

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME VII

SECOND REGULAR SESSION

Senate

March 14, 1996 to April 3, 1996

SECOND CONFIRMATION SESSION

August 1, 1996

SECOND SPECIAL SESSION

House of Representatives

September 5, 1996 to September 7, 1996

Senate

September 5, 1996 to September 7, 1996

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

Senator **CIANCHETTE**: Thank you, Mr. President. I agree right down the line with Senator Begley. I would just like to add a few brief comments to the things that he said. I believe the theory of this act is based on unanimous agreement to make infrastructure improvements. That idea is much more idealistic than realistic. This country, the greatest country in the world, was not developed that way. In my opinion, it will not continue to develop with this unrealistic type of concept. In my further opinion, the greatest beneficiaries of this act are the no-growth advocates, those people who do not want Maine to grow. But, if we are to improve the quality of life for Maine people, if we are to create better jobs, if we are to provide better education, improve our economy, build better communities, strengthen our families, then idealistic concepts, like the Sensible Transportation Policy Act, must make way for a more practical process. A similar process that built this great country, with trust, respect, accountability, and decisions made for the greater public good. This State's infrastructure is the engine that drives our economy. The more we delay development through these idealistic processes, the longer it will take to accomplish and improve the quality of life. Removing this cumbersome process, and replacing it with trust, respect, and accountability, will allow the Maine citizens the opportunity we all strive to provide for them. Thank you.

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

Senator **GOLDTHWAIT**: Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wish to speak briefly in opposition to the pending motion. I understand that this process can be cumbersome and time consuming, but it seems to me that resolving these issues ahead of time makes more sense than having them get mired down in endless disputes if we don't establish a process that provides for adequate public input. In my area we have had several projects since the passage of the Sensible Transportation Policy Act, that I truly believe have benefitted, that have been far more open, though I believe the DOT historically has done a pretty good job in soliciting public input; but I think that process is much more open now. It has taken us some time up front; but once the decision was made, the projects went through quite smoothly, rather than having lots of public objection to them, lawsuits, et cetera. So, I would urge you, on that basis, to defeat the pending motion. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **STEVENS** of Androscoggin that the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

A vote of No will be opposed.

Is the Senate ready for the question?

The Dookeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators: **BEGLEY, BERUBE, CAREY, CARPENTER, CIANCHETTE, HALL, HANLEY, KIEFFER, LORD, PENDEXTER, STEVENS**

NAYS: Senators: **ABROMSON, AMERO, BENOIT, BUSTIN, CASSIDY, CLEVELAND, ESTY, FERGUSON, GOLDTHWAIT, HARRIMAN, LAWRENCE, LONGLEY, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PINGREE, RAND, RUHLIN, SMALL, and the PRESIDENT, Senator BUTLAND**

ABSENT: Senators: **FAIRCLOTH, HATHAWAY**

11 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 2 Senators being absent, the motion of Senator **STEVENS** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **FAILED**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**. Sent down for concurrence.

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

ORDER

Joint Order

On motion by Senator **MILLS** of Somerset, the following Joint Order:

ORDERED, the House concurring, that Bill, "An Act to Place Penobscot Land in Trust," H.P. 1306, L.D. 1787, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

S.P. 765

Which was **READ**.

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

Senator **MILLS**: Thank you, Mr. President, Men and Women of the Senate. About eight or nine days ago we passed a bill that confirmed the granting, or the purchase, of certain lands to be included in the Indian tribal lands. The Attorney General has reviewed the bill that we passed, at the request of the Governor's Office. It is his sense that it should be amended in some technical ways; therefore, I have presented the order to recall this bill from the Governor's desk, and ask that we not only approve the order but that it be sent, forthwith, for approval by the House, in that I think this is the last day that we can recall the bill. I will later have an amendment to the bill that will clarify the concerns that the Attorney General had. Thank you.

Which was **PASSED**.

On motion by Senator **MILLS** of Somerset, under suspension of the Rules, ordered sent down forthwith for concurrence.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **HUMAN RESOURCES** on Bill "An Act Regarding the Food Stamp and Low-Income Home Energy Assistance Program" (Emergency)

H.P. 1366 L.D. 1875

Reported that the same **Ought to Pass**, pursuant to Private and Special Law 1995, chapter 51.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

The Bill **READ ONCE**.

The Bill **LATER ASSIGNED FOR SECOND READING**.