

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

**VOLUME II**

**FIRST REGULAR SESSION**

**House of Representatives**  
May 24, 1995 to June 30, 1995

Resolve, to Strengthen Fish Hatchery Capacity within the State by Establishing a Partnership between Public and Private Organizations (S.P. 365) (L.D. 991) (H. "A" H-298 to C. "A" S-116)  
 TABLED - May 31, 1995 (Till Later Today) by Representative MITCHELL of Vassalboro.  
 PENDING - Final Passage.

On motion of Representative ROTONDI of Madison, under suspension of the rules, the House reconsidered its action whereby L.D. 991 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (S-116) as amended by House Amendment "A" (H-298) was adopted.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" (H-298) to Committee Amendment "A" (S-116) was adopted.

On further motion of the same Representative, House Amendment "A" (H-298) was indefinitely postponed.

The same Representative presented House Amendment "B" (H-367) to Committee Amendment "A" (S-116) which was read by the Clerk and adopted.

Committee Amendment "A" (S-116) as amended by House Amendment "B" (H-367) thereto was adopted.

The Resolve was passed to be engrossed as amended by Committee Amendment "A" (S-116) as amended by House Amendment "B" (H-367) thereto in non-concurrence and sent up for concurrence.

The following item was taken up out of order by unanimous consent:

HOUSE DIVIDED REPORT - Majority (8) "Ought Not to Pass" - Minority (5) "Ought to Pass" as amended by Committee Amendment "A" (H-295) - Committee on Labor on Bill "An Act to Encourage Job Creation by Exempting Small Businesses from the Current Workers' Compensation System" (H.P. 664) (L.D. 887)

TABLED - May 31, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Motion of Representative HATCH of Skowhegan to accept the Majority "Ought Not to Pass" Report.

On motion of Representative VIGUE of Winslow, the Bill and all accompanying papers were recommitted to the Committee on Banking and Insurance and sent up for concurrence.

The Chair laid before the House the following item which was tabled earlier in today's session:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Line-item Veto (CONSTITUTIONAL AMENDMENT) (H.P. 729) (L.D. 1003) which was tabled by Representative JACQUES of Waterville pending further consideration.

-In House failed of final passage June 5, 1995.

-In Senate finally passed in non-concurrence.

Representative KERR of Old Orchard Beach moved that the House Recede and Concur.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Mitchell.

Representative MITCHELL: Thank you Mr. Speaker. I would ask for a roll call on the motion to Recede and Concur and ask that you vote against this motion so that I could then make a motion to Adhere.

Representative MITCHELL of Vassalboro requested a roll call on the 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 SPEAKER: The Chair recognizes the Representative from South Portland, Representative Cloutier.

Representative CLOUTIER: Mr. Speaker, Ladies and Gentlemen of the House: From our very first Governor, the Honorable William King to our present Governor, the Honorable Angus King, voters in Maine have elected our Kings to be Governors and our Governors to be Kings.

The authority to control the public purse strings reposes in this body, ladies and gentlemen, and in this body it should and must remain. I urge you to vote against the pending motion of Recede and Concur. Thank you.

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

ROLL CALL NO. 136

YEA - Aikman, Ault, Bailey, Barth, Bigl, Birney, Buck, Bunker, Cameron, Campbell, Carleton, Chick, Clark, Clukey, Cross, Damren, Davidson, Desmond, Dexter, DiPietro, Donnelly, Dore, Dunn, Farnum, Gamache, Gates, Gerry, Gieringer, Gooley, Greenlaw, Guerrette, Hartnett, Heino, Jones, S.; Joy, Joyce, Joyner, Kerr, Kneeland, Labrecque, Lane, Layton, Lemke, Lemont, Libby JD; Libby JL; Lindahl, Look, Lovett, Lumbra, Madore, Marshall, Marvin, Mayo, McAlevey, McElroy, Morrison, Murphy, Nadeau, Nass, Nickerson, Ott, Paul, Peavey, Pendleton, Perkins, Pinkham, Plowman, Poulin, Reed, G.; Reed, W.; Rice, Ricker, Robichaud, Savage, Simoneau, Spear, Stedman, Stone, Strout, Taylor, Thompson, Tripp, True, Tufts, Tuttle, Tyler, Underwood, Vigue, Waterhouse, Wheeler, Whitcomb, Winglass, Winn, Winsor, The Speaker.

NAY - Adams, Ahearne, Benedikt, Berry, Bouffard, Brennan, Chartrand, Chase, Chizmar, Cloutier, Daggett, Driscoll, Etnier, Fisher, Fitzpatrick, Gould, Hatch, Heeschen, Jacques, Johnson, Jones, K.; Joseph, Kilkelly, Kontos, LaFountain, Lemaire, Luther, Meres, Mitchell EH; Mitchell JE; O'Gara, Pouliot, Povich, Richardson, Rosebush, Rotondi, Rowe, Samson, Saxl, J.; Saxl, M.; Shiah, Sirois, Stevens, Townsend, Treat, Volenik, Watson.

ABSENT - Green, Hichborn, Keane, Martin, O'Neal, Poirier, Truman, Yackobitz.

Yes, 96; No, 47; Absent, 8; Excused, 0.

96 having voted in the affirmative and 47 voted in the negative, with 8 being absent, this being a Constitutional Amendment a two-thirds vote of the House necessary, the Resolution was finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.