

# MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

First Regular Session  
December 3, 2008 to June 12, 2009

Pages 1 - 1159

State, but I would have to say that in spite of that we must move forward and make sure we properly compensate those individuals. Nobody wants to be in the crosshairs of progress or to have their house or their business taken, but if it happens I think it's extremely important that we, as a Legislature and a State, fully compensate those who we harm. Madame President, I urge that the Senate vote against the pending motion and move to the Ought to Pass Report. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bliss.

Senator **BLISS:** Thank you, Madame President. Ladies and gentlemen of the Senate, I appreciate the comments from my good friend, the Senator from Oxford. Unfortunately, he makes some of my points for me. It is true that this is an issue that's been discussed over and over again in the Legislature. We actually made dramatic changes to help businesses in the 122<sup>nd</sup> Legislature, but we decided not to go in the direction of this bill, nor have 46 of the other 50 states. There are, in fact, only three states that have anything like what the good Senator proposes in this bill. With regard to the fiscal note, we just, frankly, cannot afford \$1 million a year, \$150,000 of which would come out of the General Fund, and \$850,000 of which would come out of the already significantly troubled Highway Fund. This may be something that warrants looking at sometime in the future, particularly when we see that other states have had any success at all with this type of bill, but now is not the time. I urge my colleagues to vote Ought Not to Pass.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Cumberland, Senator Bliss to Accept the Minority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#131)**

**YEAS:** Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, CRAVEN, DAMON, DIAMOND, GERZOFKY, GOODALL, JACKSON, MARRACHE, PERRY, SHERMAN, SIMPSON, SULLIVAN, THE PRESIDENT - ELIZABETH H. MITCHELL

**NAYS:** Senators: COURTNEY, DAVIS, GOOLEY, HASTINGS, HOBBS, MCCORMICK, MILLS, NASS, NUTTING, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SMITH, TRAHAN, WESTON

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **BLISS** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

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

HOUSE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow for a Dual Liquor License"

H.P. 681 L.D. 989

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-425)** (11 members)

Minority - **Ought Not To Pass** (2 members)

Tabled - June 1, 2009, by Senator **SULLIVAN** of York

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, May 29, 2009, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-425)**.)

(In Senate, June 1, 2009, Reports **READ**.)

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **SULLIVAN** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature

H.P. 123 L.D. 144

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-135)** (4 members)

Tabled - June 1, 2009, by Senator **BARTLETT** of Cumberland

Pending - motion by Senator **SIMPSON** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence (Roll Call Ordered)

(In House, May 29, 2009, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-135) AS AMENDED BY HOUSE AMENDMENT "A" (H-252)** thereto.)

(In Senate, June 1, 2009, Reports **READ**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#132)**

YEAS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, GOOLEY, HASTINGS, JACKSON, MARRACHE, MCCORMICK, MILLS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

NAYS: Senators: BRANNIGAN, HOBBS, NASS, SHERMAN, SIMPSON

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, the motion by Senator **SIMPSON** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

**READ ONCE.**

Committee Amendment "A" (H-135) **READ**.

House Amendment "A" (H-252) to Committee Amendment "A" (H-135) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-135) as Amended by House Amendment "A" (H-252) thereto, **ADOPTED**, in concurrence.

On motion by Senator **HOBBS** of York, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-135) as Amended by House Amendment "A" (H-252) thereto, in concurrence.

On further motion by same Senator, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you, Madame President. May I pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose her question.

Senator **SULLIVAN:** Thank you, Madame President. My eyes are working, and my ears are working, but my mind is obviously not. What are we taking a roll call on now?

**THE PRESIDENT:** The roll call is on adoption of Committee Amendment "A" as amended by House Amendment "A". The Chair recognizes the Senator from York, Senator Courtney.

Senator **COURTNEY:** Thank you, Madame President. Men and women of the Senate, I believe House Amendment "A" changes the original bill from 115 to 131 House members.

**THE PRESIDENT:** The Chair would advise that it changes the year, and the Senator from Androscoggin, Senator Simpson can clarify everything. The Chair recognizes the Senator from Androscoggin, Senator Simpson.

Senator **SIMPSON:** Thank you, Madame President. House Amendment "A" (H-252) is to make it so it goes into effect after redistricting, so it's a change of date. The number was changed in the Committee Amendment to 131 from the original bill, which was 115. Thank you.

**THE PRESIDENT:** 2013 to 2015 is all the House Amendment "A" does. It moves to after redistricting. Does that answer your question Senator Sullivan? The pending question is adoption of Committee Amendment "A" (H-135) as amended by House Amendment "A" (H-252) thereto. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#133)**

YEAS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GOODALL, GOOLEY, HASTINGS, HOBBS, MARRACHE, MCCORMICK, MILLS, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SMITH, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

NAYS: Senators: GERZOFISKY, JACKSON, SHERMAN, SIMPSON, SULLIVAN

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, Committee Amendment "A" (H-135) as Amended by House Amendment "A" (H-252) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME.**

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-135) AS AMENDED BY HOUSE AMENDMENT "A" (H-252) thereto, in concurrence.**

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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