

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 19, 1993 to July 14, 1993

FIRST CONFIRMATION SESSION

October 14, 1993

option we have now is to Insist and Join in a Committee of Conference, to iron out those differences. Both chambers have adopted this Bill in some form and I think it is irresponsible for us to say well we are going to Adhere and we are not going to do the people's business. You are right, it could be used and I would say it would be fairly used, if you're saying you're not going to give every chance for this Bill to live. The people's confidence has been decimated, they no longer have confidence when they go into the ballot box. We have got to do everything in our power to restore that, this is one slight measure. Thank you.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to respond to the Senator from Oxford by saying I have already voted for more election reforms than he is going to. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I feel that this debate is getting personal and there is no reason why this debate should be personal. This debate should be about election reform and I think each and every member in this body has the right to their own opinion without us becoming personally involved in this. This particular piece of legislation, which is what I would like to debate right now, is about election reform. If everyone would be so kind perhaps as to look at their amendment, look at their Bill to find out what it does, this happens to be the Bill that would re-establish the Ethics Commission to the Judicial Branch of government. I think it is everyone's prerogative in this Senate, that is why each and every one of us, there are 35 of us and we are each elected by different people, it is each and every one of our prerogatives to vote any way we want on this particular piece of legislation. This is election reform and we have worked on a number of issues and so far I am fairly disappointed because it seems like all of the work and all of the good debate that this Senate has had has gone unnoticed in the other body. I'm very discouraged by that, I thought that we had several good vehicles and we could perhaps make some meaningful reform. I think we will get no where if we let the heat and our tempers get away with us and I think that everyone is entitled to vote without being accused of some political purpose on a philosophical difference of election reform. Thank you.

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

Senator **BUSTIN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think all of the Senators who have spoken have made some very good points. I personally disagree with this piece of legislation and will not be voting for it, however, I will be voting for the Insist and Join in a Committee of Conference motion. Simply because I think the points have been made that this needs to be given the same airing as every other Bill has been given. I don't have too much hope for it, I have to tell you, because I think all of the Committees of Conference we have had have had very few who are in agreement. I want that on the Record that I probably will be

voting against it, but I will certainly consider what the Committee of Conference comes up with and I hope would hope everyone else would join me in that vote. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **HANLEY** of Oxford to **INSIST** and **JOIN IN A COMMITTEE OF CONFERENCE**.

A vote of Yes will be in favor of **INSISTING** and **JOINING IN A COMMITTEE OF CONFERENCE**.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators AMERO, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HANDY, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG, LUTHER, MARDEN, O'DEA, PARADIS, PEARSON, PINGREE, SUMMERS, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

NAYS: Senators None

ABSENT: Senators HALL, MCCORMICK, TITCOMB

32 Senators having voted in the affirmative and No Senators having voted in the negative, with 3 Senators being absent, the motion by Senator **HANLEY** of Oxford, to **INSIST** and **JOIN IN A COMMITTEE OF CONFERENCE**, **PREVAILED**.

The Chair appointed as conferees on the part of the Senate:

Senator **HANLEY** of Oxford.
 Senator **CAREY** of Kennebec.
 Senator **BUTLAND** of Cumberland.

The Secretary has so informed the Speaker of the House.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Strengthen the Public Disclosure of Lobbying Activities"

H.P. 1038 L.D. 1390
 (H "A" H-593; S "A"
 S-317 to C "A"
 H-528)

In Senate, June 9, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528) AS AMENDED BY HOUSE AMENDMENT "A" (H-593) AND SENATE AMENDMENT "A" (S-317)** thereto, in **NON-CONCURRENCE**.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528) AS AMENDED BY HOUSE AMENDMENTS "A" (H-593) AND "B" (H-668) AND SENATE AMENDMENT "A" (S-317)** thereto, in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I haven't had a chance to check these amendments to find out why this Bill is in Non-concurrence. I do apologize. If we could Table it just for a minute, I'd be happy to look at them. Thank you.

On motion by Senator **ESTY** of Cumberland, Tabled until Later in Today's Session, pending **FURTHER CONSIDERATION**.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

HOUSE REPORTS - from the Committee on **LEGAL AFFAIRS**, pursuant to Joint Order H.P. 1135, on Bill "An Act to Reduce the Influence of Money in Elective Politics"

Majority - **Ought to Pass** (H.P. 1150) (L.D. 1550)

Minority - **Ought to Pass** (H.P. 1151) (L.D. 1551)

In House, June 9, 1993, the Majority **OUGHT TO PASS (H.P. 1150) (L.D. 1550)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "B" (H-654) AND "C" (H-658)**.

In Senate, June 14, 1993, Reports **READ** and Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **HANDY** of Androscoggin, the Senate **INSISTED** and **JOINED IN A COMMITTEE OF CONFERENCE**.

The Chair appointed as conferees on the part of the Senate:

- Senator **HANDY** of Androscoggin.
- Senator **BUSTIN** of Kennebec.
- Senator **SUMMERS** of Cumberland.

The Secretary has so informed the Speaker of the House.

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

COMMITTEE REPORTS

House

Committee of Conference

The **Committee of Conference** on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Protect Private Property" H.P. 514 L.D. 672

Have had the same under consideration and ask leave to report that they are **Unable to Agree**.

Signed on the part of the House:

- Representative **COTE** of Auburn
- Representative **FARNSWORTH** of Hallowell
- Representative **STROUT** of Corinth

Signed on the part of the Senate:

- Senator **BERUBE** of Androscoggin
- Senator **CIANCHETTE** of Somerset
- Senator **CARPENTER** of York

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

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

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

COMMUNICATIONS

The Following Communication:

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333**

June 15, 1993

Honorable Joy J. O'Brien
Secretary of the Senate
116th Legislature
Augusta, Maine 04333

Dear Madam Secretary: