

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Thirteenth Legislature

OF THE

State Of Maine

VOLUME IV

SECOND REGULAR SESSION

March 25, 1988 to May 5, 1988

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May 13, 1988

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HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 3, 1986 to December 6, 1988

On further motion by same Senator, Senate Amendment "A" (S-564) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

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

Off Record Remarks

HELD BILL

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

Senator BRANNIGAN: Thank you Mr. President. Mr. President is the Senate in possession of L.D. 2463?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the Senators request.

On motion by Senator BRANNIGAN of Cumberland, the Senate RECONSIDERED whereby it FAILED TO ENACT:

Emergency

Act Act to Fund a Supplemental Highway Program and to Establish a Program to Fund the Construction of Extraordinary Bridges

H.P. 1799 L.D. 2463
(C. C. "A" H-762)

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 20, 1988, FAILED ENACTMENT in NON-CONCURRENCE.)

On motion by Senator BUSTIN of Kennebec, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is PASSAGE TO BE ENACTED.

A vote of Yes will be in favor of ENACTMENT.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

President PRAY of Penobscot who would have voted NAY requested and received Leave of the Senate to pair his vote with Senator DOW of Kennebec who would have voted YEA.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators BALDACCI, BLACK, BRANNIGAN, BRAWN, CAHILL, CLARK, COLLINS, DILLENBACK, EMERSON, ERWIN, GAUVREAU, GILL, GOULD, KANY, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, THERIAULT, TWITCHELL, USHER, WEBSTER, WHITMORE

NAYS: Senators ANDREWS, BERUBE, BUSTIN, DUTREMBLE, ESTES, KERRY, LUDWIG, SEWALL, TUTTLE

ABSENT: Senators None

PAIRED: Senators DOW, THE PRESIDENT - CHARLES P. PRAY

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 9 Senators having voted in the negative, and 2 Senators having paired their vote, and 24 being two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you Mr. President, having voted on the prevailing side, I now move reconsideration and I would urge you to vote against my motion.

A Viva Voce Vote being had, the motion of Senator CAHILL of Sagadahoc to RECONSIDER ENACTMENT, FAILED.

Off Record Remarks

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:

An Act to Establish the Additional Support for People in Retraining and Education Program

H.P. 1744 L.D. 2390
(H "C" H-780 to C "C" H-770)

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED AS AMENDED.

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "C" (H-770) as Amended by House Amendment "C" (H-780).

On further motion by same Senator, Senate Amendment "A" (S-542) to Committee Amendment "C" (H-770) READ and ADOPTED.

Committee Amendment "C" (H-770) as Amended by Senate Amendment "A" (S-542) and House Amendment "C" (H-780) thereto, ADOPTED in NON-CONCURRENCE.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

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

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

An Act to Replace the Sales Tax with an Excise Tax on Jet Fuel Used by Turbine-Powered Aircraft Providing Commercial Air Service in Maine

H.P. 1470 L.D. 1981
(S "A" S-506 to C "A" H-496)

In House, March 24, 1988, PASSED TO BE ENACTED.

In Senate, April 21, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-496) AS AMENDED BY SENATE AMENDMENT "A" (S-506) thereto in NON-CONCURRENCE.

Comes from the House, that Body ADHERED.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Thank you Mr. President. Mr. President, men and women of the Senate. I am going to be moving that the Senate Recede and Concur with the other Body in this particular matter because of the interest in the particular issue that was being discussed in this Chamber late last night and because of the need for more public discussion and hearing on this particular matter. Also because of the good faith of the proponents that indeed it is correct and a correct approach. We are very hopeful that we will be able to have that before the next day in which we will come down to handle matters that we would have to deal with from legislation that we are passing. So, I would like to thank the Presiding Officer.

On motion by Senator BALDACCI of Penobscot, the Senate RECEDED and CONCURRED.

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the