

MAINE STATE LEGISLATURE

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

VOLUME VII

SECOND REGULAR SESSION

Senate
April 7, 1994 to April 14, 1994

SECOND CONFIRMATION SESSION
May 11, 1994

THIRD CONFIRMATION SESSION
July 29, 1994

FOURTH CONFIRMATION SESSION
November 14, 1994

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

NAYS: Senators AMERO, BEGLEY, BUTLAND, CAHILL, CARPENTER, FOSTER, GOULD, HALL, HANLEY, KIEFFER, LUDWIG, MARDEN, SUMMERS, WEBSTER

ABSENT: Senator LUTHER

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being absent, and 20 being less than two-thirds of the membership present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House.

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

COMMUNICATIONS

The Following Communication:

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333**

April 13, 1994

To the Honorable Members of the 116th Legislature:

I am returning without my signature or approval, S.P. 724, L.D. 1945, "An Act to Amend the Public Smoking Laws."

This bill was originally intended to relieve the hardship of L.D. 904, "An Act to Amend the Public Smoking Laws" on establishments such as pool halls. The result is less acceptable than the current law to the people operating these establishments.

Rather than clarifying the law, this bill creates additional confusion for this type of business in the State of Maine. Therefore, I am requesting the Department of Human Services work with the Maine Lung Association, the Maine Merchants Association, the Maine Grocers Association and other interested parties to review the issue of mixed use facilities and the effect the passage of L.D. 904 has had upon businesses such as pool halls and billiard parlors.

Because of my concern, I am in opposition to L.D. 1945 and respectfully urge you to sustain my veto.

Sincerely,

S/John R. McKernan, Jr.
Governor

Which was **READ** and **ORDERED PLACED ON FILE**.

The Accompanying Bill:

Bill "An Act to Amend the Public Smoking Laws"
S.P. 724 L.D. 1945

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

Senator **CONLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This particular bill, "An Act to Amend Public Smoking Laws" is my bill and I read the Governor's veto message and I kind of agree with it. I urge you to support him.

The President laid before the Senate the following:

"Shall this Bill become Law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays.

A vote of yes will be in favor of the Bill.

A vote of no will be in favor of sustaining the veto of the Governor

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators BUSTIN, HANLEY, MCCORMICK, PARADIS

NAYS: Senators AMERO, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG, MARDEN, O'DEA, PEARSON, PINGREE, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senator LUTHER

4 Senators having voted in the affirmative and 30 Senators having voted in the negative, with 1 Senator being absent, and 4 being less than two-thirds of the membership present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House.

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

Off Record Remarks