

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 17, 1993 to July 14, 1993

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
65th Legislative Day
Monday, June 7, 1993

The House met according to adjournment and was called to order by the Speaker.

Prayer by Pastor Glenn Metzler, Kennebec Mennonite Church, Augusta.

National Anthem by Phippsburg School Band.

The Journal of Friday, June 4, 1993, was read and approved.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

June 4, 1993

Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Mayo:

Please be advised that the Senate today insisted and joined in a Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill "An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation" (H.P. 250) (L.D. 329).

The President appointed on the part of the Senate the following:

Senator BUSTIN of Kennebec
Senator PARADIS of Aroostook
Senator HARRIMAN of Cumberland

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

Maine State Senate
Augusta, Maine 04333

June 4, 1993

Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Mayo:

Please be advised that the Senate today insisted and joined in a Committee of Conference on the

disagreeing action between the two branches of the Legislature on Resolve, to Establish the Commission on the Status of Alleged Child Abusers (EMERGENCY) (H.P. 991) (L.D. 1322).

The President appointed on the part of the Senate the following:

Senator CLEVELAND of Androscoggin
Senator CONLEY of Cumberland
Senator BEGLEY of Lincoln

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

Non-Concurrent Matter

Bill "An Act to Protect Private Property" (H.P. 514) (L.D. 672) on which the Bill and accompanying papers were indefinitely postponed in the House on June 3, 1993.

Came from the Senate with the Minority "Ought to Pass" as amended Report of the Committee on Judiciary read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-551) in non-concurrence.

On motion of Representative Cote of Auburn, the House voted to Insist and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act to Repeal the Laws Allowing State Agencies to Adopt Rules Having the Force of Law" (H.P. 777) (L.D. 1050) on which the Majority "Ought to Pass" as amended by Committee Amendment "A" (H-557) report of the Committee on State and Local Government was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-557) in the House on June 3, 1993.

Came from the Senate with the Minority "Ought to Pass" as amended by Committee Amendment "B" (H-558) report of the Committee on State and Local Government read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "B" (H-558) in non-concurrence.

On motion of Representative Joseph of Waterville, the House voted to Adhere.

Non-Concurrent Matter

Resolve, to Establish the Academy for Public Service Study Committee (H.P. 874) (L.D. 1188) (C. "A" H-362) which was finally passed in the House on May 27, 1993.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-362) as amended by Senate Amendment "A" (S-290) thereto in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Requiring a Guide for Certain Nonresident Aliens Hunting in the State (S.P. 400) (L.D. 1231) (C. "A" S-172) on which the House insisted on its former action whereby the Bill was passed to be enacted on June 4, 1993.

Came from the Senate with that Body having insisted on its former action whereby the Bill and accompanying papers were indefinitely postponed and asked for a Committee of Conference in non-concurrence.

The House voted to join in the Committee of Conference in concurrence.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bill was received and, upon the recommendation of the Committee on Reference of Bills, was referred to the following Committee, Ordered Printed and Sent up for Concurrence:

Education

Bill "An Act to Prohibit Discrimination in the Assignment of School Attendance Areas" (EMERGENCY) (H.P. 1155) (L.D. 1554) (Presented by Representative OLIVER of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.
Sent up for Concurrence.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following item:

Recognizing:

James Horowitz, president of Oxford Aviation Inc. and manager of the Oxford County Regional Airport, who has been named Maine's 1993 Small Business Person of the Year by the Small Business Administration for his accomplishments and contributions to the local community; (HLS 476) by Representative BENNETT of Norway. (Cosponsor: Senator HANLEY of Oxford)

On motion of Representative Bennett of Norway, was removed from the Special Sentiment Calendar.

Was read.

On motion of Representative Bennett of Norway, tabled pending passage and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 797) (L.D. 1083) Bill "An Act to Establish the Fund Insurance Review Board" (EMERGENCY) Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-615)

(H.P. 188) (L.D. 240) Bill "An Act to Change the Statutory Provisions Applying to the Dissemination of the Records and Reports Maintained by the State Police" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-618)

(H.P. 1143) (L.D. 1543) Bill "An Act to Clarify the Laws Governing HIV Testing of Sexual Offenders" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-619)

Under suspension of the rules, Consent Calendar Second Day notification was given, the House Papers were passed to be engrossed as amended and sent up for concurrence.

CONSENT CALENDAR

Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(H.P. 1141) (L.D. 1541) Bill "An Act Authorizing a Referendum to Ratify the Texas Low-Level Radioactive Waste Disposal Compact with Maine and Vermont and Approving the Compact's Terms" (EMERGENCY) (Governor's Bill) (C. "A" H-609)

On motion of Representative Jacques of Waterville, was removed from Consent Calendar, Second Day.

Report was read and accepted, the bill read once. Committee Amendment "A" (H-609) was read by the Clerk.

Representative Jacques of Waterville offered House Amendment "A" (H-617) to Committee Amendment "A" (H-609) and moved its adoption.

House Amendment "A" (H-617) to Committee Amendment "A" (H-609) was read by the Clerk and adopted.

On motion of Representative Coles of Harpswell, tabled pending adoption of Committee Amendment "A" (H-609) as amended by House Amendment "A" (H-617) and later today assigned.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

PASSED TO BE ENGROSSED

As Amended

Bill "An Act to Exempt Gravel Pits with Less Than 5 Unreclaimed Acres from Regulation by the Department of Environmental Protection under the Site Location of Development Act" (H.P. 406) (L.D. 519) (C. "A" H-566)

Was reported by the Committee on Bills in the **Second Reading**, read the second time, Passed to be Engrossed as Amended, and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act Concerning the Operation of Agency Liquor Stores (S.P. 157) (L.D. 488) (Governor's Bill) (H. "B" H-522 to C. "A" S-243)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Enhance Voters' Rights in Budget Approval of School Districts (S.P. 252) (L.D. 771) (H. "A" H-519 to H. "A" H-489)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 101 voted in favor of the same and 5 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Promote Maximum Independence of Older People (H.P. 330) (L.D. 418) (C. "A" H-559)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being

an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Confirm when Site Location of Development Approval Is Unnecessary (H.P. 640) (L.D. 871) (C. "A" H-504)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Clarify Child Support Laws (H.P. 996) (L.D. 1337) (C. "A" H-510)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Emergency Measure

Later Today Assigned

An Act to Clarify the Powers and Duties of Municipal Officials of the New Town of Long Island (H.P. 1014) (L.D. 1360)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend Certain Motor Vehicle Laws (H.P. 1057) (L.D. 1409) (C. "A" H-506)

Was reported by the Committee on **Engrossed**

Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend Certain Laws Administered by the Department of Environmental Protection Governing Fees, Reconsiderations and Outside Permit Reviews (H.P. 1073) (L.D. 1439) (C. "A" H-536)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend Certain Laws Pertaining to the Department of Environmental Protection's Bureau of Hazardous Materials and Solid Waste Control (H.P. 1113) (L.D. 1509) (C. "A" H-572)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Emergency Mandate

(Reconsidered)

An Act to Implement the Constitutional Requirement for State Funding of Mandates Imposed on Local Units of Government (H.P. 574) (L.D. 779) (C. "A" H-530)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative Chonko of Topsham, under suspension of the rules, the House reconsidered its action whereby L.D. 779 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-530) was adopted.

The same Representative offered House Amendment

"A" (H-604) to Committee Amendment "A" (H-530) and moved its adoption.

House Amendment "A" (H-604) to Committee Amendment "A" (H-530) was read by the Clerk and adopted.

Committee Amendment "A" (H-530) as amended by House Amendment "A" (H-604) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-530) as amended by House Amendment "A" (H-604) thereto in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Mandate

An Act to Amend Laws Administered by the Maine State Retirement System (H.P. 922) (L.D. 1246) (C. "A" H-562)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of same and 1 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

FINALLY PASSED

Emergency Mandate

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Somerset County for the Year 1993 (H.P. 1145) (L.D. 1544)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of same and 2 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act Establishing an Indigent Defense Reimbursement Fund (S.P. 174) (L.D. 588) (H. "A" H-518 to C. "A" S-214)

An Act Regarding Medicaid Reimbursement for Counseling Services (H.P. 89) (L.D. 119) (C. "A" H-513)

An Act Regarding Dam Registration Fees (H.P. 173) (L.D. 225) (C. "A" H-505)

An Act Concerning the Structure of the State Court Library Committee and the System of State Law Libraries (H.P. 226) (L.D. 294) (C. "A" H-523)

An Act to Clarify the Maine Administrative

Procedure Act (H.P. 329) (L.D. 417) (C. "A" H-526)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Later Today Assigned

An Act Regarding Automobile Air Emission Standards (H.P. 561) (L.D. 758) (C. "A" H-533)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Reed.

Representative REED: Mr. Speaker, Ladies and Gentlemen of the House: As you may recall when this item was before us before, I raised the concern about the differential fines in the bill. I have requested an opinion from the Attorney General's Office which has not yet been forthcoming. I would appreciate it very much if there would be a member who would table this until later.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

An Act to Eliminate the Prescription Requirement for Hypodermic Syringes (H.P. 587) (L.D. 791) (H. "A" H-418 to C. "A" H-388 and H. "A" H-521)

An Act to Encourage Fair Medicare Payments to Hospitals and to Extend the Implementation Date for Certain Outpatient Revenue Limits (H.P. 602) (L.D. 817) (C. "A" H-514)

An Act Concerning Juvenile Offenders (H.P. 660) (L.D. 898) (C. "A" H-524)

An Act to Clarify the Laws Related to State Tax Increment Financing (H.P. 704) (L.D. 956) (C. "A" H-571)

An Act to Amend State Tax Increment Financing (H.P. 718) (L.D. 969) (C. "A" H-570)

An Act to Promote Proper Animal Health Care (H.P. 740) (L.D. 998) (H. "A" H-462 and H. "B" H-495)

An Act Concerning Rights and Privileges for Maine Veterans of the Persian Gulf War (H.P. 787) (L.D. 1060) (C. "A" H-515)

An Act Adopting the Uniform Management of Institutional Funds Act (H.P. 796) (L.D. 1082) (C. "A" H-509)

An Act Repealing Advisory Boards on Human Resources (H.P. 807) (L.D. 1093) (C. "A" H-560)

An Act to Promote Electronic Transfer of Funds

and Other Information System Improvements in State Government (H.P. 845) (L.D. 1150) (C. "A" H-512)

An Act to Increase the Availability of Funding for Health Care (H.P. 879) (L.D. 1193) (C. "A" H-561)

An Act to Amend the Laws Regarding Home Baby-sitting Services and to Provide Rules for Licensing Fees for Day Care Facilities, Nursery Schools and Home Baby-sitting Services (H.P. 890) (L.D. 1204) (C. "A" H-511)

An Act to Amend the Maine Tree Growth Tax Law and the Farm and Open Space Tax Laws (H.P. 907) (L.D. 1222) (C. "A" H-574)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Amend the State Finance Law in Relation to Purchases from Corporations Conducting Business in Northern Ireland (H.P. 931) (L.D. 1254) (C. "A" H-543)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Representative Bennett of Norway requested a roll call vote.

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. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 176

YEA - Adams, Ahearne, Aliberti, Beam, Bowers, Brennan, Cameron, Caron, Carroll, Cashman, Cathcart, Chase, Chonko, Clement, Cloutier, Clukey, Coles, Constantine, Cote, Daggett, Donnelly, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Fitzpatrick, Gamache, Gean, Gould, R. A.; Gray, Gwadosky, Hale, Hatch, Hichborn, Holt, Jacques, Jalbert, Johnson, Joseph, Kerr, Ketterer, Kneeland, Kontos, Kutasi, Larrivee, Lemke, Lemont, Libby James, Lipman, Martin, H.; Melendy, Michael, Mitchell, E.; Mitchell, J.; Morrison, Murphy, Nadeau, O'Gara, Oliver, Paradis, P.; Pinette, Pouliot, Rand, Richardson, Ricker, Robichaud, Rotondi, Rowe, Ruhlin, Rydell, Saint Onge, Simonds, Skoglund, Stevens, K.; Sullivan, Swazey, Tardy, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, Walker, Wentworth, Winn, The Speaker.

NAY - Aikman, Anderson, Ault, Bailey, R.; Barth, Bennett, Carleton, Carr, Coffman, Cross, Dexter, Farnum, Farren, Foss, Greenlaw, Heino, Hillock, Joy, Libby Jack, Lindahl, Look, Lord, MacBride, Marsh, Nash, Nickerson, Norton, Ott, Pendexter, Pfeiffer,

Plowman, Reed, G.; Reed, W.; Simoneau, Small, Spear, Stevens, A.; Taylor, Thompson, True, Tufts, Whitcomb, Zirkilton.

ABSENT - Bailey, H.; Birney, Bruno, Campbell, Clark, DiPietro, Heesch, Hoglund, Hussey, Kilkelly, Marshall, Michaud, Pendleton, Pineau, Plourde, Poulin, Saxl, Strout, Vigue, Young.

Yes, 88; No, 43; Absent, 20; Paired, 0; Excused, 0.

88 having voted in the affirmative and 43 in the negative with 20 being absent, L.D. 1254 was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter: An Act Regarding Automobile Air Emission Standards (H.P. 561) (L.D. 758) (C. "A" H-533) which was tabled earlier in the day and later today assigned pending passage to be enacted.

Subsequently, L.D. 758 was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act Regarding the Collection of Medical Payments for an Absent Parent When a Court Order Exists (H.P. 939) (L.D. 1268) (C. "A" H-508)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Later Today Assigned

An Act to Ensure Implementation of the Federal Clean Air Act Amendments of 1990 (H.P. 963) (L.D. 1294) (C. "A" H-534)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Jacques of Waterville, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

An Act to Allow for the Recall of Municipal Officials (H.P. 998) (L.D. 1339) (C. "A" H-527)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Strengthen the Enforcement of the Code

of Fair Practices (H.P. 1032) (L.D. 1384) (C. "A" H-507)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Kutasi.

Representative KUTASI: Mr. Speaker, Ladies and Gentlemen of the House: I just want to let you know what this bill does, it was brought to my attention a few days ago. The title sounds really nice, "An Act to Strengthen the Enforcement of the Code of Fair Practices."

What L.D. 1384 does is it requires contractors and subcontractors that do \$50,000 or more in business with the state to file an affirmative action plan with the state. Now, what is an affirmative action plan? Well, one of the prerequisites that I feel you should file a piece of legislation on is, is there a problem out there, do we have a problem with discrimination in this state? Well, there was a little survey done by an individual for me and it was found that in the court system the complaints against employers regarding discrimination amounts to less than 1/100th of a percent of all complaints filed against employers. That doesn't perceive to me that we have a problem in this state.

The other thing that this bill does — if you contract for \$50,000 or more business with this state, you have to file a plan. Now, \$50,000 is really not a very large contract with the State of Maine. A lot of businesses, large businesses, don't deal with the federal government because you have to have an affirmative action plan. We deal with a lot of small business in this state and, as a matter of fact, we contract with 950 contractors in this state and all of them will have to file a plan. It doesn't say in the bill whether we will take the federal plan if they have one, they have to file a plan for the state. So that means they will have to come up with two different plans if they have one with the federal government. Again, I say a lot of small businesses do not have affirmative action plans.

I took a walk down to the library today and saw what other states have or what other departments have in this state for affirmative action plans. You should take a walk down there yourself. These plans are 80 to 100 pages long about what they have, what positions they have and what minorities they have hired and females and handicapped individuals, what are the ratios, what are their plans to promote this and these are fairly lengthy plans and a lot of them call for having an affirmative action officer that the company has or the department has to keep updating the plan. In the amendment, it doesn't say whether that plan will be filed and reviewed. If this state had to review 950 plans — there is no fiscal note, it says it can be absorbed by the department. I can't believe the department can absorb companies filing 950 plans and then having to review these lengthy plans of 75 to 100 pages long that are probably developed by some lawyer and these companies having to spend money for an affirmative action individual, when again, I say there is no problem in this state. It is less than 1/100th of a percent the complaints against employers for discrimination.

In current law, in 1992 contractors were required not to discriminate and to indicate their equal

employment opportunities in advertisements, solicitation for workers and to require subcontractors to also comply with these conditions. In 1992, the law required contractors and subcontractors to pursue in good faith affirmative action programs — does not require an elaborate written document.

Again, federal law requires this but the state says — it doesn't make clear whether we will take the federal affirmative action plan and, again, the \$50,000. Again I say \$50,000 is not a lot of money, that could be some excavation company doing a little bit of road work, maybe a small excavation company with four or five people having to have an affirmative action program. It could be a small company that plows a few roads for the state employing four or five people and have to have an affirmative action program if they do \$50,000 worth of business.

Do you think those people are going to be doing business with the state if they have to have this plan? They probably can't afford to make the plan. They will probably say we can't do business with the state anymore, so that means we are only going to give business to large contractors. Take the little guy out of the loop, and we hurt our small businesses again. We can't afford to hurt our small businesses in this state anymore.

I think we have good laws on the books, we are making sure they are equal opportunity employers. We have the court system to find out if there is any discrimination — less than 1/100th of a percent the complaints are for discrimination against employers.

We have a law to make sure employers in good faith have a plan. If they can afford it, they will. If they can't — they cannot if they are too small. Some people have federal plans that we don't even want to look at.

Mr. Speaker, I move that this Bill and all its accompanying papers be indefinitely postponed. I request a roll call.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Farnsworth.

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: I appreciate the concerns expressed just now about this bill. I would say all of those concerns were things that we discussed in the Judiciary Committee. In fact, I think we did do some checking on the need for this bill and the reason that the Judiciary Committee decided that this bill was important and that it was not overly burdensome is that, first of all, over 50 percent of the complaints at the Human Rights Commission are against businesses doing business with the state. I think that the statistics cited by Representative Kutasi are not necessarily contradictory to that because he is talking about the cases that get to Superior Court or get to court. The whole function of the Human Rights Commission is to resolve things before they get to court.

So, I think that the concern we had, which was raised by Representative Townsend from Portland who introduced the bill, were to help those businesses who are doing business with the state by having them pay a little more attention to affirmative action before they get into trouble than afterwards.

Secondly, I believe that the requirement that they have an affirmative action plan is already in the law and all this is doing is asking them to file

a copy with the state's Affirmative Action Officer and again that is because we were clearly under the impression that there is a problem with businesses doing business with the state.

So, I would urge you to defeat the pending motion to indefinitely postpone this bill and all its accompanying papers because passing this bill is in the interest of small businesses because it is in the interest of this state. When we spend \$50,000 on a small business, I think we have a right and obligation to help them and ensure that they understand what the law is and that they are in compliance with it. I would urge you to vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: I would just like to clear up a little of the confusion you may be experiencing with this bill. In my mind, it is not a controversial bill at all. As a matter of fact, when I brought out the amendment, which you now see, H-507, two of the people who had previously opposed it, lost interest. So, I don't view it as being that controversial. It is certainly not anti-business.

It extends the current code of fair practice which already requires businesses to have in good faith an affirmative action plan. What it now asks is for you to show us that piece of paper and that is why two of the three opponents lost interest. They said, fine, we have that, that is no problem.

What it will do is that it will help people go through that thought process. Gee, could I hire someone who is now on AFDC? Could I make room in my business for someone who is in a wheelchair? It is not a difficult process to go through at all.

To answer Representative Kutasi's concern, if you have a plan already that you are fulfilling through your federal contract, fine, no problem, we will file it, that is not a problem at all.

I would just like to repeat what Representative Farnsworth pointed out which is that 50 percent of the complaints which come to the Maine Human Rights Commission are filed about businesses which have a contract with the state. I think that is a very high number. It seems to me that the state should put its money where its mouth is. We have laws enacted which say we do not discriminate, we should spend our money with businesses who do not discriminate.

As far as the study and why it has no fiscal note, all that is required is that the Affirmative Action Officer of the state will do a very, very brief overview of the plans that come in, put them in two piles, review them at the end of a year, and a report will go back to the Judiciary Committee. It is simply not that controversial an issue. In fact, there was only one member of the Judiciary Committee who opposed it.

I would urge you to vote against the pending motion and support this bill.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Carr.

Representative CARR: Mr. Speaker, Ladies and Gentlemen of the House: I strongly urge you to vote against this bill and vote for the indefinite postponement. As a Human Resource practitioner and having been one for over 30 years, I recognize the diligent effort that has to go into preparing an affirmative action program that would be subject to scrutiny and audit, to do a work force analysis,

utilization report, work force identification, goals and timetables and have to have your work force ads, help wanted, your postings and everything to conform with this for a small businessman adds an artificial, additional effort on his or her behalf in order to do business. Hardly worth the effort in many instances.

I would strongly urge that you vote to indefinitely postpone this.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Cote.

Representative COTE: Mr. Speaker, Men and Women of the House: I would request that the Committee Report be read.

Subsequently, the Committee Report was read by the Clerk in its entirety.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: I apologize for rising again. I would just like to respond to Representative Carr's concern and say that the bill does not lay out what that affirmative action program needs to look like. There is no set format for you to follow. If you would like to draw one up on a kitchen napkin, that is fine too. In fact, that is part of the purpose of the bill is to see what exists out there, so it need not be a troublesome and expensive process.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Kutasi.

Representative KUTASI: Mr. Speaker, Men and Women of the House: I just wanted to respond to a few things that were said on the floor. The Maine Human Rights Commission — again I think Representative Farnsworth said it right that those don't go to court. If you look at the court, there is less than 1/100th of a percent of cases against discrimination and the Maine Human Rights commission does solve a lot of these cases.

The fact is, if a business develops an affirmative action plan, it is going to come to the state, we are going to file it and it is going to get shelved collecting dust. Are we going to hire people to make sure that these 950 employers of this state are there following up on their affirmative action plan? Ladies and gentlemen, I doubt that will happen.

It will feel good to vote for this bill. This feels nice, oh, great, we are going to get our businesses to be affirmative action people and they are going to file these plans and we are going to make sure that they follow up on these plans. The odds of that happening are slim to none. We are going to shelve them and they are going to collect dust and nothing is going to happen until there is some kind of case that comes up and says, well, what was your affirmative action plan? Who is going to update these plans? No one is, we can't afford to do that in this state. 950 contractors that we are dealing with, some of them are small and some of them won't be able to afford to do an affirmative action program.

Like Representative Carr said, these things can be quite lengthy, there are goals that have to be set. I urge you to go down to the library and look at the plans that the departments and the state have submitted, they are fairly lengthy, comprehensive and they will need full-time people here to make sure that they are followed up on. We can't afford to do that and the state will be looking over the shoulders of 950 businesses. Some of these businesses can't afford to have affirmative action people hired to

keep following up their plan. I urge you to endorse this motion of indefinite postponement.

The SPEAKER: The Chair recognizes the Representative from Sanford, Carr.

Representative CARR: Mr. Speaker, Ladies and Gentlemen of the House: An affirmative action program has a very definite and lengthy prescription to it which must be followed on the federal level. I would assume that it would be the same on any other level. Other than that, I would write out 950 kitchen napkins and give them to the small businesses.

Included in the affirmative action programs, as I specifically stipulated after analyzing your current utilization work force, analyzing it with your area labor market as to where you stand within the minority and female hiring and handicapped also if that is included, although ADA does not call for affirmative action. It would also specifically indicate what your goals and what your timetables are in order to meet the area — have your labor force representative of what your area labor market is. And, in spelling out your goals and timetables, you must indicate also in there what actions you have taken in your hiring and promotion practices to meet these goals and timetables and this is subject to scrutiny and audit, fines and penalties under the federal level, and I am sure the state would soon follow if you did not follow through with your goals and timetables.

Because it is 950 small business people involved in this who have not got the time nor the expertise in order to do this and we might lose good possible contractors for the state or add additional expenses through consulting fees inject the prices that the state must pay in order to get contracting services — again, I think this is needless and unnecessary legislation.

Representative Townsend of Portland was granted permission to address the House a third time.

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: One final note, no arm twisting is going to take place as a result of this bill, merely the Affirmative Action Officer of the state will review what comes in and a study will be done.

I also just want to point out that the Department of Transportation is already doing this. They have been doing this for quite some time now, it is not a threatening bill.

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 the motion of Representative Kutasi of Bridgton that L.D. 1384 and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 177

YEA - Ahearne, Aikman, Anderson, Ault, Bailey, H.; Bailey, R.; Barth, Bennett, Birney, Bruno, Cameron, Carleton, Carr, Cloutier, Clukey, Coffman, Cross, Dexter, Donnelly, Farnum, Farren, Foss, Gamache, Gould, R. A.; Greenlaw, Heino, Hillock, Joy,

Kerr, Kneeland, Kutasi, Lemont, Libby Jack, Libby James, Lindahl, Look, Lord, MacBride, Marsh, Marshall, Michael, Morrison, Murphy, Nash, Nickerson, Norton, Pendexter, Pouliot, Reed, G.; Reed, W.; Robichaud, Simoneau, Skoglund, Small, Spear, Stevens, A.; Tardy, Taylor, Thompson, True, Tufts, Vigue, Whitcomb, Zirkilton.

NAY - Adams, Aliberti, Beam, Bowers, Brennan, Carroll, Cashman, Cathcart, Chase, Chonko, Clement, Coles, Constantine, Cote, Daggett, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Fitzpatrick, Gean, Gray, Gwadosky, Hale, Hatch, Hichborn, Holt, Jacques, Jalbert, Johnson, Joseph, Ketterer, Kil Kelly, Larrivee, Lemke, Lipman, Martin, H.; Mitchell, E.; Mitchell, J.; Nadeau, Oliver, Ott, Paradis, P.; Pfeiffer, Pineau, Pinette, Plowman, Rand, Richardson, Ricker, Rotondi, Rowe, Ruhlin, Rydell, Saint Onge, Simonds, Stevens, K.; Sullivan, Swazey, Townsend, E.; Townsend, L.; Tracy, Treat, Walker, Wentworth, Winn, The Speaker.

ABSENT - Campbell, Caron, Clark, DiPietro, Heeschen, Hoglund, Hussey, Kontos, Melendy, Michaud, O'Gara, Pendleton, Plourde, Poulin, Saxl, Strout, Townsend, G.; Young.

Yes, 64; No, 69; Absent, 18; Paired, 0; Excused, 0.

64 having voted in the affirmative and 69 in the negative with 18 being absent, the motion did not prevail.

Subsequently, L.D. 1384 was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

(Reconsidered)

An Act to Strengthen the Public Disclosure of Lobbying Activities (H.P. 1038) (L.D. 1390) (C. "A" H-528)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Joseph of Waterville, under suspension of the rules, the House reconsidered its action whereby L.D. 1390 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-528) was adopted.

The same Representative offered House Amendment "A" (H-593) to Committee Amendment "A" (H-528) and moved its adoption.

House Amendment "A" (H-593) to Committee Amendment "A" (H-528) was read by the Clerk and adopted.

Committee Amendment "A" (H-528) as amended by House Amendment "A" (H-593) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-528) as amended by House Amendment "A" (H-593) thereto in non-concurrence and sent up for concurrence.

ENACTOR

Later Today Assigned

An Act to Provide Access to Landlocked Property (H.P. 1051) (L.D. 1403) (C. "A" H-529)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Paradis of Augusta, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

An Act to Amend Statutory Provisions Regarding Risk Management Funds (H.P. 1086) (L.D. 1465) (Governor's Bill) (C. "A" H-553)

An Act to Place Appropriate Citations to Various Boards and Commissions within the Maine Revised Statutes, Title 5, Sections 12004-A to 12004-L (H.P. 1089) (L.D. 1468) (C. "A" H-481 and H. "A" H-549)

An Act to Require Immediate Income Withholding for All Child Support Orders (H.P. 1098) (L.D. 1485) (Governor's Bill) (C. "A" H-531)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Later Today Assigned

An Act Related to the Site Location of Development Laws (H.P. 1105) (L.D. 1492) (C. "A" H-532)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

An Act Regarding Welfare Reform (H.P. 1118) (L.D. 1513) (C. "A" H-564)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Later Today Assigned

An Act to Establish the Maine Youth Apprenticeship Program (H.P. 1136) (L.D. 1536) (Governor's Bill) (C. "A" H-547)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative Paradis of Augusta, tabled pending passage to be enacted and later today assigned.

ENACTOR

Later Today Assigned

An Act Concerning Stalking (H.P. 1147) (L.D. 1546)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative Paradis of Augusta, tabled pending passage to be enacted and later today assigned.

FINALLY PASSED

Resolve, to Authorize Bonding by the Maine Court Facilities Authority (S.P. 493) (L.D. 1504) (C. "A" S-251)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

On motion of Representative Coles of Harpswell, the House reconsidered its action whereby Bill "An Act to Exempt Gravel Pits with Less Than 5 Unreclaimed Acres from Regulation by the Department of Environmental Protection under the Site Location of Development Act" (H.P. 406) (L.D. 519) (C. "A" H-566) was passed to be engrossed.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (H-566) was adopted.

The same Representative offered House Amendment "C" (H-626) to Committee Amendment "A" (H-566) and moved its adoption.

House Amendment "C" (H-626) to Committee Amendment "A" (H-566) was read by the Clerk and adopted.

Committee Amendment "A" (H-566) as amended by House Amendment "C" (H-626) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-566) as amended by House Amendment "C" (H-626) thereto in non-concurrence and sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The Chair laid before the House the following

matter: An Act to Establish the Maine Youth Apprenticeship Program (H.P. 1136) (L.D. 1536) (Governor's Bill) (C. "A" H-547) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Mitchell of Vassalboro, under suspension of the rules, the House reconsidered its action whereby L.D. 1536 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-547) was adopted.

The same Representative offered House Amendment "A" (H-620) to Committee Amendment "A" (H-547) and moved its adoption.

House Amendment "A" (H-620) to Committee Amendment "A" (H-547) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Men and Women of the House: By word of explanation, this is a technical amendment that would clarify that the Skills Standards Board for the Youth Apprenticeship Program is advisory in nature only.

Subsequently, House Amendment "A" (H-620) to Committee Amendment "A" (H-547) was adopted.

Committee Amendment "A" (H-547) as amended by House Amendment "A" (H-620) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-547) as amended by House Amendment "A" (H-620) thereto in non-concurrence and sent up for concurrence.

The Chair laid before the House the following matter: (HLS 476) by Representative BENNETT of Norway. (Cosponsor: Senator HANLEY of Oxford) Recognizing: James Horowitz, president of Oxford Aviation Inc. and manager of the Oxford County Regional Airport, who has been named Maine's 1993 Small Business Person of the Year by the Small Business Administration for his accomplishments and contributions to the local community, which was tabled earlier in the day and later today assigned pending passage.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Bennett.

Representative BENNETT: Mr. Speaker, Friends and Colleagues of the House: Those of you who were members of the 115th Legislature may remember a bill which I sponsored that allowed Oxford County to bond in order to build a new specialized hanger at the Oxford County Airport. The new hanger, thanks in part to the actions of the legislature, was built, a state-of-the-art, high technology aircraft painting and furnishing facility that allowed a fledgling two-year old company called Oxford Aviation and its president, Jim Horowitz, the opportunity to expand their operations and hire 12 new workers.

When Jim Horowitz became the fixed base operator at the airport in Oxford, Oxford Aviation had only one employee. Two years later, the business had 12 employees and a growing national reputation for exceptional quality in craftsmanship. Now, two years later, the business has 28 employees and enduring

national reputation and respect in the industry, a healthy backlog of business and plans to expand again to build another facility that will double the company's work force to 60.

Jim Horowitz, who is with us in the gallery today has recently been honored as the Small Business Person of the Year, 1993 by the US-SBA. Jim's story, despite his unusual success, is not unlike that of many other small business people struggling in the thousands of shops across this state. His energy, enthusiasm and positive entrepreneurial drive has carried his company over many obstacles and through many difficulties. Jim Horowitz has found assistance and adversity from government as well. He has received assistance not only from the legislature but also from the Governor's contingency account, (which allowed him some training funds) the DOT, the FAA, the Federal EDA, Oxford County and the Department of Economic and Community Development.

Unfortunately, he has encountered adversity from the State DEP, from unwarranted harassment and unsubstantiated charges from enforcement officers, through arrogance and apathy from the Commissioner's office, Jim's travails with the DEP have been too typical. Despite it all, Jim is with us today, a symbol of all the small business pioneers struggling at the frontiers of the free market system furthering the American dream.

It is an honor, Mr. Speaker, and a privilege to recognize him today.

Subsequently, HLS 476 was passed and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 2 were taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 529)

ORDERED, the House concurring, that Bill "An Act to Provide Consistency in the Animal Welfare Laws" S.P. 345, L.D. 1040, and all its accompanying papers, be recalled from the Engrossing Department to the Senate.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Ought to Pass as Amended

Report of the Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (S-291) on Resolve, to Transfer the Responsibilities of the Division for the Blind and Visually Impaired from the Department of Human Services to the Department of Education (EMERGENCY) (S.P. 487) (L.D. 1498) (Governor's Bill)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-291) as amended

by Senate Amendment "A" (S-300) thereto.

Report was read and accepted, The Bill read once.

Committee Amendment "A" (S-291) was read by the Clerk.

Senate Amendment "A" (S-300) to Committee Amendment "A" (S-291) was read by the Clerk and adopted.

Committee Amendment "A" (S-291) as amended by Senate Amendment "A" (S-300) thereto was adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" (S-291) as amended by Senate Amendment "A" (S-300) thereto in concurrence.

Non-Concurrent Matter

Bill "An Act Establishing the Maine Community Reinvestment Program" (H.P. 590) (L.D. 794) on which the Majority "Ought Not to Pass" Report of the Committee on Banking and Insurance was read and accepted in the House on June 4, 1993.

Came from the Senate with the Minority "Ought to Pass" as amended Report of the Committee on Banking and Insurance read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-540) in non-concurrence.

On motion of Representative Pineau of Jay, the House voted to Insist and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act to Amend the Laws Governing Legislative Ethics" (S.P. 321) (L.D. 974) on which the Majority "Ought Not to Pass" Report of the Committee on State and Local Government was read and accepted in the House on June 4, 1993.

Came from the Senate with that Body having adhered to its former action whereby the Minority "Ought to Pass" as amended Report of the Committee on State and Local Government was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-271) in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Amend Certain Laws Governing Solid Waste Management" (H.P. 966) (L.D. 1297) which was passed to be engrossed as amended by Committee Amendment "A" (H-535) as amended by House Amendment "A" (H-575) thereto in the House on June 4, 1993.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-535) in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Amend the Enforcement Provisions of the Bureau of Taxation" (H.P. 844) (L.D. 1149) on which the Minority "Ought to Pass" as amended by Committee Amendment "B" (H-612) Report of the Committee on Taxation was read and accepted and the Bill was passed to be engrossed as amended by Committee Amendment "B" (H-612) in the House on June 4, 1993.

Came from the Senate with the Majority "Ought to Pass" as amended as amended by Committee Amendment "A" (H-611) Report of the Committee on Taxation read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-611) in non-concurrence.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Simoneau.

Representative SIMONEAU: Mr. Speaker, I move that the House recede and concur.

Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. We are revisiting the suspension of licenses. I want to thank you for your support last Friday. The Majority "Ought to Pass" Report that you rejected last Friday was a compromise with the Bureau of Taxation, it sort of pulled a few teeth. The Minority Report gave them a set of new dentures.

You sent a message to the Bureau that was loud and clear and that message was very simply this, moderate their enforcement procedures or they will be revisited with an attempt to repeal this provision.

One of the requirements that they have to do to comply with the Majority "Ought to Pass" Report is present a report to the 117th Legislature on what they have accomplished by being able to continue to revoke licenses. The Majority "Ought to Pass" Report does provide for provisional licensing.

I feel by receding and concurring that what we are doing is we are ending up with a half of a loaf as opposed to no loaf. So, I would ask you to vote for the compromise and vote to recede and concur.

Subsequently, the House voted to recede and concur.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

Non-Concurrent Matter

Bill "An Act to Amend the Motor Vehicle Emission Inspection Program" (H.P. 1005) (L.D. 1351) (H. "A" H-580 and H. "B" H-583 to C. "A" H-537)

- In House, Passed to be Engrossed as amended by Committee Amendment "A" (H-537) as amended by House Amendment "A" (H-580) and House Amendment "B" (H-583) thereto on June 3, 1993.

- In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-537) as amended by House Amendment "A" (H-580) and House Amendment "B" (H-583)

thereto on June 3, 1993 in concurrence.
- Recalled from Engrossing Department pursuant to Joint Order (S.P. 528)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-537) as amended by House Amendment "B" (H-583) and Senate Amendment "A" (S-301) thereto in non-concurrence.

On motion of Representative Gwadosky of Fairfield, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Centralize Licensing for Retail Businesses" (H.P. 399) (L.D. 512) on which the Majority "Ought to Pass" as amended Report of the Committee on Business Legislation was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-367) as amended by House Amendment "A" (H-408) thereto in the House on June 4, 1993.

Came from the Senate with the Bill and accompanying papers recommitted to the Committee on Business Legislation in non-concurrence.

On motion of Representative Gwadosky of Fairfield, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Amend the Law Pertaining to the Limitations on Simulcasting" (H.P. 691) (L.D. 932) which was passed to be engrossed as amended by Committee Amendment "A" (H-556) in the House on June 4, 1993.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-556) as amended by Senate Amendment "A" (S-299) thereto in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of the Attorney General (H.P. 960) (L.D. 1291) on which the Majority "Ought to Pass" as amended Report of the Committee on State and Local Government was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-432) in the House June 4, 1993.

Came from the Senate with the Minority "Ought Not to Pass" Report of the Committee on State and Local Government read and accepted in non-concurrence.

The House voted to Insist.

REPORTS OF COMMITTEES

Ought to Pass Pursuant to Joint Order (H.P. 1152)

Representative CHONKO from the Committee on Appropriations and Financial Affairs on Bill "An Act Regarding Tax Anticipation Notes for Fiscal Year 1993-94" (EMERGENCY) (H.P. 1156) (L.D. 1555) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1152)

Report was read and accepted, the bill read once. Under suspension of the rules, the bill was read a second time, passed to be engrossed and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Require an Employer Majority on the Board of Governors of the Workers' Compensation Residual Market Mechanism (H.P. 292) (L.D. 379) (S. "B" S-288 to C. "A" H-304)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Correct Errors and Inconsistencies in the Laws of Maine (S.P. 434) (L.D. 1344) (C. "A" S-258)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Establish Minimum Regulatory Standards for Insurers to Permit the Bureau of Insurance to Seek National Accreditation (S.P. 472) (L.D. 1464) (C. "A" S-275)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the

members elected to the House being necessary, a total was taken. 105 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Increase Tourism Visits and Tourism Revenues for the State (S.P. 480) (L.D. 1478) (Governor's Bill) (S. "A" S-247 to C. "A" S-198)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 10 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Provide Property Tax Adjustments Necessary for the Town of Portage Lake (H.P. 972) (L.D. 1303) (C. "A" H-569)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 106 voted in favor of the same and 2 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act Amending the Charter of the Brewer Water District (H.P. 615) (L.D. 830) (C. "A" H-250; S. "A" S-177; and H. "B" H-555)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Expand the Duties of the Judicial Council to Include Implementing the Recommendations of the Commission to Study the Future of Maine's Courts and to Implement Certain Other Recommendations of the Commission (H.P. 1154) (L.D. 1553)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Representative Cote of Auburn, the House reconsidered its action whereby An Act to Expand the Duties of the Judicial Council to Include Implementing the Recommendations of the Commission to Study the Future of Maine's Courts and to Implement Certain Other Recommendations of the Commission (H.P. 1154) (L.D. 1553) was passed to be enacted.

On further motion of the same Representative, the House reconsidered its action whereby L.D. 1553 was passed to be engrossed.

The same Representative offered House Amendment "A" (H-621) and moved its adoption.

House Amendment "A" (H-621) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-621) in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Mandate

An Act to Establish a Development Authority for Loring Air Force Base (H.P. 1137) (L.D. 1537) (Governor's Bill) (C. "A" H-579)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of same and 1 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon requiring Senate Concurrence were ordered sent forthwith to the Senate.

ENACTOR

(Reconsidered)

An Act to Establish the Maine Environmental Trust Fund Commemorative Motor Vehicle Plate (S.P. 222) (L.D. 693) (S. "A" S-286 to C. "A" S-274)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Kerr of Old Orchard Beach, the House reconsidered its action whereby L.D. 693 was passed to be engrossed.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (S-274) as amended by Senate Amendment "A" (S-286) thereto was adopted.

On further motion of the same Representative, the House reconsidered its action whereby Senate Amendment "A" (S-286) to Committee Amendment "A" (S-274) was adopted.

On further motion of the same Representative, Senate Amendment "A" (S-286) was indefinitely postponed.

The same Representative offered House Amendment "B" (H-623) to Committee Amendment "A" (S-274) and moved its adoption.

House Amendment "B" (H-623) to Committee Amendment "A" (S-274) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Mr. Speaker, Men and Women of the House: I would like to take a second or two just to let everyone know what this amendment does.

The original amendment that was adopted by this body distributed the money that would be used from this environmental license plate, 50 percent going to the Department of Transportation. This bill does not touch any of those dollars. The other four pieces of this legislation was split up with 10 percent going to the Parks, Capitol Improvement Fund. With this amendment, 60 percent of those dollars that will be generated will go to the Maine State Improvement Fund. Those dollars will be able to be used for the preservation, maintenance and operation of existing parks and historic sites. The other 40 percent will go towards the Non-wildlife Fund which was established in Section 7757. The other 14 percent that was originally scheduled to go to the Natural Areas Conservation Fund will not be going there. The fourth item was 50 percent (from the previous amendment) and would be going to grants to non-profit organizations and municipalities for the purchasing of new land.

With the budget crunch that we are facing, I felt that it was imperative that since we are going to be spending more money on tourism that the most prudent thing to do was take care of the lands that now exist. That is why the 60 percent would be going to those lands which will probably generate in the area of \$660,000 towards this biennium.

I would urge you to support this amendment.

Representative Zirnkilton of Mount Desert requested a roll call vote.

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 adoption of House Amendment "B" (H-623) to Committee Amendment "A" (S-274). Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 178

YEA - Adams, Ahearne, Anderson, Bailey, H.; Bailey, R.; Barth, Beam, Bowers, Brennan, Bruno,

Cameron, Campbell, Carleton, Caron, Carr, Carroll, Cashman, Cathcart, Chase, Chonko, Clement, Cloutier, Clukey, Coles, Constantine, Cote, Cross, Donnelly, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Farnum, Farren, Fitzpatrick, Foss, Gamache, Gean, Gould, R. A.; Gray, Greenlaw, Gwadosky, Hale, Hatch, Heino, Hichborn, Hillock, Holt, Jacques, Jalbert, Johnson, Joseph, Kerr, Ketterer, Kilkelly, Kneeland, Kontos, Kutasi, Larrivee, Lemke, Lemont, Libby Jack, Libby James, Lindahl, Lipman, Look, Lord, MacBride, Marsh, Marshall, Martin, H.; Melendy, Michael, Michaud, Mitchell, E.; Mitchell, J.; Morrison, Murphy, Nadeau, Nash, Norton, O'Gara, Oliver, Ott, Paradis, P.; Pendexter, Pfeiffer, Pineau, Pinette, Plowman, Pouliot, Rand, Reed, G.; Reed, W.; Ricker, Robichaud, Rotondi, Rowe, Ruhlin, Rydell, Saint Onge, Simonds, Simoneau, Skoglund, Small, Spear, Stevens, A.; Stevens, K.; Sullivan, Swazey, Tardy, Taylor, Thompson, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Tufts, Vigue, Wentworth, Whitcomb, Winn, Young, The Speaker.

NAY - Aikman, Aliberti, Ault, Bennett, Birney, Joy, Nickerson, Richardson, Walker, Zirkilton.

ABSENT - Clark, Coffman, Daggett, Dexter, DiPietro, Heeschen, Hoglund, Hussey, Pendleton, Plourde, Poulin, Saxl, Strout.

Yes, 128; No, 10; Absent, 13; Paired, 0; Excused, 0.

128 having voted in the affirmative and 10 in the negative with 13 being absent, House Amendment "B" (H-623) to Committee Amendment "A" (S-274) was adopted.

Representative Donnelly of Presque Isle offered House Amendment "A" (H-606) to Committee Amendment "A" (S-274) and moved its adoption.

House Amendment "A" (H-606) to Committee Amendment "A" (S-274) was read by the Clerk and adopted.

Committee Amendment "A" (S-274) as amended by House Amendments "A" (H-606) and "B" (H-623) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (S-274) as amended by House Amendments "A" (H-606) and "B" (H-623) thereto in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

An Act to Amend the Maine Civil Rights Act Regarding Violations of Constitutional Rights (S.P. 425) (L.D. 1334) (C. "A" S-218 and S. "A" S-264)

An Act to Amend the Laws Regarding Health Insurance and Health Care Services (S.P. 525) (L.D. 1548)

An Act Repealing Advisory Boards on Housing and Economic Development Matters (H.P. 806) (L.D. 1092) (S. "B" S-281 to C. "A" H-473)

An Act to Amend the Laws Governing the Committee to Advise the Department of Human Services on AIDS (S.P. 451) (L.D. 1418) (H. "A" H-595 to C. "A" S-254)

An Act to Regulate the Use of the Title of Certified Interior Designer (S.P. 467) (L.D. 1459) (H. "A" H-605 to C. "A" S-265)

An Act Repealing Advisory Boards on State and Local Government Matters (H.P. 810) (L.D. 1096) (C. "A" H-483 and H. "A" H-550)

An Act to Amend the Group Life Insurance Laws Administered by the Maine State Retirement System (H.P. 871) (L.D. 1180) (S. "A" S-279)

An Act to Clarify the Laws Pertaining to Mortgages and the Laws Pertaining to Taxation of Real Estate Transfers (H.P. 934) (L.D. 1257) (C. "A" H-485 and H. "A" H-596)

An Act Concerning Reasonable Standards and Procedures for Contracting Services by the State (H.P. 1036) (L.D. 1388) (C. "A" H-545)

An Act to Clarify Statutory Provisions Related to Juveniles (H.P. 1103) (L.D. 1490) (C. "A" H-578)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The Chair laid before the House the following item: (H.P. 1141) (L.D. 1541) Bill "An Act Authorizing a Referendum to Ratify the Texas Low-Level Radioactive Waste Disposal Compact with Maine and Vermont and Approving the Compact's Terms" (EMERGENCY) (Governor's Bill) (C. "A" H-609) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "A" (H-609) as amended by House Amendment "A" (H-617) thereto.

Representative Coles of Harpswell offered House Amendment "B" (H-627) to Committee Amendment "A" (H-609) and moved its adoption.

House Amendment "B" (H-627) to Committee Amendment "A" (H-609) was read by the Clerk and adopted.

Committee Amendment "A" (H-609) as amended by House Amendments "A" (H-617) and "B" (H-627) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-609) as amended by House Amendment "A" (H-617) and "B" (H-627) thereto and sent up for concurrence.

The Chair laid before the House the following matter: An Act to Clarify the Powers and Duties of Municipal Officials of the New Town of Long Island (H.P. 1014) (L.D. 1360) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Joseph of Waterville, under suspension of the rules, the House reconsidered its action whereby L.D. 1360 was passed to be engrossed.

The same Representative offered House Amendment "A" (H-624) and moved its adoption.

House Amendment "A" (H-624) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-624) in non-concurrence and sent up for concurrence.

ORDERS OF THE DAY

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, June 4, 1993, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first item of Unfinished Business:

SENATE DIVIDED REPORT - Majority (10) "Ought to Pass" as amended by Committee Amendment "A" (S-272) - Minority (3) "Ought Not to Pass" - Committee on Taxation on Bill "An Act Related to the State Valuation of the Town of Mexico" (EMERGENCY) (S.P. 432) (L.D. 1342)

- In Senate, Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-272)

TABLED - June 4, 1993 (Till Later Today) by Representative ZIRNKILTON of Mount Desert.

PENDING - Motion of Representative HOGLUND of Portland to accept the Majority "Ought to Pass" as amended Report.

Subsequently, the Majority "Ought to Pass" as amended Report was accepted, the Bill read once.

Committee Amendment "A" (S-272) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" (S-272) in concurrence.

The Chair laid before the House the second item of Unfinished Business:

HOUSE DIVIDED REPORT - Majority (8) "Ought Not to Pass" - Minority (5) "Ought to Pass" as amended by Committee Amendment "A" (H-587) - Committee on Legal Affairs on Bill "An Act to Restrict Private Political Campaign Contributions in State Elections" (H.P. 1085) (L.D. 1451)

TABLED - June 4, 1993 (Till Later Today) by Representative DAGGETT of Augusta.

PENDING - Motion of same Representative to accept the Majority "Ought Not to Pass" Report.

On motion of Representative Gwadosky of Fairfield, retabled pending the motion of Representative Daggett of Augusta that the House accept the Majority "Ought Not to Pass" Report and later today assigned.

The Chair laid before the House the third item of Unfinished Business:

An Act to Clarify the Process for a Direct Initiative of Legislation and to Simplify Questions Presented to the Voters at a Referendum (H.P. 1101) (L.D. 1488) (C. "A" H-497)

TABLED - June 4, 1993 (Till Later Today) by Representative GWADOSKY of Fairfield.

PENDING - Passage to be Enacted.

Subsequently, L.D. 1488 was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the fourth item of Unfinished Business:

Bill "An Act to Amend the Occupational Disease Law" (S.P. 216) (L.D. 687) (H. "A" H-365)

TABLED - June 4, 1993 (Till Later Today) by Representative RUHLIN of Brewer.

PENDING - Adoption of House Amendment "B" (H-603) to Committee Amendment "A" (S-92).

On motion of Representative Ruhlin of Brewer, House Amendment "B" (H-603) to Committee Amendment "A" (S-92) was indefinitely postponed.

The same Representative offered House Amendment "C" (H-616) to Committee Amendment "A" (S-92) and moved its adoption.

House Amendment "C" (H-616) to Committee Amendment "A" (S-92) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Ruhlin.

Representative RUHLIN: Mr. Speaker, Men and Women of the House: What we have just done with House Amendment "B" is we tried to word this bill in a particular way because the people in fiscal review looked at it and thought that we were creating a new mandate when in fact they were doing wordsmithing by taking the previous section 609 and continuing that wording into the new section 609A.

So, rather than get too involved in the technicalities, what we are now proposing to do is clarify that we are not adding any new mandates to communities or anything else and scratching out that language that they found confusing. We hope that they will find better wordsmithing and that, therefore, removes any mandate.

Subsequently, House Amendment "C" (H-616) to Committee Amendment "A" (S-92) was adopted.

Committee Amendment "A" (S-92) as amended by House Amendment "C" (H-616) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (S-92) as amended by House Amendment "C" (H-616) thereto in non-concurrence and sent up for concurrence.

The Chair laid before the House the fifth item of Unfinished Business:

An Act to Facilitate the Assessment and Collection of Municipal Property Taxes (S.P. 402) (L.D. 1233) (C. "A" S-242)

TABLED - June 4, 1993 (Till Later Today) by

Representative GWADOSKY of Fairfield.
PENDING - Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and later today assigned.

The Chair laid before the House the sixth item of Unfinished Business:

An Act to Reform and Reestablish the Commission on Governmental Ethics and Election Practices (S.P. 225) (L.D. 696) (C. "A" S-168)
TABLED - June 4, 1993 (Till Later Today) by Representative GWADOSKY of Fairfield.
PENDING - Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and later today assigned.

The Chair laid before the House the seventh item of Unfinished Business:

Bill "An Act to Expedite Maintenance of Utility Facilities" (S.P. 346) (L.D. 1041) (C. "A" S-250)
TABLED - June 4, 1993 (Till Later Today) by Representative ADAMS of Portland.
PENDING - Passage to be Engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the eighth item of Unfinished Business:

HOUSE DIVIDED REPORT - Majority (7) "Ought to Pass" as amended by Committee Amendment "A" (H-546) - Minority (6) "Ought Not to Pass" - Committee on State and Local Government on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative (H.P. 994) (L.D. 1336)
TABLED - June 4, 1993 (Till Later Today) by Representative JOSEPH of Waterville.
PENDING - Motion of same Representative to accept the Minority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Michael.

Representative MICHAEL: Mr. Speaker, Ladies and Gentlemen of the House: I hope that the House does not accept the Minority "Ought Not to Pass" Report and instead allows the passage of the Majority "Ought to Pass" Report.

This is a people's bill, if I ever saw a people's bill. What this bill does is it allows the public some access into the process of initiating constitutional amendments. The way it is now, the only group that can initiate, that is, can begin the process of amending the constitution as a legislature and how that happens, as you probably know, is that both bodies, the House and the other body, need to

vote two-thirds affirmative and then send the matter out to the public and they then vote by 50 percent or more to ratify our initiative.

This bill would simply add another avenue to that process where the public may also initiate that process. We figured "what is fair for the goose is fair for the gander" and we have taken the two-thirds provision for its beginnings and put that out to the public. In other words, under this bill, the public could gather signatures and initiate a constitutional amendment but they would need to get two-thirds vote in the field and then it would come back to us for a majority ratification. We just turn the process around, what is good for us should also be good for them. So, the only real difference is that at the beginning of the Constitutional Amendment process starts with the public in this case but it still comes back to us.

Out of the 18 or so states that currently allow the public to amend their constitution, this would be by far the most conservative. In fact, we had some complaints from people that supported this bill that we should make it easier for the public to amend the constitution and they couldn't understand why we should be making it so difficult.

The reason we set it up in such a conservative mode is that the sponsors felt that our constitution should be amended only with deliberation and consideration and that it is our foundation of rules and that we should not frivolously be tinkering with the Constitution.

To give an example of what happens in other states - on a petition, most states require ten percent or less on a petition of those voters who voted in the last race for Governor, but some states go as low as 4 percent, North Dakota requires only 4 percent of the - oh, I am sorry, that is 4 percent of the population of the state, but some have as low as 8 percent, 5 percent of those who have voted in previous elections and a few states, just 2, require 15 percent of signatures representing those who voted in the last race for Governor. So, in the committee, the committee amended this bill so the requirement will be 15 percent of those who voted in the last race for Governor.

To initiate a statutory change which the public now can do, they only need 10 percent signatures and that represents somewhere around 50,000 to 52,000 signatures. I believe this last referendum that has been proposed collected somewhere around 90,000 signatures, that is the most ever collected. This bill would require somewhere around 76,000 or 77,000 signatures and that will keep going up as the population increases and as the number of people voting for Governor increases.

It is a very, very conservative approach. It would make it very difficult. By the way, no other state requires a two-thirds vote by the public. Every other state that allows the public to amend its constitution only requires a majority. So, we are carving new territory in conservatism today with this bill by making it very, very difficult to do, but I still support this because at least we are giving them some access.

I would consider it an arrogant statement if I said (and I wouldn't say this) that only we are wise enough to initiate a Constitutional Amendment. That is really the issue before us today, do we think that the public is credible enough to be able to initiate the process?

I urge you to vote against the motion to accept the Minority "Ought Not to Pass" Report and wait and accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Bennett.

Representative BENNETT: Mr. Speaker, Friends and Colleagues of the House: It is indeed a pleasure for me to be on a Majority Report of the Committee on State and Local Government. I encourage you to adopt that report instead of the pending motion to adopt the Minority "Ought Not to Pass" Report.

I would just like to add one fact to what the good Representative from Auburn, Representative Michael, told you and that is that this process does not replace the current system for amending the Constitution. The legislature, if this should pass and be adopted by the people, would still have the ability to initiate Constitutional Amendments. This would add a new process that would allow the voters to be directly involved themselves.

As Representative Michael stated, of the 16 or so states that do allow the voters to initiate referenda for Constitutional Amendments, this would be by far the most restrictive.

I encourage you to reject the pending motion.

Mr. Speaker, I request the yeas and nays.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: You have just heard two people tell you why in fact we should pass this piece of legislation. They call it a people's bill. It may sound good and it may have high goals but all of us sitting in this body and in the other body were elected by the people. We are the people's representatives. In order to amend the Constitution, this document that actually guides us as we direct policy and laws throughout our legislative session, you know that we must have two-thirds vote in both bodies. Because we are the people's representatives, the people trust our judgment and we do not operate in a vacuum.

In the State of California where they have this law that allows the people to propose an initiated referendum to amend the Constitution, two-thirds of that state's budget is frozen because of the action that has happened throughout the last several years. Many of you have heard about Proposition 13 and Proposition 3 1/2 in Massachusetts, another state that also has this.

The Committee Report was seven to six. I urge you to accept the Minority "Ought Not to Pass" Report. I believe that you and I working with the public can in fact amend the Constitution through the process that has worked traditionally through the years.

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

Representative LEMKE: Mr. Speaker, Men and Women of the House: I urge you to reject the Minority "Ought Not to Pass" Report. This is a prudent piece of legislation and, as the Representative from Auburn attempted and attempted well to explain, this does not replicate the State of California, this is not a California bill, this is a Maine bill, it has a lot of mechanisms built into it that would not be abused. I think this is a direct democracy bill and as such, I find it easy to support.

I am not sure any of us here, if we think about it seriously, can argue seriously that the present

amending process works that well between the two bodies presently. This would be an improvement over the present situation and as such, I urge you to vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Michael.

Representative MICHAEL: Mr. Speaker, Men and Women of the House: Very briefly. The good Representative from Waterville mentioned the State of California. However, the State of California in many ways is no comparison to the State of Maine, including the fact that their provisions for amending the Constitution only require that the voters vote a 50 percent affirmative on the matter and then it becomes constitutional law. They only require eight percent signatures of those who voted for Governor so that is one-half of what we will be requiring in our bill. California does not have the measure to go back to the legislature. So, in California, it is 50 percent and boom, it is in the Constitution. Here it will be two-thirds in the field and then it must come back to us. So that is certainly not a legitimate argument against this bill.

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 the motion of Representative Joseph of Waterville that the House accept the Minority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 179

YEA - Adams, Aliberti, Bailey, R.; Beam, Bowers, Brennan, Campbell, Carleton, Carroll, Cashman, Cathcart, Chase, Chonko, Clement, Cloutier, Coles, Constantine, Cote, Daggett, Dexter, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Fitzpatrick, Gamache, Gean, Gould, R. A.; Gwadosky, Hale, Hatch, Heeschen, Hichborn, Holt, Jacques, Jalbert, Joseph, Ketterer, Kontos, Look, Lord, MacBride, Martin, H.; Melendy, Michaud, Mitchell, E.; Mitchell, J.; Morrison, Murphy, Nadeau, Nash, Norton, O'Gara, Oliver, Paradis, P.; Pfeiffer, Pineau, Pinette, Pouliot, Rand, Ricker, Rotondi, Rydell, Simonds, Spear, Stevens, K.; Sullivan, Swazey, Tardy, Townsend, E.; Townsend, G.; Townsend, L.; Treat, Vigue, Walker, Wentworth, The Speaker.

NAY - Ahearne, Aikman, Anderson, Ault, Bailey, H.; Barth, Bennett, Birney, Bruno, Cameron, Caron, Carr, Clukey, Coffman, Cross, Donnelly, Farnum, Farren, Foss, Gray, Greenlaw, Heino, Hillock, Johnson, Joy, Kerr, Kilkelly, Kneeland, Kutasi, Larrivee, Lemke, Lemont, Libby Jack, Libby James, Lindahl, Marsh, Marshall, Michael, Nickerson, Ott, Pendexter, Plowman, Reed, G.; Reed, W.; Richardson, Robichaud, Rowe, Saint Onge, Simoneau, Small, Stevens, A.; Taylor, Thompson, Tracy, True, Tufts, Whitcomb, Young, Zirkilton.

ABSENT - Clark, DiPietro, Hoglund, Hussey, Lipman, Pendleton, Plourde, Poulin, Ruhlin, Saxl, Skoglund, Strout, Winn.

Yes, 79; No, 59; Absent, 13; Paired, 0;

Excused, 0.

79 having voted in the affirmative and 59 in the negative with 13 being absent, the Minority "Ought Not to Pass" Report was accepted. Sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The Chair laid before the House the ninth item of Unfinished Business:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide Legislative Review of Delegated Rule-making Authority (H.P. 962) (L.D. 1293)

TABLED - June 4, 1993 (Till Later Today) by Representative JOSEPH of Waterville.

PENDING - Motion of Representative MARTIN of Eagle Lake to indefinitely postpone Committee Amendment "A" (H-544).

On motion of Representative Gwadosky of Fairfield, retabled pending the motion of Representative Martin of Eagle Lake to indefinitely postpone Committee Amendment "A" (H-544) and later today assigned.

The Chair laid before the House the tenth item of Unfinished Business:

HOUSE DIVIDED REPORT - Majority (7) "Ought Not to Pass" - Minority (3) "Ought to Pass" - Committee on State and Local Government on Bill "An Act to Authorize Sagadahoc County to Provide Centralized Administrative Services to Those Sagadahoc County Municipalities That Desire to Share the Cost of Those Services" (H.P. 978) (L.D. 1309)

TABLED - June 4, 1993 (Till Later Today) by Representative JOSEPH of Waterville.

PENDING - Motion of same Representative to accept the Majority "Ought Not to Pass" Report.

Representative Joseph of Waterville withdrew her motion that the House accept the Majority "Ought Not to Pass" Report.

On motion of the same Representative, the Minority "Ought to Pass" Report was accepted, the bill read once.

Under suspension of the rules, the bill was read a second time.

Representative Joseph of Waterville offered House Amendment "A" (H-625) and moved its adoption.

House Amendment "A" (H-625) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: This is unorthodox or irregular to change the Committee Report. However, the situation has been changed and the criteria that the committee was looking for when the bill was presented to us has been fulfilled.

First of all, there has been unanimous consent of

this bill and support of this bill by the Sagadahoc Legislative Delegation.

Second of all, there will be no additional cost and this is not a mandate.

Then, the Sagadahoc Legislative Delegation has agreed to a sunset and that sunset would be July 1, 1995. Therefore, I would urge our support of the "Ought to Pass" Report and to adopt House Amendment "A."

Subsequently, House Amendment "A" (H-625) was adopted.

The was Bill passed to be engrossed as amended by House Amendment "A" (H-625) and sent up for concurrence.

The Chair laid before the House the eleventh item of Unfinished Business:

HOUSE DIVIDED REPORT - Committee on Legal Affairs - Majority (10) "Ought to Pass" pursuant to Joint Order H.P. 1135 on Bill "An Act to Reduce the Influence of Money in Elective Politics" (H.P. 1150) (L.D. 1550) - Minority (2) "Ought to Pass" pursuant to Joint Order H.P. 1135 on Bill "An Act to Reduce the Influence of Money in Elective Politics" (H.P. 1151) (L.D. 1551)

TABLED - June 4, 1993 (Till Later Today) by Representative DAGGETT of Augusta.

PENDING - Acceptance of Either Report.

On motion of Representative Gwadosky of Fairfield, retabled pending acceptance of either report and later today assigned.

BILL HELD

Bill "An Act to Increase Fees Charged by Municipal Clerks for Services" (S.P. 398) (L.D. 1229) - In House, Passed to be Engrossed.

HELD at the Request of Representative KILKELLY of Wiscasset.

On motion of Representative Kilkelly of Wiscasset, the House reconsidered its action whereby L.D. 1229 was passed to be engrossed.

The same Representative offered House Amendment "C" (H-602) and moved its adoption.

House Amendment "C" (H-602) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative Kilkelly.

Representative KILKELLY: Mr. Speaker, Men and Women of the House: House Amendment "C" is a combination of the several amendments that have been floating around on this particular bill in response to questions and concerns it raised in the previous debate. There was concern that this was going to be a mandate. In fact, some clerks are paid purely by the fees that they collect, therefore, by raising the fees, we have raised their salaries. That has been adjusted in this bill by a statement that says "Any additional revenue collected by the municipal clerk as a result of this Act must accrue to the municipality." That way, the municipality then has an opportunity to make its decision. It can use those additional fees to pay the Clerk a higher

salary or it can choose to put that money toward something else, but the municipality has that option.

There were also two other places where the amount of money that a Clerk received from the town for giving an oath and also for birth certificates, that was raised, and that has been adjusted. There has also been a slight reduction in the cost of some of the certified copies because there were concerns that in fact those costs didn't need to be as high as they were.

So, I think we have addressed all the issues that were raised and I would certainly urge your support.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, I would like to pose a question through the Chair.

To Representative Kilkelly, I understand the three persons who are interested in amending this piece of legislation to delete any requirements that would cause this to be a mandate and I certainly do understand that part of it. However, it seems to me that the crux of this bill was to increase fees charged by municipal clerks for services and if in fact we are going to reduce the increases in fees, is this bill still necessary?

The SPEAKER: Representative Joseph of Waterville has posed a question through the Chair to Representative Kilkelly of Wiscasset who may respond if she so desires.

The Chair recognizes that Representative.

Representative KILKELLY: Mr. Speaker, Men and Women of the House: The reductions that we have seen, there were several places where certified copies were being requested at \$10. Instead of having that \$10, it was dropped down to \$7. There was another one in which a copy was going to be \$4 and has been reduced to \$3. The idea was to make it affordable but at the same time it does increase the amount of revenue that a municipality can collect. The only way that a municipality can see an increase in those fees is through legislation because it is in statute. I do think it is still worthwhile and some of the fees were kept at the same rate. It was just felt that the certified copies did not need to double in cost to the person getting them because in fact it did not cost twice as much to produce those but it does cost more than it did when these fees were established originally.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Bennett.

Representative BENNETT: Mr. Speaker, Friends and Colleagues of the House: My reading of this bill as amended by House Amendment "C" would still increase the tax on birth, marriage and death and I find that objectionable.

So, I encourage you to vote against this motion. I request the yeas and nays.

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 Chair recognizes the Representative from Portland, Representative Rowe.

Representative ROWE: Mr. Speaker, Men and Women of the House: I rise to speak in favor of the

amendment which has been proposed by the Representative from Wiscasset. I would request that you vote for this.

The Representative Strout from Corinth had some concerns, I had some concerns about the bill, they have been addressed in the amendment and I think this is a good bill. I won't say anymore about it but I would ask for your support.

The SPEAKER: The pending question before the House is adoption of House Amendment "C" (H-602). Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 180

YEA - Adams, Ahearne, Aliberti, Anderson, Beam, Brennan, Bruno, Cameron, Caron, Carr, Carroll, Cashman, Chase, Clement, Cloutier, Coles, Constantine, Cote, Cross, Daggett, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Farren, Fitzpatrick, Gamache, Gean, Gould, R. A.; Hatch, Heino, Holt, Jacques, Jalbert, Johnson, Kerr, Ketterer, Kilkelly, Larrivee, Lemont, Libby Jack, Look, Lord, Marshall, Martin, H.; Melendy, Michael, Michaud, Mitchell, E.; Mitchell, J.; Murphy, Nash, O'Gara, Oliver, Paradis, P.; Pfeiffer, Pineau, Pouliot, Rand, Reed, W.; Richardson, Ricker, Rotondi, Rowe, Ruhlin, Rydell, Simonds, Small, Spear, Stevens, A.; Stevens, K.; Sullivan, Swazey, Townsend, E.; Townsend, G.; Townsend, L.; Treat, Vigue, Walker, Wentworth, Zirkilton.

NAY - Aikman, Ault, Bailey, H.; Bailey, R.; Barth, Bennett, Birney, Bowers, Campbell, Carleton, Cathcart, Clukey, Coffman, Dexter, Donnelly, Farnum, Foss, Gray, Greenlaw, Gwadosky, Hale, Heeschen, Hichborn, Hillock, Joseph, Joy, Kneeland, Kontos, Kutasi, Lemke, Libby James, Lindahl, MacBride, Marsh, Morrison, Nadeau, Nickerson, Norton, Ott, Pendexter, Pinette, Plowman, Reed, G.; Robichaud, Simoneau, Tardy, Taylor, Thompson, Tracy, True, Tufts, Whitcomb, Young.

ABSENT - Chonko, Clark, DiPietro, Hoglund, Hussey, Lipman, Pendleton, Plourde, Poulin, Saint Onge, Saxl, Skoglund, Strout, Winn, The Speaker.

Yes, 83; No, 53; Absent, 15; Paired, 0; Excused, 0.

83 having voted in the affirmative and 53 in the negative with 15 absent, House Amendment "C" (H-602) was adopted.

Representative Zirkilton of Mount Desert requested a vote on passage to be engrossed.

The SPEAKER: The Chair will order a vote. The pending question before the House is passage to be engrossed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 51 in the negative, the Bill was passed to be engrossed as amended by House Amendment "C" (H-602) and sent up for concurrence.

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

June 4, 1993

Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Mayo:

Please be advised that the Senate today insisted and asked in a Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill "An Act Requiring a Guide for Certain Nonresident Aliens Hunting in the State" (S.P. 400) (L.D. 1231).

The President appointed on the part of the Senate the following:

Senator LUTHER of Oxford
Senator O'DEA of Penobscot
Senator HALL of Piscataquis

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

ORDERS

On motion of Representative MITCHELL of Vassalboro, the following Joint Order: (H.P. 1157)

Ordered, the Senate concurring, that the Joint Standing Committee on Education report out a bill "An Act Requiring Public Schools to Purchase Insurance through a Competitive Bidding Process" to the House.

Was read and passed and sent up for concurrence.

Reference is made to (H.P. 991) (L.D. 1322) Resolve, to Establish the Commission on the Status of Alleged Child Abusers (EMERGENCY)

In reference to the action of the House on June 4, 1993, whereby it Insisted and Asked for a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative ERWIN of Rumford
Representative MELENDY of Rockland
Representative MURPHY of Berwick

Reference is made to (S.P. 400) (L.D. 1231) Bill "An Act Requiring a Guide for Certain Nonresident Aliens Hunting in the State"

In reference to the action of the House on June

7, 1993, whereby it Insisted and Joined in a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative JACQUES of Waterville
Representative LARRIVEE of Gorham
Representative ANDERSON of Woodland

Reference is made to (H.P. 250) (L.D. 329) Bill "An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation"

In reference to the action of the House on June 4, 1993, whereby it Insisted and Asked for a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative TREAT of Gardiner
Representative FITZPATRICK of Durham
Representative BRUNO of Raymond

The Chair laid before the House the following matter: An Act to Provide Access to Landlocked Property (H.P. 1051) (L.D. 1403) (C. "A" H-529) which was tabled earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Larrivee.

Representative LARRIVEE: Mr. Speaker, I move the indefinite postponement of L.D. 1403 and all its accompanying papers.

It is unfortunate that I have to do this on the floor of the House and didn't have the opportunity to be at the committee but I am sure everyone understands how schedules are.

Having served on State and Local Government Committee for four years and prior to that some time in local government, the issues of easements and access to property are very dicey and very delicately balanced issues. When I saw this amendment come across my desk, it was brought to my attention by another Representative, I became concerned that we have created with this piece of legislation an additional right for people who own landlocked property to (in essence) take an easement across another landowner's property. I have some concerns about whether this does create a taking in the official and legal sense of the word.

I also have some concerns about the municipalities responsibilities because, in this bill, the only people who can file for this action are someone who the municipal officers have turned down if that easement goes across municipal property. Essentially what the bill does, I will read you some of the language and see if you have the same concerns that I do, it says "An owner of property with no apparent right-of-access from that property to a public way may file a complaint in court, claiming that under statute or common law, an easement by necessity or by implication exists over the land of an abutting landowner or landowners and requests that a special master be appointed to hear that complaint." It goes on to say "that the rights

provided in this section are in addition to any other remedies provided by law." I have some grave concerns about what that right would be and would ask you to support me in indefinitely postponing this bill.

I believe it was well-intentioned in order to be able to ease the process but the process, for any of you who have been involved with it at the municipal level, is very delicately balanced now over who has an easement and a right. I believe we are going to create an additional right for tremendous numbers of people with landlocked property who are now going to say, aha, I have an additional right in court and that right is by the taking of other landowners' property to create the easement.

I would ask you to join me in indefinitely postponing this bill.

Representative Tracy of Rome requested a roll call vote.

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 Chair recognizes the Representative from Eliot, Representative Marshall.

Representative MARSHALL: Mr. Speaker, I would like to pose a question through the Chair.

I am interested in this amendment as to whether the landlocked property owner would be required to pay the owner of the easement property for the taking of that?

The SPEAKER: Representative Marshall of Eliot has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Gorham, Representative Larrivee.

Representative LARRIVEE: Mr. Speaker, Men and Women of the House: My understanding is that the court master would make that determination. The bill specifically indicates that the landowner of the landlocked property must pay for the court master but that would be determined by the court master and that would be sent to the court for determination, so that is not going to be an agreement between the two parties. This only comes into effect after the two parties have determined that they cannot agree because the only person eligible for this to make this claim is a person who has already made a reasonable offer to purchase the easement from the abutting landowner or landowners and that offer was refused. So already you have two people who have disagreed about whether or not you can buy an easement over that property. That would be determined by the court and not by the parties involved.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Bennett.

Representative BENNETT: Mr. Speaker, Friends and Colleagues of the House: This bill was worked extensively by the State and Local Government Committee. I was apprised earlier today out in the corridor that the counsel for the Speaker had uncovered some problems with the drafting of this bill and Representative Larrivee's concerns are new to me. Consequently, I think that any action now by

the House would be premature.

I would like to request that someone would move to table this until a time when we can look at some of the details in a little bit better form.

On motion of Representative Zirnkilton of Mount Desert, tabled pending the motion of Representative Larrivee of Gorham that L.D. 1403 and all its accompanying papers be indefinitely postponed and specially assigned for Tuesday, June 8, 1993. (Roll Call ordered)

The following items appearing on Supplement No. 4 were taken up out of order by unanimous consent:

SENATE PAPERS

Ought to Pass as Amended

Report of the Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-252) on Bill "An Act to Modify Various Licensing Board Laws" (S.P. 490) (L.D. 1501)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-252) as amended by Senate Amendments "A" (S-268), "C" (S-293) and "D" (S-305) thereto and Senate Amendment "A" (S-294).

Report was read and accepted, the Bill read once. Committee Amendment "A" (S-252) was read by the Clerk.

Senate Amendment "A" (S-268) to Committee Amendment "A" (S-252) was read by the Clerk and adopted.

Senate Amendment "C" (S-293) to Committee Amendment "A" (S-252) was read by the Clerk and adopted.

Senate Amendment "D" (S-305) to Committee Amendment "A" (S-252) was read by the Clerk and adopted.

Committee Amendment "A" (S-252) as amended by Senate Amendments "A" (S-268), "C" (S-293) and "D" (S-305) thereto was adopted.

Senate Amendment "A" (S-294) was read by the Clerk and adopted and the Bill assigned for second reading Tuesday, June 8, 1993.

Non-Concurrent Matter

Bill "An Act to Provide Consistency in the Animal Welfare Laws" (S.P. 345) (L.D. 1040) (H. "A" H-577 and H. "B" H-608 to C. "A" S-256)

- In House, Passed to be Engrossed as amended by Committee "A" (S-256) as amended by House Amendment "A" (H-577) and House Amendment "B" (H-608) thereto on June 4, 1993.

- In Senate, Passed to be Engrossed as amended by Committee "A" (S-256) as amended by House Amendment "A" (H-577) and House Amendment "B" (H-608) thereto on June 4, 1993 in concurrence.

- Recalled from Engrossing Department pursuant to Joint Order (S.P. 529)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (S-256) as amended

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by Senate Amendment "A" (S-309) thereto in non-concurrence.

The House voted to recede and concur.

At this point, the rules were suspended for the purpose of removing jackets for the remainder of today's session.

On motion of Representative Joseph of Waterville, Adjourned at 6:50 p.m. until Tuesday, June 8, 1993, at nine o'clock in the morning.
