

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives

December 7, 1994 to May 23, 1995

Committee Amendment "A" (H-170) on Bill "An Act to Provide Adequate Counseling for Minors Incarcerated for Sex Offenses" (H.P. 535) (L.D. 731)

Signed:

Senators: BENOIT of Franklin
O'DEA of Penobscot
CLARK of Millinocket
Representatives: BUNKER of Kossuth Township
GOOLEY of Farmington
JOHNSON of South Portland
McALEVEY of Waterboro
PEAVEY of Woolwich
THOMPSON of Naples

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator: HALL of Piscataquis
Representatives: CLUKEY of Houlton
WATERHOUSE of Bridgton
WHEELER of Bridgewater

Was read.

On motion of Representative CLARK of Millinocket, the Majority "Ought to Pass" as amended Report was accepted.

The Bill was read once. Committee Amendment "A" (H-170) was read by the Clerk and adopted. The Bill was assigned for second reading Thursday, May 4, 1995.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit State Spending and Establish a Reserve Fund (H.P. 630) (L.D. 855)

Signed:

Senator: BERUBE of Androscoggin
Representatives: SIMONEAU of Thomaston
AIKMAN of Poland
OTT of York
JOSEPH of Waterville
MORRISON of Bangor
TOWNSEND of Portland
POULIOT of Lewiston
KERR of Old Orchard Beach
DiPIETRO of South Portland

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-177) on same RESOLUTION.

Signed:

Senators: HANLEY of Oxford
BEGLEY of Lincoln
Representative: DONNELLY of Presque Isle

Was read.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Thank you Mr. Speaker, Men and Women of the House: The good Representative from Falmouth has presented us with a Resolution that proposes to amend the Constitution of the state of Maine to impose a limit on state spending.

I think everyone in here thinks it is a good idea, but due to the economic financial straits the state is in the bill has great substance in it, but I think the state must get its fiscal house in order before we can enact this type of legislation. It is just a bill before its time. Thank you.

Subsequently, on motion of Representative KERR of Old Orchard Beach, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-175) on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Line-item Veto (H.P. 729) (L.D. 1003)

Signed:

Senators: HANLEY of Oxford
BERUBE of Androscoggin
BEGLEY of Lincoln
Representatives: SIMONEAU of Thomaston
DONNELLY of Presque Isle
AIKMAN of Poland
OTT of York
MORRISON of Bangor
KERR of Old Orchard Beach
DiPIETRO of South Portland

Minority Report of the same Committee reporting "Ought Not to Pass" on same RESOLUTION.

Signed:

Representatives: JOSEPH of Waterville
TOWNSEND of Portland
POULIOT of Lewiston

Was read.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Thank you Mr. Speaker, Men and Women of the House: The Resolution that is before you proposes an amendment to the Constitution of Maine to give the Governor of Maine a line-item veto over items in the appropriations or allocations sections of a bill. The Governor will be authorized to replace the item that has been vetoed with an amount that does not increase the appropriation or decrease the de-allocation.

The Governor would not be authorized to disapprove or modify any language allocated to the statutes or appearing in an unallocated section of the law. The bill prevents the Governor from proposing an increase in spending elsewhere in the appropriations or allocations of a section of a bill. It specifies that the Governor must exercise the line-item veto within one day after receiving for signature the enacted legislation.

Finally, it allows a line-item veto to be overridden by a simple majority vote. This issue has come up in the legislature in the past two terms that I have been here and it is strictly a policy issue. I urge you to support the pending motion on this issue.

Representative KERR of Old Orchard Beach moved that the House accept the Majority "Ought to Pass" as amended Report.

On motion of Representative JOSEPH of Waterville, tabled pending the motion of Representative KERR of Old Orchard Beach to accept the Majority "Ought to Pass" as amended Report and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day: