

# Senate Legislative Record

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State of Maine

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#### LEGISLATIVE RECORD - SENATE, THURSDAY, JUNE 9, 2005

The Secretary opened the vote.

## ROLL CALL (#251)

YEAS: Senators: ANDREWS, BARTLETT, BRENNAN, BROMLEY, BRYANT, COURTNEY, COWGER, DAMON, DIAMOND, DOW, GAGNON, HASTINGS, HOBBINS, MARTIN, MAYO, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROTUNDO, SAVAGE, SCHNEIDER, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: CLUKEY, DAVIS, ROSEN, WESTON

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion by Senator MAYO of Sagadahoc to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642) Report, in concurrence, PREVAILED.

#### READ ONCE.

Committee Amendment "A" (H-642) READ.

On motion by Senator **WOODCOCK** of Franklin, Senate Amendment "A" (S-358) to Committee Amendment "A" (H-642) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Franklin, Senator Woodcock.

Senator **WOODCOCK**: Thank you, Madame President, ladies and gentlemen of the Senate. This amendment places a five year sunset of July 1, 2011 on the collection of the fees which will be used to implement this program. I would urge your support of it. Thank you.

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

Senator **MAYO**: Thank you, Madame President, ladies and gentlemen of the Senate. I am even shorter than the good Senator from Franklin, Senator Woodcock. I think the amendment adds to the bill and I would hope that it would be approved.

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 pending question before the Senate is the motion by the Senator from Franklin, Senator Woodcock to Adopt Senate Amendment "A" (S-358) to Committee Amendment "A" (H-642). 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 (#252)

YEAS: Senators: ANDREWS, BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COURTNEY, COWGER, DAMON, DAVIS, DIAMOND, DOW, GAGNON, HASTINGS, HOBBINS, MARTIN, MAYO, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, the motion by Senator **WOODCOCK** of Franklin to **ADOPT** Senate Amendment "A" (S-358) to Committee Amendment "A" (H-642), **PREVAILED**.

Committee Amendment "A" (H-642) as Amended by Senate Amendment "A" (S-358) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642) AS AMENDED BY SENATE AMENDMENT "A" (S-358)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/8/05) Assigned matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Protect Unborn Children from Acts of Violence" H.P. 201 L.D. 262

Majority - Ought Not to Pass (8 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-647) (5 members)

Tabled - June 8, 2005, by Senator HOBBINS of York

Pending - ACCEPTANCE OF EITHER REPORT

(In House, June 8, 2005, the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-647).)

(In Senate, June 8, 2005, Reports READ.)

Senator **HOBBINS** of York moved the Bill and accompanying papers be **COMMITTED** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

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

Senator **PLOWMAN**: Thank you, Madame President. Point of Order, Madame President. What is the effect of this motion?

**THE PRESIDENT:** The bill would be sent back to the Judiciary Committee.

Senator PLOWMAN: Thank you, Madame President.

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 Andrews.

Senator **ANDREWS**: Thank you, Madame President, men and women of the Senate. I would ask you to vote against sending this back to committee. This is a bill that has created a lot of emotional turmoil for all of us. I think we should have the courage to deal with it, vote on it up or down. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Hobbins to Committee the Bill and Accompanying papers to the Committee on Judiciary. 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 (#253)

- YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, COWGER, DAMON, DIAMOND, GAGNON, HOBBINS, MARTIN, MAYO, MILLS, MITCHELL, NUTTING, PERRY, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, TURNER, THE PRESIDENT - BETH G. EDMONDS
- NAYS: Senators: ANDREWS, CLUKEY, COURTNEY, DAVIS, DOW, HASTINGS, NASS, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, WESTON, WOODCOCK

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **HOBBINS** of York to **COMMIT** the Bill and accompanying papers to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/8/05) Assigned matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Resolve, Directing the Bureau of Health To Study the Effectiveness and Quality of Reproductive Counseling H.P. 1057 L.D. 1512

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-664) (10 members)

Minority - Ought Not to Pass (3 members)

Tabled - June 8, 2005, by Senator HOBBINS of York

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

### (In House, June 7, 2005, 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-664).)

(In Senate, June 8, 2005, Reports READ.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#254)

- YEAS: Senators: ANDREWS, BRYANT, CLUKEY, COURTNEY, DAVIS, DIAMOND, DOW, HASTINGS, HOBBINS, MARTIN, NASS, PERRY, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WESTON, WOODCOCK
- NAYS: Senators: BARTLETT, BRENNAN, BROMLEY, COWGER, DAMON, GAGNON, MAYO, MILLS, MITCHELL, NUTTING, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **HOBBINS** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

## READ ONCE.

Committee Amendment "A" (H-664) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Sent down for concurrence.