

# MAINE STATE LEGISLATURE

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**One Hundred and Eighteenth Legislature**  
**State of Maine**

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Senator **PINGREE**: Thank you Mr. President. I would just like to state that in all of the negotiations that I participated in, and in my reading of the proposed budget, that had been proposed by the other caucus, this item was never there, it was never stated and most of the items in Part II, of which this was one, were cut.

Senator **CLEVELAND** of Androscoggin moved to **INDEFINITELY POSTPONE** Senate Amendment "N" (S-44) to Committee Amendment "A" (H-15).

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: CAREY, CASSIDY, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HARRIMAN, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

**NAYS:** Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, KIEFFER, LIBBY, MITCHELL, SMALL

**ABSENT:** Senator: MACKINNON

**EXCUSED:** Senator: HALL

Senator **FERGUSON** of Oxford requested and received leave of the Senate to change his vote from NAY to YEA.

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senators being absent and 1 Senator being excused, the motion by Senator **CLEVELAND** of Androscoggin to **INDEFINITELY POSTPONE** Senate Amendment "N" (S-44) to Committee Amendment "A" (H-15), **PREVAILED**.

On motion by Senator **LIBBY** of York Senate Amendment "C" (S-25) to Committee Amendment "A" (H-15) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Libby.

Senator **LIBBY**: Thank you Mr. President. This amendment is a pretty simple one. It fully funds the Tree Growth Program and as much as I wanted to join the good Senator Ferguson on his amendment earlier today, I could not do that because the funding came from education and it concerned me greatly. This amendment, however would fully fund the Tree Growth Reimbursement Program through a deappropriation from the legislative budget to be carried out by the legislative council and

I believe it's an appropriate measure. I think many of you know I've been fighting for several years now to keep the promise that the State of Maine made to its people to fund the Tree Growth Program at 90%. We've been as low as 40%. I think we've made some good strides this term. I want to give credit to the Appropriations Committee because we have restored some of the funding. But, I think it's time that we keep our promises to the municipalities and I'd ask you to support the motion. Thank you.

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

Senator **RUHLIN**: Thank you Mr. President, ladies and gentlemen of the Senate. You know, again, this is fully funding to the Tree Growth Program of the State of Maine and is a laudable goal. A goal we should be trying to achieve. It's a goal, as one Senator, I intend to achieve before I leave here. I have no illusions, I think I'm going to have to do it through the supplemental budget, that's what we have supplemental budgets for. When we do it, we want to do it properly though and to do it properly, leaves in place the policy making body of the State of Maine. This would diminish the capabilities of the legislature of the State of Maine. It's my understanding that we presently will be spending less money for legislative process this year than we did two years ago. We have made some cost savings. I know we have looked for all the economies that we can, economies that allow this legislature to function in its policy making role rather than to take so much away from it that it can no longer function efficiently. I for one, don't want to return to the days when the lobbyists would be running our legislation for us. I don't want to return to the days when we were treated like mushrooms around here. I like to have it when I get telephones and a secretary to help me make sure that I have the information at my fingertips that I need to be an alert, intelligent policy maker in this State. Consequently, I'm going to move indefinite postponement of this amendment and I'm going to do so and ask for a Roll Call Mr. President.

Senator **RUHLIN** of Penobscot moved to **INDEFINITELY POSTPONE** Senate Amendment "C" (S-25) to Committee Amendment "A" (H-15).

**THE PRESIDENT:** The pending question before the Senate is the motion of the Senator from Penobscot, Senator Ruhlin to Indefinitely Postpone Senate Amendment "C" (S-25). The Chair recognizes the Senator from York, Senator Libby.

Senator **LIBBY**: Thank you Mr. President, men and women of the Senate. I rise a second time, as a mushroom would, in the early spring, to again try to irradiate the fact that it makes a whole lot more sense to me to tell our municipal officials "out-front" that we're going to fund the Tree Growth Program and not do it through a supplemental budget. It doesn't make sense. It's not the right thing to do. We're pulling the wool over peoples eyes and I don't think that we need to bury every single amendment around here on just principals that just don't make sense. We're talking about putting off and putting off and putting off until the very last second, telling our municipal officials what we're going to do with Tree Growth. That doesn't make sense, I'm sorry. So, I'm hoping that my colleagues will support me in letting everybody know how the legislature feels about reimbursing this important program. Thank you very much.

On motion by Senator Ruhlin, of Penobscot, 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 of the Senator from Penobscot, Senator Ruhlin to Indefinitely Postpone Senate Amendment "C" (S-25). A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CASSIDY, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, LIBBY, MILLS, MITCHELL, SMALL

ABSENT: Senator: MACKINNON

EXCUSED: Senator: HALL

19 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senators being absent and 1 Senator being excused, the motion by Senator **RUHLIN** of Penobscot to **INDEFINITELY POSTPONE** Senate Amendment "C" (S-25) to Committee Amendment "A" (H-15), **PREVAILED**.

On motion by Senator **BENNETT** of Oxford Senate Amendment "G" (S-35) to Committee Amendment "A" (H-15) **READ**.

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

Senator **BENNETT:** Thank you Mr. President, fellow members of the Senate. I will speak very briefly because we've dealt with both of the issues that are presented in this bill before. What this amendment would do is take the money from the Research and Development Fund, that we referred to earlier and provide it for the waiting list of persons with mental retardation and other persons waiting for mental health services. In previous debate it was suggested that moving some of this research and development money involved "robbing Peter to pay Paul", I just simply point out that in this case I believe "Peter" to be the intellectual and business elite's who will benefit the most directly from the research and development money. "Paul" in this case, are the people awaiting services under mental retardation and mental health, the most vulnerable people in our society. I encourage you to vote for this amendment. I request a Roll Call.

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

Senator **RUHLIN:** Thank you Mr. President. I just have a few very quick comments. We pretty much covered the subject matter before. I just want you to know, though, ladies and gentlemen of the Senate that I am amazed at the persistence of some members of this Body, attempting to raid and dash our opportunities for improved economic growth in the future. This persistence really does confound me. I hope you'll join with me this morning indefinitely postponing this raid on our future economic growth opportunities. Thank you.

Senator Ruhlin of Penobscot Moved to be **INDEFINITELY POSTPONE** Senate Amendment "G" (S-35), to Committee Amendment "A" (H-15).

On motion by Senator **BENNETT**, of Oxford, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CASSIDY, FERGUSON, HARRIMAN, KIEFFER, LIBBY, MILLS, MITCHELL

ABSENT: Senator: MACKINNON

EXCUSED: Senator: HALL

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senators being absent and 1 Senator being excused, the motion by Senator **RUHLIN** of Penobscot to **INDEFINITELY POSTPONE** Senate Amendment "G" (S-35) to Committee Amendment "A" (H-15), **PREVAILED**.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President. Before we break for lunch, I have one brief parliamentary inquiry, if I may state it?

**THE PRESIDENT:** The Senator may state his parliamentary inquiry.

Senator **MILLS:** Mr. President, thank you. This morning shortly after eight o'clock I presented to the Secretary's Office and amendment to the matter that is now before us, to Committee Amendment "A" to the budget, and requested that it be circulated because it had been duly prepared by the Revisers Office in good order, in fact it lies on my desk at the present time. I was later informed that it is the ruling that the amendment is out of order because of the time that it was submitted and my question is really in two or three parts, if you'll bear with me. Number one, I'd like to know the authority by which amendments