

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME V

FIRST REGULAR SESSION

Senate

June 19, 1995 to June 30, 1995

FIRST CONFIRMATION SESSION

September 14, 1995

FIRST SPECIAL SESSION

House of Representatives

November 28, 1995 to November 30, 1995

Senate

November 28, 1995 to November 30, 1995

Senator **HATHAWAY**: Thank you, Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Penobscot, I have not been around either for fifteen years. I was glad to hear you admit that people do want tax cuts. However, I am sad to hear that you think that forcing the next legislature to make spending cuts is some type of dastardly deed. I would like to remind you that the person you mentioned, our Republican candidate for Governor, had a very responsible plan to cut taxes, cut spending, stimulate the economy and create badly needed jobs in this State. I would like to remind you, also, of another candidate in whose book wrote that we should cut taxes, we should cut spending, yet today says that we should shut down the government instead of putting through those tax cuts. I can't agree with that. I don't think that we will be part of a shut down. I urge you to support this motion. Thank you.

On motion by Senator **KIEFFER** of Aroostook, Tabled until Later in Today's Session, pending the motion by Senator **BEGLEY** of Lincoln to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-354) to House Amendment "A" (H-628).

Senator **KIEFFER** of Aroostook moved to **SUSPEND THE RULES** to **EXTEND** until 10 o'clock p.m.

THE PRESIDENT: Pursuant to Joint Rule 12, the affirmative vote of two-thirds of the members present and voting is necessary to extend.

The Chair ordered a Division.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

31 Senators having voted in the affirmative and 1 Senator having voted in the negative, and 31 being more than two-thirds of the membership present and voting, the Rules were suspended and the following proceedings were conducted after 9:30 p.m.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (Emergency)
 H.P. 516 L.D. 706
 (C "B" H-387)

Tabled - earlier in the day by Senator **KIEFFER** of Aroostook.

Pending - the motion by Senator **BEGLEY** of Lincoln to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-354) to House Amendment "A" (H-628).

THE PRESIDENT: The pending question before the Senate is the motion by Senator **BEGLEY** of Lincoln that the Senate **INDEFINITELY POSTPONE** Senate Amendment "A" (S-354) to House Amendment "A" (H-628).

A vote of Yes will be in favor of **INDEFINITE POSTPONEMENT**.

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: **ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, CARPENTER, CASSIDY, FERGUSON, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LORD, MILLS, PENDEXTER, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND**

NAYS: Senators: **BUSTIN, CAREY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, GOLDTHWAIT, LAWRENCE, LONGLEY, McCORMICK, MICHAUD, O'DEA, PARADIS, PINGREE, RAND, RUHLIN**

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **BEGLEY** of Lincoln to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-354) to House Amendment "A" (H-628), **PREVAILED**.

THE PRESIDENT: The pending question before the Senate is **ADOPTION** of House Amendment "A" (H-628), in concurrence.

On motion by Senator **LAWRENCE** of York, 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 **ADOPTION** of House Amendment "A" (H-628), in concurrence.

A vote of Yes will be in favor of **ADOPTION**.

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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, CARPENTER, FAIRCLOTH, FERGUSON, HALL, HANLEY, HATHAWAY, KIEFFER, LORD, MILLS, PENDEXTER, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

NAYS: Senators: BUSTIN, CAREY, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, GOLDTHWAIT, HARRIMAN, LAWRENCE, LONGLEY, McCORMICK, MICHAUD, O'DEA, PARADIS, PINGREE, RAND, RUHLIN

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, House Amendment "A" (H-628) **ADOPTED**, in concurrence.

Which was **PASSED TO BE ENGROSSED**, As **Amended**, in concurrence.

Senate at Ease

Senate called to order by the President.

THE PRESIDENT moved to suspend the Rules to send the bill forthwith to the Engrossing Department. The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY**: I object to sending it forthwith Mr. President.

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

Senator **CIANCHETTE**: Would it be appropriate to have a discussion about why we are going to send it forthwith?

THE PRESIDENT: The Chair would advise the Senator from Somerset that that discussion has taken place. The Chair recognizes the Senator from Somerset, Senator Cianchette.

Senator **CIANCHETTE**: Could we be informed?

THE PRESIDENT: The Suspension is not debatable, but it is to send the bill forthwith to the Engrossing Department. The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY**: Mr. President, it is my recollection that we attempted to amend the Committee Amendment, which is amendable at the first reading. We have not, to my knowledge, suspended the rules to give it the second reading on the same day, so that we can have the second reading before going to Engrossing.

THE PRESIDENT: The Bill had been previously engrossed when it was recalled from the files and came back in that posture. The Senate receded, put on House Amendment "A", and engrossed it as amended. The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY**: If it came back and it had been pre-engrossed, when we amended it with House Amendment "A", it was no longer engrossed. Therefore, I believe it needs its second reading to engross it. That is my parliamentary inquiry.

Senate at Ease

Senate called to order by the President.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Off Record Remarks

On motion by Senator **BEGLEY** of Lincoln, **ADJOURNED** until Wednesday, June 28, 1995, at 9 o'clock in the morning.