

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME VI

SECOND REGULAR SESSION

House of Representatives
March 10, 1992 to March 31, 1992

Senate
January 8, 1992 to March 9, 1992

was taken up out of order by unanimous consent:

SENATE PAPER

Non-Concurrent Matter

Bill "An Act Concerning Fuel Oil and Coal Used in Manufacturing Processes" (H.P. 1755) (L.D. 2441) on which the House insisted on its former action whereby the Bill was passed to be engrossed in the House on March 31, 1992.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" (S-786) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 90 was taken up out of order by unanimous consent:

Committee of Conference

Report of the Second Committee of Conference on the disagreeing action of the two branches of the Legislature on: RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the House of Representatives (H.P. 1660) (L.D. 2337) have had the same under consideration and ask leave to report:

That they are unable to agree.

(Signed) Senator PEARSON of Penobscot, Senator BALDACCI of Penobscot, and Senator GILL of Cumberland - of the Senate

Representative LEMKE of Westbrook, Representative MAHANY of Easton, and Representative LORD of Waterboro - of the House.

Came from the Senate with the Committee of Conference Report read and accepted.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Lemke.

Representative LEMKE: Mr. Speaker, Men and Women of the House: I move that the House accept the Committee of Conference Report.

I will be short and to the point. I do believe it is important to put on the Record, not only the result of the two Committees of Conference on this subject, but also the reasons for the results which is non-concurrence.

The House members, not only spoke to the rationale for this body's support of a unicameral legislature, we also offered in the spirit of compromise a series of constructive proposals, counter proposals. I will not reiterate them now except to say that they did balance the arguments for size reduction and basic structural reform. The House members made a serious effort to appreciate and accommodate anticipated Senate concerns. While our discussion was firm, it was entirely amicable, we didn't throw things at each other, no naughty words were used, anything like that. Nevertheless, I must report that it did not appear that either team from the Senate, and there were two, displayed the same

desire for compromise which the single House team did. They did not present comparably serious counter proposals. In fact, they offered none. They did not really appear to seriously try to listen to this body's concerns. They would not even support a proposal to create a mechanism to simply continue to discuss the issues of legislative size and structure. We find that to be most regrettable. The people of Maine are very interested in this subject, it is an important subject, I think the people expect and deserve much, much better than what is reflected by this type of non-concurrence.

If for the present this issue is not further discussed, we, the House members of the Conference Committees, wish the public to understand that we did our full best. This whole experience, ironically seems to me, to underline again the need for real fundamental structural change in the way this legislature does business.

Before I sit down, I want to thank the Speaker for not commenting on my attire today. I would like to mention that this Representative literally has lost his shirt and that is the reason for it.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Hanley.

Representative HANLEY: Mr. Speaker, I would like to pose a question of parliamentary inquiry? Would a motion to substitute the Resolution for the Committee Report be in order?

The SPEAKER: The Chair would answer in the negative.

Representative HANLEY: Mr. Speaker, I would pose another question of parliamentary inquiry.

Would it be appropriate if the report was to be not accepted by this body for then a motion to be proposed to substitute the Bill for the Committee Report?

The SPEAKER: The Chair would answer in the negative. The only pending motion under the rules that are allowable is the motion to accept or to reject the Committee of Conference.

Subsequently, the Committee of Conference Report was accepted in concurrence.

The Chair laid before the House the following matter: An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 to Help Municipalities Pay for the Repair and Improvement of Publicly Owned Port Facilities (S.P. 818) (L.D. 2017) (C. "A" S-760) which was tabled earlier in the day and later today pending passage to be enacted.

Representative Bennett of Norway requested a roll call.

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 the members present and voting. 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 pending question before the House is passage to be enacted. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House is necessary. Those in favor will vote yes; those