

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

Nadeau, Nass, Nickerson, O'Gara, O'Neal, Paul, Perkins, Poulin, Pouliot, Reed, W.; Richardson, Robichaud, Rosebush, Rowe, Samson, Saxl, J.; Saxl, M.; Shiah, Sirois, Spear, Stevens, Strout, Thompson, Townsend, Treat, Tripp, Tufts, Tyler, Vigue, Volenik, Watson, Wheeler, Winn, Yackobitz, The Speaker.

ABSENT - Dexter, Lemke, Plowman, Ricker, Rotondi, True, Truman, Tuttle, Underwood.

Yes, 46; No, 96; Absent, 9; Excused, 0.

46 having voted in the affirmative and 96 voted in the negative, with 9 being absent, the motion to Recede and Concur did not prevail.

Subsequently, the House voted to Adhere.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of Constitutional Officers (H.P. 113) (L.D. 148)

- In House, Minority "Ought Not to Pass" Report of the Committee on State and Local Government read and accepted on April 26, 1995.

- In Senate, Majority "Ought to Pass" as amended Report of the Committee on State and Local Government read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-69) in non-concurrence.

TABLED - May 4, 1995 (Till Later Today) by Representative MITCHELL of Vassalboro.

PENDING - Further Consideration.

Representative DAGGETT of Augusta moved that the House Adhere.

Representative ROBICHAUD of Caribou moved that the House Recede and Concur.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Daggett.

Representative DAGGETT: Thank you Mr. Speaker, Men and Women of the House: I would just like to remind those of you, because the title does not indicate it, but the bill has been amended and the amendment is in regards to the Treasurer. It would provide an amendment to the Constitution to provide for the direct popular election of the Treasurer of the state of Maine.

I hope you will join me in opposing the Recede and Concur motion so that the House continues in the same position that it was earlier.

The Chair ordered a division on the motion to Recede and Concur.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Robichaud.

Representative ROBICHAUD: Thank you Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to vote for the Recede and Concur motion. We have debated this issue in various forms several times already. I would just ask you to remember that if you trust the people of Maine enough to elect you, and each one of us are elected by those same constituents, who would then be electing the Treasurer of Maine. Can we not put our trust in those people to make a good decision? I think we can. Mr. Speaker, I request a roll call.

Representative ROBICHAUD of Caribou requested a roll call on her motion to Recede and Concur.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The Chair recognizes the Representative from Portland, Representative Townsend.

Representative TOWNSEND: Thank you Mr. Speaker, Men and Women of the House: My feeling is amending the Constitution is a drastic action about which we ought to be awfully cautious. I have yet to hear a convincing argument for why we need to do it in this case and for that reason I am going to be opposing the pending motion. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 78

YEA - Aikman, Ault, Barth, Bigl, Birney, Buck, Cameron, Campbell, Carleton, Clukey, Cross, Damren, Donnelly, Dunn, Farnum, Gerry, Gieringer, Gooley, Greenlaw, Guerrette, Hartnett, Heino, Jones, S.; Joy, Joyce, Joyner, Kneeland, Lane, Layton, Lemont, Libby JD; Libby JL; Lindahl, Look, Lovett, Lumbra, Madore, Marshall, Marvin, McAlevy, McElroy, Murphy, Nass, Nickerson, Ott, Peavey, Pendleton, Perkins, Pinkham, Poirier, Reed, G.; Reed, W.; Rice, Robichaud, Savage, Simoneau, Spear, Stedman, Stone, Taylor, Tufts, Underwood, Waterhouse, Whitcomb, Winglass, Winsor, Yackobitz.

NAY - Adams, Ahearne, Bailey, Benedikt, Berry, Bouffard, Brennan, Bunker, Chartrand, Chase, Chick, Chizmar, Clark, Cloutier, Daggett, Davidson, Desmond, DiPietro, Dore, Driscoll, Etnier, Fisher, Fitzpatrick, Gamache, Gates, Gould, Green, Hatch, Heeschen, Hichborn, Jacques, Johnson, Jones, K.; Joseph, Keane, Kerr, Kilkelly, Kontos, Labrecque, LaFontaine, Lemaire, Luther, Martin, Mayo, Meres, Mitchell EH; Mitchell JE; Morrison, Nadeau, O'Gara, O'Neal, Paul, Poulin, Pouliot, Povich, Richardson, Rosebush, Rowe, Samson, Saxl, J.; Saxl, M.; Shiah, Sirois, Stevens, Strout, Thompson, Townsend, Treat, Tripp, Tyler, Vigue, Volenik, Watson, Wheeler, Winn.

ABSENT - Dexter, Lemke, Plowman, Ricker, Rotondi, True, Truman, Tuttle, The Speaker.

Yes, 67; No, 75; Absent, 9; Excused, 0.

67 having voted in the affirmative and 75 voted in the negative, with 9 being absent, the motion to Recede and Concur did not prevail.

Subsequently, the House voted to Adhere.

HOUSE DIVIDED REPORT - Majority (8) "Ought to Pass" as amended by Committee Amendment "A" (H-176) - Minority (3) "Ought Not to Pass" - Committee on State and Local Government on Bill "An Act to Ensure Courteous Treatment of the Public by State Employees" (H.P. 294) (L.D. 398)

TABLED - May 4, 1995 (Till Later Today) by Representative MITCHELL of Vassalboro.

PENDING - Acceptance of either Report.

Representative DAGGETT of Augusta moved that the House accept the Minority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Daggett.

Representative DAGGETT: Thank you Mr. Speaker, Men and Women of the House: This bill in its original form was very different than the amended form. You may remember the original bill which