

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 19, 1993 to July 14, 1993

FIRST CONFIRMATION SESSION

October 14, 1993

The Majority of the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** on 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, 1994 and June 30, 1995" (Governor's Bill) (Emergency)

H.P. 215 L.D. 283

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-677)**.

Signed:

Senators:

PEARSON of Penobscot
TITCOMB of Cumberland
FOSTER of Hancock

Representatives:

HICHBORN of Howland
MICHAUD of East Millinocket
RYDELL of Brunswick
KERR of Old Orchard Beach
POULIOT of Lewiston
CHONKO of Topsham
CARROLL of Gray

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representatives:

FOSS of Yarmouth
REED of Falmouth
MACBRIDE of Presque Isle

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-677) AS AMENDED BY HOUSE AMENDMENTS "D" (H-683) AND "M" (H-693)** thereto.

Which Reports were **READ**.

Senator **PEARSON** of Penobscot, moved that the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hanley.

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I rise this evening not to fully debate the issue before us, I think that can best be done at Enactment. I don't think the issues are going to change, but I think it is appropriate that at each stage of this budget process we do have a Division and we do have a separation as far as so we can see which individuals are in favor of a budget that in fact does maintain the temporary taxes and those who have made a pledge to make sure those taxes sunset and want to adhere to that pledge. I would request a Division.

Senator **HANLEY** of Oxford requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **PEARSON** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

A Division has been requested.

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.

23 Senators having voted in the affirmative and 8 Senators having voted in the negative, the motion by Senator **PEARSON** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

The Bill **READ ONCE**.

Committee Amendment "B" (H-677) **READ**.

House Amendment "D" (H-683) to Committee Amendment "B" (H-677) **READ**.

Senator **PEARSON** of Penobscot moved the **INDEFINITE POSTPONEMENT** of House Amendment "D" (H-683) to Committee Amendment "B" (H-677) in **NON-CONCURRENCE**.

Senator **HANDY** of Androscoggin requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **PEARSON** of Penobscot to **INDEFINITELY POSTPONE** House Amendment "D" (H-683) to Committee Amendment "B" (H-677) in **NON-CONCURRENCE**.

A Division has been requested.

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.

19 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **PEARSON** of Penobscot to **INDEFINITELY POSTPONE** House Amendment "D" (H-683) to Committee Amendment "B" (H-677) in **NON-CONCURRENCE**, **PREVAILED**.

House Amendment "M" (H-693) to Committee Amendment "B" (H-677) **READ** and **ADOPTED**, in concurrence.

Which was, under suspension of the Rules, **READ A SECOND TIME**.

Senator **WEBSTER** of Franklin requested a Division.

THE PRESIDENT: The pending question before the Senate is **PASSAGE TO BE ENGROSSED AS AMENDED** in **NON-CONCURRENCE**.

A Division has been requested.

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.

21 Senators having voted in the affirmative and 11 Senators having voted in the negative, the Bill was **PASSED TO BE ENGROSSED, As Amended** in **NON-CONCURRENCE**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator **HARRIMAN** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

Senator **HANLEY** of Oxford was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate off the Record.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would move that we extend until 12:30 a.m. if necessary.

Senator **SUMMERS** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **CAREY** of Kennebec requested and received Leave of the Senate to withdraw his motion to extend until 12:30 a.m.

Pursuant to Joint Rule 12, the affirmative vote of two-thirds of the members present and voting is necessary to transact business after 11:00 p.m. 26 Senators having voted in the affirmative, and 6 Senators having voted in the negative, and 26 being more than two-thirds of the membership present and voting, the Rules were suspended and the following proceedings were conducted after 11:00 p.m.

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

Off Record Remarks

On motion by Senator **CARPENTER** of York, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

The following proceedings were conducted after 12:00 a.m., Wednesday, June 30, 1993.

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

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Mandate