

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)

Senate Legislative Record
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

First Regular Session
December 1, 2010 to June 29, 2011

Pages 1 - 1494

set for public policy. I don't see where we need to go and be as harsh on people who have proven themselves for the last 40 years because of the most horrific fire that we could think of, where everything possible went wrong, mostly because nobody followed up in doing the job that were supposed to do, which was protecting the citizens of that state by inspecting and following through and doing what was necessary. That's not how it works in Maine. I'm very proud of that and I think this bill is very reasonable. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. May I ask three questions through the Chair?

THE PRESIDENT: The Senator may pose her questions.

Senator **CRAVEN:** Thank you Mr. President. My first question is; how many facilities does this law cover? If it's only one, is this unusual for the Legislature to be legislating for one facility? Also are there going to be new construction and other reconstruction included in allowing people to open up businesses without sprinklers in the future? Thank you, Mr. President.

THE PRESIDENT: The Senator from Androscoggin, Senator Craven poses several questions through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you Mr. President. Any new construction must have a sprinkler system in it.

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

Senator **WHITTEMORE:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to bring to your attention something that we might be overlooking here. Most of these businesses, I'm sure, that we are talking about are very rural. The cost of the sprinkler system that's been quoted assumes that you have water available and water pressure. If you don't have water pressure and water available you have to provide that. I'm sure that the cost of putting in a system, if you've got to have a generator large enough to pump water into some sort of a storage tank facility, the cost could at least double, if not be higher than that. I just wanted you to be aware of that. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Mason to Adopt Senate Amendment "A" (S-163). 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 (#125)

YEAS: Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, KATZ, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFSKY, GOODALL, HILL, HOBBS, JACKSON, LANGLEY, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **MASON** of Androscoggin to **ADOPT** Senate Amendment "A" (S-163), **PREVAILED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-163), in NON-CONCURRENCE.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later (5/25/11) Assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the House of Representatives
H.P. 33 L.D. 40
(C "A" H-198)

Tabled - May 25, 2011, by Senator **COURTNEY** of York

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED, in NON-CONCURRENCE**

(In House, May 23, 2011, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 25, 2011, **READ A SECOND TIME**.)

On motion by Senator **DILL** of Cumberland, Senate Amendment "C" (S-169) **READ**.

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

Senator **DILL:** Thank you Mr. President. Men and women of the Senate, very briefly. We heard some very compelling arguments as to why it's a good idea to ask the citizens of the state whether or not it's time, after all these years, to reduce the House of Representatives from 151 to 131. What's good for the goose is

good for the gander. This amendment simply adds an additional question as to whether or not it is time reduce the size of this Body. Senate Amendment "C" simply adds a provision that would include this Body on a referendum question. The reduction in the number of seats in this Body would be either to 31 or 33. That would be determined by the Apportionment Commission that will be convened shortly. We passed L.D. 40, this amendment includes the Senate. It adds additional savings and I encourage and urge you to support it. Thank you.

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

On motion by Senator **COURTNEY** of York, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, May 32, 2011, at 10:00 in the morning.

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

Senator **COURTNEY:** Thank you Mr. President. Men and women of the Senate, I rise in support of the proposed amendment. When I found out that I had put in an amendment to reduce the size of the Senate and the good Senator from Cumberland had done that, I thought it would be best if we channeled our efforts together so that we could give the House a true opportunity to have the option to reduce the size of the Legislature. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. May I pose a question?

THE PRESIDENT: The Senator may pose her question.

Senator **SULLIVAN:** Thank you Mr. President. This bill in front of us, L.D. 40, is a Constitutional requirement. It's my understanding to lower the size of the Senate to 31 or 33 would not require a Constitutional vote. Therefore, can the two be meshed into something that requires a Constitutional vote?

THE PRESIDENT: The Senator from York, Senator Sullivan poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Dill.

Senator **DILL:** Thank you Mr. President. Thank you for that excellent question. The Constitution, Article 4 Part 2nd Section 1, states that the Senate shall consist of an odd number of Senators, not less than 31 or more than 35. This amendment would, in fact, seek a change in the Constitution to not more than 33. The answer to the question is yes.

On motion by Senator **DILL** of Cumberland, Senate Amendment "C" (S-169) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "C" (S-169), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

Senator **SCHNEIDER** of Penobscot was granted unanimous consent to address the Senate off the Record.
