our leadership on both sides of the aisle, and the staff members of the Executive and others that put this together. It was no small effort. I'd like to say this new, emerging partnership that we're forging here today by passing this budget, I assume, needs to be carried into the work ahead because we haven't even begun to do the really important work that we need to do to build the economy of Maine. I will be pleased and proud to have my colleagues on the other side of the aisle, as well as this side, join us in that work in the future. Thank you, Madame President.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President, men and women of the Senate. I rise to voice my reluctant opposition to the supplemental budget. While I understand and greatly respect the work that went into it and the significance of reaching an agreement that produced a bi-partisan budget, I cannot vote for the package before us. Chief among the concerns that makes it impossible for me to vote for a package that is otherwise fiscally responsible and acceptable is the fact that it leaves out vital funding for the priorities established by the Governor's Washington County Economic Development Taskforce and it fails to adequately fund higher education.

I want to acknowledge my heartfelt gratitude to the members of this Body for their strong support last year for two bills that would have allowed Washington County to move ahead under our own steam, to develop our economy through the establishment of a racino. Sadly, the Chief Executive ended that endeavor with his two vetoes last year. I cannot begin to tell you what a bitter pill those two vetoes were for the people of Washington County. In response, the Governor, by Executive Order, created the Washington County Economic Development Taskforce, and he dispatched David Flanagan to Washington County as his personal representative. The suggestions of Mr. Flanagan and the efforts of the taskforce resulted in specific recommendations. Rather than ask for a plethora of funding for a wide array of programs, we chose to go the route of a honed down, targeted, and modest package. Regrettably, these priorities were not included in the budget proposal submitted by the Governor nor were they added by the Appropriations Committee. This omission, if not corrected in some fashion between now and the end of session, leaves the past seven months of good faith effort and hard work on that taskforce as nothing more than an empty exercise and the latest in a long line of disappointments for Washington County and essentially a message that our long-time status of bearing the state's highest rate of unemployment, lowest per capita income, and highest poverty rate is not a priority for the state. Even worse, not only is not a priority but it doesn't warrant a single penny of the \$1.3 million package to address the conditions I just noted. I can tell you that when the taskforce voted unanimously to support funding for the boat school at Eastport, the Downeast Heritage Center at Calais, the Downeast Institute for Applied Marine Research at Beals Island which has been funded every year since 1988 until now, the Sunrise County Economic Counsel, and the Incubator Without Walls Program, there was not one person at that table who would have predicted

that none of these priorities would be deemed worthy of funding in the end.

For those who opposed the racino effort, this unhappy history, repeated again here today, is precisely why you see efforts like the Washington County Racino arise. We receive a lot of sympathetic words about our chronic economic difficulties, and last year in this chamber some Senators rose to say we didn't need a racino and should pursue other means to improve our economy. Well, we did. Again, pardon the choice of words, no dice. Here again, as it has been year after year, we are not prioritized for the resources and commitment to overcome those challenges and lift our economy, so we are left to do what we can do for ourselves.

I had intended to submit an amendment to fund the taskforce's priorities, but in the last hours it became evident that the amendment had no chance of passage so it will not be. I'll continue to push for those priorities that the taskforce has established and that are so important to our economy. I recognize that it is an up hill struggle because there is precious little money left on the table. Likewise, we need support from the Governor and his leadership and using the power of his office to insure the efforts of his own taskforce are honored between now and the end of session, otherwise the taskforce will have been an empty gesture.

As for the \$29 million going into the State's Rainy Day Fund, I understand a key priority for the Governor; I do understand the value of being prepared for hard times that may lie ahead. As I said last week, we're talking about a Rainy Day Fund and it is already raining cats and dogs in Washington County. Make no mistake about it, as the result of a lot of hard work, there are some good things in this package. I applaud the committee and the leadership for working hard to reach agreement on a host of crucial issues. I'm pleased with what it does for roads and hospitals, evaluation related inequities in the EPS school funding formula, and in improving the State's response to red tide among other issues. I'm sorely disappointed in the omission of those key priorities for Washington County, but my concerns go beyond the impact in my district.

As I mentioned a few moments ago, another flaw that makes it impossible for me to support this budget is one that just referenced by the good Senator from Cumberland, Senator Bromley. That is its impact on higher education in Maine. I know that the Senator from Aroostook, Senator Martin, proposed an amendment for additional funding during the committee's consideration of the supplemental budget and I applaud him for that. As with the Washington County Taskforce recommendations, I had filed amendments to add \$2 million to address the shortfall in the Maine Community College System and \$2.5 million to address the unmet need in the University of Maine System because I believe we are doing a disservice to higher education in this state. However, again it is clear that there was no chance of their passage, so I will not engage in yet another empty exercise and I regret that it would have been an empty exercise. For the first time in the history of our state the University of Maine System will derive more income from tuition than from State appropriations in the coming year because we have diminished higher education as a priority here in Maine. I believe that is a serious error and we all rue the day when we went down this road, especially with all the talk about the brain drain and how vital education is to our long term economic health, competitiveness, and the like. Likewise, we should afford greater emphasis to the Community College System and life changing

promise that an education in the trades means for so many of our citizens. I believe they deserve better. While I applaud all the good work that went into this budget and all the good things that are in it, I wish I was able to join arms with my other colleagues, but I cannot and I will cast my vote against the budget for the reasons I've outlined. Thank you.

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

Senator **SCHNEIDER:** Thank you, Madame President and colleagues in the Senate. First, I want to thank everybody who worked day and night on the supplemental budget. I think the people of Maine would be proud of everybody for their efforts if they knew how hard, in a bi-partisan, people worked to reach a compromise. In the spirit of collaboration, I will be supporting the budget because I believe it is what the people of Maine would wish me to do. Yes, I am very grateful for the compromise, yet I share the same concerns, in many respects, of my colleague from Washington County; concerns about the minimal amount of funds applied to higher education and specifically to the University of Maine System. The request was roughly \$15 million of which \$2.2 million was appropriated. That said, I have high hopes that this Body, in the future, will make the commitment to higher education. It is, indeed, the key to raising prosperity in this state. I believe we have seen a failure at the federal level to address this very paramount concern and I hope that in the future we here, in the state, will do everything we can to support higher education so we may prosper as a state. Thank you very much, Madame President.

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

Senator **MARTIN:** Thank you, Madame President and members of the Senate. Let me begin by congratulating my colleagues who stood through some of my comments during the discussion on the budget. I am a firm believer that if you believe in a 2/3 process it's never going to be all one sided and it never really going to happen that way. There are some things that are there that, frankly, some of you know that I believe shouldn't be in there. I firmly believe that money for transportation doesn't belong in the General Fund portion of the budget. That's why I offered the amendment to deal with education as I did. That having failed, however, does not mean that we simply don't vote for a 2/3 budget because I think that the people of Maine, over the years that I've been involved, have always been in the premise that the 2/3 budget is where we ought to go and what we ought to have. I do think, however, that there are some things that were left undone. I'm also a firm believer that until the legislature adjourns there is always hope because, you see, money can always be found if people have the will to find that money. I'm not abandoning hope today for the university or community colleges or for Washington County or for other projects that would benefit the state. I think that the 35 of us in the room have a responsibility to do what we can to achieve the things that we believe should be in a final budget before we adjourn. If there is anyone in this room who has been here any more than one term who doesn't know the words supplemental budget then they have missed the process and I'll teach the course. I am pleased to vote for this budget, but not as a final end in itself. It is but a beginning, from my point of view. For those of you who feel the

way that I do, you have to have faith and we are all brought up by hope with a little bit of teaching about the faith we ought to have about the future. That's why I will be voting in favor of this budget today and I'd ask the Senator from Washington, Senator Raye, to join us.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Damon.

Senator **DAMON:** Thank you, Madame President, ladies and gentlemen of the Senate. Practically all that should be said has been said in regard to the process and the budget. I will thank publicly all of those who spent the tremendous time that they did to arrive at the compromise that we are faced with today, that being the 2/3 budget. It's a difficult process, but I think as you think as well, that it is a necessary process. The people of the state of Maine look at us as the State Senate. They look at us as the State House. They look at us as the State Legislature. They don't look at us as the Democrats, the Republicans, the Greens, or the Independents. We are here representing them. That's what we've done with this budget.

I couldn't let the moment pass without echoing my concern for a particular area that I think has been omitted. Notwithstanding my good colleague from Aroostook, Senator Martin's, remarks that some money from the General Fund shouldn't be in the Transportation Budget. I understand where he is coming from and I also know why it should be there. That money, in of itself, is not enough and it's not substantial to fix out immediate crisis when it comes to our roads and bridges. I underline immediate because I can't tell you how much a problem we have facing us with our transportation infrastructure in the state of Maine. To try to put that on a par with healthcare issues, with education issues, with technology issues, research and development and our future economy, is very difficult. They are important but I can't raise one above the other. The solution, which was crafted by a group that was convened by the Governor; a bi-partisan group of legislators and stakeholders within our transportation needs, included, among other things, the money that we see presently before us today in the General Fund budget, \$15 million. It also included a like portion from the Transportation Budget of \$15.8 million and it included a borrowing component of roughly \$60 million. Our agreements and our work towards getting us to a 2/3 budget precluded that borrowing. I understand it, I appreciate it, I respect it, but I don't agree with it. Having said that and having the opportunity, perhaps, to see that the current crisis gets addressed before the long-term crisis gets solved, I rise in support of the work that we've done and the support of this budget.

Of the comments that have come before us today on this discussion, I really think none ring deeper in my heart than those of my colleague, the good Senator from Washington, Senator Raye, in talking about the needs of that particular area. As my sister county, a little bit to the east of me, I see that with a vision that perhaps is only surpassed by him. Though we are not able to approach that in this budget, I hold hope still that this issue, and the other issues that we have addressed today for the people of the state of Maine, will continue to have our scrutiny, will continue to have our determination, and will continue to be solved by this Body and our sister down the hall. Thank you, Madame President.

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

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. I definitely would like to thank the Senators from Androscoggin, Senator Rotundo; Aroostook, Senator Martin; York, Senator Nass; Waldo, Senator Weston; Piscataquis, Senator Davis; Kennebec, Senator Gagnon; and the good Senate President for all the work that they did on this budget. Going through this process, one of the most difficult parts was seeing the Senator from Piscataquis, Senator Davis, at 3:00 in the morning. He definitely presents better at 10:00 in the morning than he does at 3:00 in the morning. If anything represented this 2/3 budget it was our ability to work together at 1:00, 2:00, and 3:00 in the morning. For that, I really want to say that I am very grateful and I think it is very important for the people of Maine.

By the very nature of the way the legislature is established and the way that we do things here, we tend to have green lights and red lights that say you win and you lose. In this budget, and this budget process when getting to a 2/3, there are not winners or losers. In fact, the people of the State of Maine are the ones that win in this process. A number of people have talked about the some of the things that have been left out, but there are also a number of things that are in this budget. Fiscal year 1991, 15 years ago, was the last time the state was 50% funding for K-12 education. With this budget, in 2006 we will be back to 50% funding for General Purpose Aide to Education for the first time since the early 1990's. We have been, for the last 15 years, at 43%, 44%, and sometimes even at 45%. In one biennium we have gone from the low to mid 40's up to 50% and have now paved the way in the next biennium to get to 55%. That is good news for all the communities in the state of Maine, not only because we have the opportunity to do more with property tax relief, but it also meets our obligation to continue to fund K-12 and have a quality education system in the state of Maine. There is another part of the budget that is a little bit more hidden because it didn't require big numbers, but I think it's an important part of the budget because it will really provide educational opportunities for our young people in Maine in all the ways people have talked about up to this point. There is almost \$1 million in the budget for early college initiatives that will allow students who are in high school to take advantage of taking courses at the university and at the community college as well as continuing a program with the community college system that is identifying students who may not be likely to go on to college but will have the opportunity to do that. There is also a small amount of money, do to an initiative that the Senator from Kennebec, Senator Mitchell, put forward, that will allow for people to get the remedial help that they need in order to attend the community college. Small amounts of money, but they are going to make a big difference in people's lives and a big difference for this state.

On healthcare, there has been a lot of confusion about Medicare Part D. A lot of confusion mixed with a lot of people being very worried that they may not have the medications to address the health problems that they might have. We can all go home now and be able to reassure our most vulnerable citizens that the prescription drugs that they need will be available to them because of this budget. That is a huge step forward and that is a positive step forward. It's a little bit jargony that we talk about people and it's unfortunate that we talk about people this way, as non-categoricals. In the Mainecare System we have a category

called non-categoricals. There are roughly 1,200 people in this state that receive health insurance through that category. These are the poorest people in the state of Maine. These are the people that are most vulnerable in the state of Maine. These are the people that traditionally and typically in the last 50 years have had the least access to healthcare in the state of Maine. Those 1,200 people have been protected in this budget. The most vulnerable and the people that have had the least access to healthcare are still taken care of in this budget. We simultaneously were able to assist senior citizens through prescription drugs and at the same time protect thousands of people that traditionally did not have access to healthcare.

Lastly, we made savings in this budget. The Rainy Day Fund has been increased to \$100 million. That is significant because only three years ago, or two years ago, it was at zero. To go from zero to \$100 million in our Rainy Day Fund or Budget Stabilization Fund in order to protect us against future economic disruptions and also allow us to make some decisions about how we move forward in the future to address bonding and address some of our indebtedness is a very positive direction for us to move in.

This budget, and several people have already said this, is not an end point. It is, in fact, a starting point. It's a starting point because we have 2/3, because we've worked together, and it's a starting point for us to be able to move forward, addressing the needs of Maine's people, looking at higher education, looking at research and development, and looking at healthcare. I want to commend again all the people that were involved in this process, and again, I know that some people might look at this as winners and losers, but it's not. The people of Maine have won and this is an excellent starting point for us to be able to move forward. Thank you.

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 Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Madame President. A few moments ago I called my good friend from Cumberland, Senator Brennan. Although we're four feet apart, we occasionally call each other on the telephone. I told him that I didn't think there was any need for either of us to get up, that we had said enough and perhaps what wasn't said didn't need to be said anyways. However, my good friend chose to ignore me, which isn't an uncommon occurrence. He rose, so I feel I must too.

I, too, would like to congratulate everyone that was involved in this. To say the very least, it was a long weekend. If my good friend from Cumberland thought I looked bad at 3:00 in the morning in the year 2006 perhaps the year 1986 at 3:00 in the morning, when I had a nightstick and handcuffs in my hand, perhaps I would have looked a bit worse to him. Maybe he wouldn't stand up afterwards.

I have listened carefully over the years to the good Senator from Aroostook, Senator Martin, on different things and you learn from those who have been there before. He's been there before us all numerous times. I've heard him talk about 2/3 budgets. I think that he's right about 2/3 budgets because 2/3 budgets means, hopefully, most of Maine is involved and most of the concerns of Maine are involved in the formulating of the budget. He told me one day that if you don't have a 2/3 budget then you

empower the fringe, so to speak. Those that never get enough money, should one group be in control, or those that it's always too much are the ones that carry the day. I think that the Senator from Aroostook, Senator Martin, is certainly correct about a 2/3 budget.

I've heard a number of people stand today and say that it doesn't have this or it doesn't have that. It certainly doesn't have this and that. While I certainly don't downplay my friend from Washington, Senator Raye's concerns about his county, I represent a very poor county. Piscataquis County is vastly rural. I have one town that has a dirt road going through it. Both parties have had control in the 60 years that the road has been there. I got half a mile of the road paved three or four years ago, but only then to hold the shoulders on the curve so they wouldn't have to come back every spring. It's our own fault. We have made priorities of a lot of things.

If a few weeks ago someone had told me that we're going to have a 2/3 budget, given that this is an election year and given that we have 20 or 30 people running for Governor and given that every seat in the legislature has been covered by somebody on both sides and the third side too, I would have said, 'No, I don't think so, I doubt it very much.' I was wrong and I'm glad I am. As I said earlier, the weekend was long. There were numerous times when I thought everything was going to fall all apart. I remember going to your office, Madame President, and telling you where I felt we should meet the next time and you agreed. Things kind of came back together after that and here we are. We have a 2/3 budget. I think it's good. I think it shows that we can work together and put Maine first. I think we did. There is disappointment and there is joy in this budget, but that is compromise. That's democracy and that's our government working. I would urge all of my colleagues, each and every one, to vote for this and move on. Thank you very much, Madame President.

THE PRESIDENT: The pending question before the Senate is Enactment. 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 (#347)

YEAS: Senators: ANDREWS, BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COURTNEY, COWGER, DAMON, DAVIS, DIAMOND, DOW, GAGNON, HASTINGS, HOBBS, MARTIN, MAYO, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senator: RAYE

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with 1 Senator having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

COMMUNICATIONS

The Following Communication: S.C. 573

**122ND LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333**

March 29, 2006

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333
Dear Secretary O'Brien,

Please be advised that I have appointed to the Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill "An Act Making Improvements to the Laws Regarding Local Land Use Ordinances" (H.P. 1080) (L.D. 1535) the following conferees on the part of the Senate:

Senator Cowger of Kennebec County
Senator Martin of Aroostook County
Senator Snowe-Mello of Androscoggin County

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

Senator **WESTON** of Waldo was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, until Thursday, March 30, 2006, at 10:00 in the morning, in memory of and lasting tribute to Peter J. Wiley of Portland.