

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

House of Representatives
January 5, 1994 to April 14, 1994

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
9th Legislative Day
Thursday, January 27, 1994

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

Prayer by the Reverend Lloyd V. Leeman, Methodist Church, Skowhegan.

The Journal of Tuesday, January 25, 1994 was read and approved.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

January 25, 1994

The Honorable John L. Martin
Speaker of the House
116th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Ronald I. Blum, M.D. of Patten for reappointment to the Facility Siting Board.

Edward Bradley of Hiram for reappointment to the Facility Siting Board.

Sincerely,

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

Was read and ordered placed on file.

Bill "An Act to Allow State-chartered Credit Unions to Make Loans to Service Corporations and to Share Branch Offices" (S.P. 642) (L.D. 1789)

Came from the Senate, referred to the Committee on **Banking and Insurance** and Ordered Printed.

Was referred to the Committee on **Banking and Insurance** in concurrence.

Bill "An Act to Develop a Voluntary Firearm Safety Program for Use in Schools in the State" (S.P. 634) (L.D. 1768)

Came from the Senate, referred to the Committee on **Education** and Ordered Printed.

Was referred to the Committee on **Education** in concurrence.

Bill "An Act to Protect Maine's Lakes and Ponds" (S.P. 635) (L.D. 1769)

Came from the Senate, referred to the Committee on **Energy and Natural Resources** and Ordered Printed.

Was referred to the Committee on **Energy and Natural Resources** in concurrence.

Bill "An Act to Establish Terms of Appointments for Members of the Maine Education Training and Export Partnership" (S.P. 637) (L.D. 1771)

Came from the Senate, referred to the Committee on **Housing and Economic Development** and Ordered Printed.

Was referred to the Committee on **Housing and Economic Development** in concurrence.

Bill "An Act to Reinstate Involuntary Commitment for Chronic and Life-threatening Substance Abuse" (S.P. 639) (L.D. 1773)

Came from the Senate, referred to the Committee on **Judiciary** and Ordered Printed.

Was referred to the Committee on **Judiciary** in concurrence.

Bill "An Act to Attain Minimum Occupational Safety and Health Standards in Buildings and on Properties Owned or Leased by the State" (S.P. 638) (L.D. 1772)

Came from the Senate, referred to the Committee on **Labor** and Ordered Printed.

Was referred to the Committee on **Labor** in concurrence.

Bill "An Act to Create the Maine Office Development Authority" (S.P. 640) (L.D. 1774)

Bill "An Act to Reduce the Property Tax Burden in Androscoggin County" (S.P. 641) (L.D. 1788)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

Were referred to the Committee on **State and Local Government** in concurrence.

Bill "An Act to Increase Reimbursement Amounts to Municipalities Collecting Excise Taxes for Unorganized Townships" (S.P. 636) (L.D. 1770)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

Non-Concurrent Matter

Bill "An Act Regarding the Discharge of Mortgages" (H.P. 1299) (L.D. 1754) which was referred to the Committee on Legal Affairs in the House on January 20, 1994.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

The House voted to Recede and Concur.

Non-Concurrent Matter

Bill "An Act to Encourage Economic Development Through Investment Incentives for Aquaculture" (H.P. 1304) (L.D. 1759) which was referred to the Committee on Housing and Economic Development in the House on January 20, 1994.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

The House voted to Recede and Concur.

COMMUNICATIONS

The following Communication:

116TH MAINE LEGISLATURE

January 25, 1994

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

Dear Clerk Mayo:

This is to notify you that pursuant to our authority under 3 MRSA, Sec. 901-A, we are appointing Rep. John L. Martin, of Eagle Lake, to serve on the State House and Capitol Park Commission.

Sincerely,

S/Dennis L. Dutremble S/John L. Martin
Senate President Speaker of the House

Was read and ordered placed on file.

The following Communication: (S.P. 633)

116TH MAINE LEGISLATURE

January 20, 1994

Senator John J. O'Dea
Rep. Elizabeth H. Mitchell
Chairpersons
Joint Standing Committee on Education
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jean K. Gulliver of Falmouth, Andrew E. Ayer of Caribou and Shirley D. Oliver of Orono for appointments to the State Board of Education.

Pursuant to Title 20A, MRSA Section 401, these nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/John L. Martin
Speaker of the House

Came from the Senate, Read and Referred to the Committee on Education.

Was Read and Referred to the Committee on Education in concurrence.

The following Communication:

COMMITTEE ON BUSINESS LEGISLATION
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Business Legislation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1379 An Act to Grant Conditional
 Licensure to Social Work Graduates
 from Schools That Are Awaiting
 Accreditation

L.D. 1471 An Act to Amend the Licensure
 Requirements for Nurses

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Alton E. Cianchette S/Rep. Annette M. Hoglund
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

JOINT SELECT COMMITTEE ON CORRECTIONS
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Select Committee on Corrections has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1181 An Act to Establish a
Demonstration Project Transferring
County Jail Operations to the
State

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Beverly M. Bustin S/Rep. Anne M. Larrivee
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON EDUCATION
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Education has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1646 An Act to Redefine the Maine State
Cultural Affairs Council

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John J. O'Dea S/Rep. Elizabeth H. Mitchell
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON JUDICIARY
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 600 An Act to Authorize the
Experimental Use of Video
Telecommunication for Arraignment

L.D. 763 An Act to Provide a Remedy for a
Violation of the Lead Poisoning
Control Act

L.D. 840 An Act to Protect Maine Businesses
and Consumers from Unfair and
Deceptive Trade Practices

L.D. 1194 RESOLUTION, Proposing an Amendment
to the Constitution of Maine
Repealing the Requirement of Grand
Jury Review for Noncapital Crimes

L.D. 1420 An Act Concerning the Terminally
Ill

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Gerard P. Conley, Jr. S/Rep. Constance D. Cote
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON LEGAL AFFAIRS

ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Legal Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1198 An Act to Amend the Laws Governing
 Elections and Nominations by
 Political Parties

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Richard J. Carey S/Rep. Beverly C. Daggett
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON STATE AND LOCAL GOVERNMENT
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on State & Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 698 RESOLUTION, Proposing an Amendment
 to the Constitution of Maine to
 Require That Certain Officers Be
 Appointed by the Governor

L.D. 952 An Act to Increase the Number of
 Cumberland County Commissioners

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Georgette B. Berube S/Rep. Ruth C. Joseph
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON TAXATION
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 963 An Act to Promote the Use of
 Reusable Bags in the Purchase of
 Groceries

L.D. 1061 An Act to Clarify Various Tax
 Procedures and to Protect Taxpayer
 Rights

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John E. Baldacci S/Rep. Susan E. Dore
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

COMMITTEE ON TRANSPORTATION
ONE HUNDRED AND SIXTEENTH LEGISLATURE

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1594 An Act to Provide an Option for a
 Two-year Vehicle Registration
 Program

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Joseph C. Brannigan S/Rep. William B. O'Gara
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication:

**COMMITTEE ON UTILITIES
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

January 25, 1994

Honorable Dennis L. Dutremble, President of the Senate
Honorable John L. Martin, Speaker of the House
116th Maine Legislature
State House
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Utilities has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 305 An Act to Require the Public Utilities Commission to Include Externalities in Least-cost Planning Procedures
- L.D. 1502 An Act to Identify Potential Costs of Utility Projects to Municipalities and Corporations That Provide Services to Municipalities
- L.D. 1538 An Act to Establish Curtailable Load Retention Service
- L.D. 1580 An Act Concerning Municipal Appointments

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Harry L. Vose S/Rep. Herbert E. Clark
Senate Chair House Chair

Was read and ordered placed on file.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

Energy and Natural Resources

Bill "An Act to Prohibit the Location of New Groundwater Drinking Water Supply Wells in Close Proximity to Potential Contamination Sources" (H.P. 1328) (L.D. 1791) (Presented by Representative ANDERSON of Woodland) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Fisheries and Wildlife

Bill "An Act to Revise Certain Fish and Wildlife Laws" (EMERGENCY) (H.P. 1338) (L.D. 1801) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representatives: GREENLAW of Standish, ROTONDI of Athens, Senators: HALL of Piscataquis, LUTHER of Oxford) (Governor's Bill)

Human Resources

Bill "An Act to Authorize Use of Civil Administrative Penalty Authority and Administrative Order Authority Against Violation of Federal and State Drinking Water Laws, Regulations and Rules" (EMERGENCY) (H.P. 1329) (L.D. 1792) (Presented by Representative PENDEXTER of Scarborough) (Cosponsored by Representative: TREAT of Gardiner, Senators: BALDACCI of Penobscot, HALL of Piscataquis) (Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Bill "An Act to Rename Boarding Care Facilities and Expand Their Definitions" (EMERGENCY) (H.P. 1337) (L.D. 1800) (Presented by Representative BRUNO of Raymond) (Cosponsored by Representative: GEAN of Alfred, Senators: HARRIMAN of Cumberland, PARADIS of Aroostook) (Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Judiciary

Bill "An Act to Adopt the Uniform Interstate Family Support Act" (H.P. 1339) (L.D. 1802) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Representatives: CATHCART of Orono, COTE of Auburn, LIPMAN of Augusta, Senator: CONLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Legal Affairs

Bill "An Act to Remove the Distance Requirement Relating to Replacement Agency Stores" (H.P. 1327) (L.D. 1790) (Presented by Representative BENNETT of Norway) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 24.)

Bill "An Act to Clarify the Laws Relating to Permits to Carry Concealed Firearms" (EMERGENCY) (H.P. 1335) (L.D. 1798) (Presented by Representative DAGGETT of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Taxation

Bill "An Act Imposing Real Estate Transfer Tax on Nongovernmental Entities in Transactions Involving Governmental Entities" (H.P. 1333) (L.D. 1796) (Presented by Representative DORE of Auburn) (Cosponsored by Representatives: CARROLL of Gray, DiPIETRO of South Portland, HOGLUND of Portland, KERR of Old Orchard Beach, MURPHY of Berwick, MADEAU of Saco, RAND of Portland, SIMONEAU of Thomaston, Senators: BRANNIGAN of Cumberland, CAREY of Kennebec, ESTY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Utilities

Bill "An Act to Amend the Charter of the Madison Water District" (H.P. 1334) (L.D. 1797) (Presented by Representative KETTERER of Madison) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Create the Great Salt Bay Utility District" (H.P. 1336) (L.D. 1799) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Senator BEGLEY of Lincoln and Representatives: HEINO of Boothbay, SPEAR of Nobleboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Reported Pursuant to Resolve

Representative MITCHELL for the Health and Social Services Transition Team, pursuant to Resolve 1993, chapter 36 ask leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Health and Social Services Transition Team" (H.P. 1330) (L.D. 1793) be referred to the Joint Standing Committee on **Human Resources** for Public Hearing and printed pursuant to Joint Rule 20.

Report was read and accepted, and the Bill referred to the Committee on **Human Resources**, ordered printed and sent up for concurrence.

Reported Pursuant to Statutes

Representative JALBERT for the Board of Trustees of the Maine State Retirement System, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (H.P. 1332) (L.D. 1795) be referred to the Joint Standing Committee on **Aging, Retirement & Veterans** for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the Bill referred to the Committee on **Aging, Retirement & Veterans**, ordered printed and sent up for concurrence.

Reported Pursuant to Statutes

Representative ERWIN for the Joint Standing Committee on Audit and Program Review, pursuant to the Maine Revised Statutes, Title 3, chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide Adequate Staffing for the Board of Osteopathic Examination and Registration" (H.P. 1331) (L.D. 1794) be referred to the Joint Standing Committee on **Audit & Program Review** for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the Bill referred to the Committee on **Audit & Program Review**, ordered printed and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

ORDERS

On motion of Representative HICHBORN of LaGrange, the following Order:

ORDERED, that Representative Michael F. Brennan of Portland be excused January 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Ruel P. Cross of Dover-Foxcroft be excused January 18 to 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Mona Walker Hale of Sanford be excused January 10 to 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Anne M. Larrivee of Gorham be excused January 25 for legislative business.

AND BE IT FURTHER ORDERED, that Representative James D. Libby of Buxton be excused January 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Elizabeth H. Mitchell of Augusta be excused January 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sophia Douglass Pfeiffer of Brunswick be excused January 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Gary W. Reed of Falmouth be excused January 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard N. Simoneau of Thomaston be excused January 18 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Louise Townsend of Canaan be excused January 19 for health reasons.

Was read and passed.

REPORTS OF COMMITTEES

Ought to Pass Pursuant to Joint Order (H.P. 1326)

Representative CHONKO from the Committee on Appropriations & Financial Affairs on Bill "An Act to Provide Supplemental Appropriations in Fiscal Year 1993-94 for the Maine Residents Property Tax Program" (EMERGENCY) (H.P. 1340) (L.D. 1807) reporting "Ought to Pass" Pursuant to Joint Order (H.P. 1326)

Report was read and accepted. The bill read once.

Under suspension of the rules, the bill was read a second time and passed to be engrossed. Ordered sent forthwith.

CONSENT CALENDAR

Second Day

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

(H.P. 1271) (L.D. 1715) Resolve, to Extend the Reporting Date of the Study to Identify the Extent of Violence among Children (EMERGENCY)

(H.P. 1272) (L.D. 1716) Resolve, to Extend the Reporting Deadline of the Health and Social Services Transition Team (EMERGENCY)

No objections having been noted at the end of the Second Legislative Day, the House Papers were Passed to be Engrossed and sent up for concurrence.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were Tabled and Today Assigned:

HOUSE ORDER - Relative to amending House Rule 52.
In House, Read on January 25, 1994.
TABLED - January 25, 1994 (Pursuant to House Rule #54)
PENDING - Passage. (2/3 Vote Required)

On motion of Representative GWADOSKY of Fairfield, tabled pending passage and specially assigned for Tuesday, February 1, 1994.

HOUSE ORDER - Relative to amending House Rule 23.
In House, Read on January 5, 1994.
TABLED - January 25, 1994 by Representative KILKELLY of Wiscasset.
PENDING - Passage. (2/3 Vote Required)

On motion of Representative GWADOSKY of Fairfield, tabled pending passage and specially assigned for Tuesday, February 1, 1994.

Bill "An Act to Establish Preapprenticeship Programs" (H.P. 1282) (L.D. 1730)
(Committee on Labor suggested)
TABLED - January 25, 1994 by Representative RUHLIN of Brewer.
PENDING - Reference.

On motion of Representative GWADOSKY of Fairfield, tabled pending reference and specially assigned for Tuesday, February 1, 1994.

The following items were taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 648)

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 1, 1994, at ten o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

ORDER

On motion of Representative JOSEPH of Waterville, the following Joint Order: (H.P. 1344)

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out to the House such legislation as it sees fit to revise the salaries of county officers and lay the county taxes for the year 1994.

Was read and passed and sent up for concurrence. Ordered sent forthwith.

ENACTOR

Emergency Measure

An Act to Provide Supplemental Appropriations in Fiscal Year 1993-94 for the Maine Residents Property Tax Program (H.P. 1340) (L.D. 1807)

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. 128 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

At this point Representative Michaud of East Millinocket was appointed to serve as Speaker pro tem.

The House was called to order by the Speaker pro tem.

SENATE PAPERS

Bill "An Act to Allow the Dissolution of the Maine Capital Corporation" (S.P. 644) (L.D. 1803)

Came from the Senate, referred to the Committee on **Housing and Economic Development** and Ordered Printed.

Was referred to the Committee on **Housing and Economic Development** in concurrence.

Bill "An Act to Make Certain Revisions to the Maine Emergency Medical Services Act of 1982" (S.P. 646) (L.D. 1805)

Came from the Senate, referred to the Committee on **Legal Affairs** and Ordered Printed.

Was referred to the Committee on **Legal Affairs** in concurrence.

Bill "An Act to Encourage Municipal Investment in Local Economic Development Projects" (EMERGENCY) (S.P. 647) (L.D. 1806)

Came from the Senate, referred to the Committee on **Taxation** and Ordered Printed.

Was referred to the Committee on **Taxation** in concurrence.

Bill "An Act to Permit Scrutiny of Books and Records of Nonutility Generators" (S.P. 645) (L.D. 1804)

Came from the Senate, referred to the Committee on **Utilities** and Ordered Printed.

Was referred to the Committee on **Utilities** in concurrence.

By unanimous consent, (H.P. 1340) (L.D. 1807) was ordered sent forthwith.

ORDER

On motion of Representative LORD of Waterboro, the following Joint Resolution: (H.P. 1346) (Approved for

introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING THE MAINE REPRESENTATIVE ON THE NORTHEAST OZONE TRANSPORTATION COMMISSION TO VOTE NO ON THE PETITION TO THE ENVIRONMENTAL PROTECTION AGENCY ON LOW EMISSION VEHICLES

WE, your Memorialists, the Members of the One Hundred and Sixteenth Legislature of the State of Maine, now assembled in the Second Regular Session, most respectfully request and petition the Representative for the State of Maine on the Northeast Ozone Transport Commission, as follows:

WHEREAS, Maine is a member of the Northeast Ozone Transport Commission along with eleven other states and the District of Columbia; and

WHEREAS, the Northeast Ozone Transport Commission was established under the federal Clean Air Act Amendments of 1990 to assess ozone problems, evaluate control methods and develop strategies for implementation; and

WHEREAS, the Northeast Ozone Transport Commission established an ad hoc subcommittee in May 1993 to develop an official petition to the Environmental Protection Agency to ask the agency to develop rulemaking that would require all states that are members of the Northeast Ozone Transport Commission to adopt the low emission vehicle standards adopted by California; and

WHEREAS, state-specific technical analysis is necessary to determine which strategies will provide the most cost-effective air quality improvements and reductions in ozone; and

WHEREAS, the elected legislators of each member state in the Northeast Ozone Transport Commission must determine the most appropriate air quality programs for the citizens of their states; and

WHEREAS, elected and appointed officials must be sensitive not only to the needs of the environment, but to the economic and social needs of their citizens; and

WHEREAS, a Northeast Ozone Transport Commission mandate can be imposed by a majority vote of the Northeast Ozone Transport Commission, whether or not it benefits a state, is cost-effective or state legislators have already enacted pertinent legislation; now, therefore be it

RESOLVED: That We, your Memorialists, respectfully request and petition the Representative for the State of Maine on the Northeast Ozone Transport Commission not to endorse a petition or recommendation to the Environmental Protection Agency to mandate a regional program that adopts California's low emission vehicle standards; and be it further

RESOLVED: That the Representative for the State of Maine on the Northeast Ozone Transport Commission report to the Joint Standing Committee on Energy and Natural Resources on any proposed regional controls

being considered by the Northeast Ozone Transport Commission by January 31, 1994; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Representative for the State of Maine on the Northeast Ozone Transport Commission.

Was read.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Men and Women of the House: Last year the Energy and Natural Resources Committee and this body and the other body as well unanimously endorsed the policy which they call CAL-LEV to Maine as long as, first, we do not have to have a specially reformulated gasoline, we could use the federal gasoline that we now use. Second, that we do not act in isolation from the other states around us unless we isolated the market and we define not being in isolation as having four out of the six New England States in the same program.

We did not, in our action last year, say that this could be achieved only one way that is solely by other states acting. We said we don't want to be alone and we don't want to have to have a special gas. It doesn't matter, in fact, if that is done through imposition of EPA or by EPA regulation or by individual state action from the point of view of the policy we adopted unanimously last year. For us to reverse that policy this year would send the most adverse message to everyone who is concerned about stability or policy in Maine, public policy. More than that, it would send an adverse message to the states from whom most of our pollution comes, that while we want them to clean up, we are not willing to do our share.

Our position and the discussions with them on a variety of pollution issues which hurt Mainers a lot, both in terms of health and in terms of the economy, will be severely weakened. Even more important or equally as important as the effects on health for Maine people is the effect on the future of Maine's economy. The Federal Clean Air Act requires that every state reduce the amount of pollution that they are putting into the air by a certain amount, certain tonage. It gives you a variety of options to achieve that but you must achieve that reduction. So, if for example, you decide not to achieve it by going to CAL-LEV, we are going to have to take it from somewhere else and the only somewhere else in this state are stationary sources, such as businesses, dry cleaners, plants, mills that emit air pollution under license. So, if we have to achieve our increment one way or another and we don't want to do it this way, then we are going to have to do it that way, we are going to have to force them to spend more money. The amount of pollution reduction they can achieve in terms of dollars per ton of cost is going to cost them far more than this method. This is one reason why we adopted this method last year, it is one of the cheapest methods of achieving the required reductions in air pollution, it is cost effective.

There is a second impact on business, if a business in Maine wants to expand and it involves getting an air license because it is going to have emissions into the Maine air of some kind, there has to be room within the overall emission Maine is

allowed to have, that is Maine can put out so many tons and, if all the licenses in the state add up to that amount of tons and there is no room left, then you cannot issue a new license for a new business or an expanded business. If all the existing licenses add up to less than the total amount of tons we are allowed to emit, that is called an increment and that is available for new businesses or expansion of existing businesses to use.

I have heard of a case in Houlton where a business wants to expand and the question is, is there sufficient increments to allow them to expand their business or is in fact the "right to pollute" wholly used up to the state's allowance for air emissions wholly used up? If we fail to go ahead with the CAL-LEV program, in about ten years — one reason for going now is because it takes a long time for the evolution in the car market to realize the full benefit of this, but if we fail, we in the future are saying to businesses in Maine, you are going to have to find other places to locate because we are not going to free up the increment, the room you need, to expand here in Maine. That, to me, along with the health of Maine people is the most important reason why we should stick by our present policy of endorsing the CAL-LEV as long as we don't end up isolating the marketplace and as long as we don't need special gasoline. In fact, the Ozone Transport Commission's proposal to the EPA is fully consistent with the policy we passed last year and we ought to stick by that policy.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, My Learned Colleagues: First of all, I would like to go back to last year, if I might. I submitted a bill last year that said that the new cars that were bought in Maine needed to adjust to the Federal Standards as far as air emissions. I got almost 100 sponsors and cosponsors. I presented that bill to my committee and things went along fairly well and then DEP came in and said, let's make a compromise. What they recommended was that we have 35 percent of the new cars that were manufactured have the CAL-LEV standards in the three states. Well, that didn't look too good to most of us so we compromised. I wish I had never compromised because I think I could have passed it last year, but I am willing to compromise — we compromised and said that four states, including Massachusetts and Connecticut and one other state, had the program and that meant 60 percent of the cars manufactured and sold in the area of the 12 the northeast states were CAL-LEV cars. One of parts of what we thought was the fact that if 60 percent of the cars in these 12 northeast states were manufactured, CAL-LEV cars, they wouldn't manufacture two cars and sell them here so it would just slide in.

I want you people to understand it doesn't stand up, it doesn't affect the maintenance program. The maintenance program was something the EPA told us — that if we did not have a program of our own, they would come in with a program. Representative John Marsh went ahead with this program and I supported it.

But in this case — I would like to read something out of the rules and regulations, it says: Section 177 of the Act allows states to choose, choose, I emphasize choose, for any vehicle certified under the program known as the LEV program instead of the federal program. Now, who is

setting policy? This is a policy decision of the 12 states, it isn't a policy decision, I don't believe, of 12 individuals who are bureaucrats. I believe it is our policy and we should determine whether or not we should have this program.

The second part, I think, is the amount of pollution that we have in the State of Maine. The year 1992 we had three days, a total of five hours we didn't meet federal standards. Now, we all remember what we had for weather this summer, we had some hot weather, some real hot, sticky weather and 1993, we had a total of five days and seven hours that we didn't meet the standards. That is a lot of pollution, 12 hours in two whole years. We haven't even started the maintenance program, the maintenance program starts July 1st of this year. I don't see any need of rushing things into a California car, let's see what the maintenance program is going to do to clean up the air and possibly the whole three northeast states will be perfectly all right. I don't know and I don't think anyone else knows.

I might say that we all know that the air coming in from these other states is polluted and this is a good part of the problem, but only 12 hours in two whole years, what is the need of rushing?

The third thing of the program is cost. You have a figure here of — I see I am Peck's bad boy according to this editorial and I called the editorial director and said it would seem to me before you put an editorial in the paper like this, you might discuss some of these things with me. He said he didn't have time so I didn't get to present my side of the story. But the cost issue — he has got down here \$28 to \$128. The manufacturer says it costs between \$300 and \$1,000. I don't know. But, remember, out in California — I might say that we have got to do everything that California does so maybe we should start building our houses according to California standards now that they have had a big earthquake, but we better have a reformulated gas, and that reformulated gas is much more expensive. We said that we will use the regular gas, we don't know whether this is going to work in the California car or not. So, all these things have got to be taken into consideration. I say, that before we rush into something, we should take one step at a time, one step at a time. Later on if things don't straighten up, maybe the areas that are polluting will have to go to the LEV car. Maybe our air will be clean enough so we don't have to have anything. This is what I am asking you to do, pass this Resolution to tell those folks to tell our Representatives just how we feel.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Ladies and Gentlemen of the House: It is indeed a privilege to stand here after nine years and support a concern of Representative Lord. I had the opportunity to listen to some of my constituents, not about the specifics of the law as Representative Lord projected, but implementing it. I don't think this House realizes not only the cost of implementing the California standards but also the ridiculous kind of support of rules and regulations that go along with it. For example, if this involves the auto emissions, I am assuming that it would have to, Representative Lord, I would appreciate it if you would nod your head if it does involve the auto emissions because, if it involves the auto emissions, the standard for

implementing this kind of environmental necessity is ridiculous because they have already imposed a standard that creates a whole new bureau of people out there that become specialized and those that can't provide the same services will not be accepted under the law.

I may be overreacting but I find this is a cause when somebody says we have to follow the California standards — this is the State of Maine and we have absolutely no right to try to impose those kinds of standards in this state of ours.

I had the opportunity yesterday of coming to the real heart of this state, Presque Isle, what a beautiful feeling to go up into that territory, the cleanliness of it and everything else, should we be put in that category of the negative California kind of environment?

I had no intention of speaking here today, maybe I have said nothing, but I honestly feel that imposing a standard in a state that has all these problems on the State of Maine, just arbitrarily, has no merit.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kennebunkport, Representative Wentworth.

Representative WENTWORTH: Mr. Speaker, Men and Women of the House: It has been said here that if we pass this Joint Resolution that it will help us take one step at a time. I believe if we pass this what we are really doing is dragging both our feet at the same time.

Last year when we passed out of the Energy Committee a bill that would bring the best auto emissions technology to this region to help solve an existing air pollution problem, we did so with a triggering mechanism that would assure that Maine would not go it alone and that other states which helped to create the air pollution problems in this region would take some responsibility for that. What I believe we did was responsible. However, it is classic in action in many ways on the part of government. We set up a trigger that is highly unlikely to ever kick in if other states set up similar triggers and no state acts first. I think what the Northeast Ozone Transport Commission has said is that they recognize that, they know that we need to bring the best technology here and each state is essentially saying we don't want to lead but if we all go together, we would be more than happy to do it. Consequently, they are taking the lead in trying to bring the best technology for auto emissions to this region or to every state in this region at the same time.

If we pass this Resolution and we go back on that commitment, we can't expect any of the other states to do anything different than to go back on their commitment as well and we end up not solving the problem that does exist, does cause problems for us in this state and, in the long run, will damage industry that is here in this state, will hamper their ability to expand and create more jobs. I think if we were to continue in the direction we set last year by rejecting this Resolution, we would do a lot of good for the future of the State of Maine. I hope you will go along with opposing this Resolution.

Representative Simoneau of Thomaston requested a roll call vote.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Men and Women of the House: My longtime friend from Waterville, a

man I sat next to for years in the Energy Committee, made a reference earlier to 12 bureaucrats making the decision for the rest of us. I don't know about the other states but the person representing Maine in that commission was in fact carrying out the policy unanimously adopted by the Legislature and signed by the Governor last year.

In addition, because someone said they couldn't hear what I was saying earlier, I want to repeat that if we want to see new businesses in Maine, if we want businesses in Maine to be able to expand, businesses that need licenses to emit pollutants into the air, we have to make sure there is room under the overall ceiling for these businesses. If we don't take it from cars, we are going to have to take it from businesses at a much higher cost per ton of pollutants, with much greater adverse effect on the Maine economy.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Woodland, Representative Anderson.

Representative ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I agree with what Representative Lord has said, it was a compromise we made in order that four other states would be involved with us. That is not true at this point, we do not have four other states involved with us.

Also, one other thing was said while we dealt with this in committee. We had an EPA lady from Boston in front of our committee and the question was asked if we took all of our automobiles in the State of Maine, ran them over the cliff into the ocean if it would change our emission situation? She said no, this is a transport problem we have and until somebody west and south of us are involved in this situation, it is not going to get any better.

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

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: It is my understanding that the point that was just made by Representative Anderson is the reason why we should be opposing this bill. We don't very often in this Legislature get to enact legislation that causes changes in behavior in other states and on this clean air subject, our biggest source of the problem is other states, their cars, their businesses, other sources from those states.

This Resolution would remove the leverage that we now have to get other states to have cleaner air. It only applies to new cars. I have a lot of problems myself with the difficulties that people are facing as a result of the emission standards on existing cars. The other thing that worries me is, if we don't make the standards tighter and higher for new cars in addition to worrying about whether we have to get cleaner air from businesses, I also worry about anymore pressure to do it on existing vehicles because if people can afford to buy a new car, I feel more comfortable saying that that new car shouldn't come into this state unless it meets a certain air quality. I think the most important feature of the law that we passed last year is that there is a mechanism by which we can get other states to clean up their act. I don't want to take that away. So, I hope you would oppose this motion before you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Adams.

Representative ADAMS: Mr. Speaker, Men and Women of the House: I, too, rise and ask you to vote no on the Resolution before us today. And, because this is

the first time this session we have had any real debate on any subject, I will ask to take a minute to tell you why.

Almost a year and a half, perhaps two years ago, Representative Marsh and I sponsored the original bill that became known as the tail pipe test bill, this is not that bill. It will not create any new bureaucracy, it will not require the building of any new centers, it will not require anymore expense out of your pocket right now because when this bill did pass this Legislature unanimously last year, it did so, I think, for two pretty good reasons, first of all, it would apply only to brand new cars. In fact cars so brand new they haven't even been built yet and won't be built until the year 1999 because the measure that we are speaking of does not go into effect until the year 1999. According to our best estimate, the small device that might be needed on any car at that time will cost less than your present set of seat belts, less than it would cost you to have a pinstripe painted down the side of your car, less than it would cost you to put in a good new car radio today. You can get something pretty good for something pretty cheap.

Secondly, I think it made sense last year and still makes sense now because this is one of the very first times that states have ever acted regionally to deal with a regional problem.

What we passed last year said that even though Maine does not add much to the air pollution in the northeast, we, the State of Maine, will kick into line and we will do our part when certain number of other states have stepped into line too. Well, they have started to do that. New York and Massachusetts, which are big problem states and big air pollution producing states, have fallen into line. Now it is our turn to keep our word, it seems to me, and do exactly what we promised. If we pass the Resolution on the floor before us today, it would stop that.

Now, if we don't meet the air standards in the future and if we as a state can't prove that we did take the steps to do the right thing in the past, then federal law will automatically kick us up to a higher level of demand, a higher level of penalty and at a much greater cost. We will have much less, in fact nearly nothing, to say about it. If we don't use the carrot, folks, they are going to hit us with a stick and they are going to hit us mighty hard. That is not progress.

Staying in the game right now is the only way the State of Maine has any leverage over other states to the south of us which do produce the pollution that we breathe. That is the only way we have to keep those states in line and we have no other leverage but our word. If at this point in the game when others have started to keep their word, we break ours, that is not progress. If southern states were sending us outright poison, let us say radioactive waste, and the only way that we could stop them from doing it was to act as a group and think regionally, then you know we would be doing that. I don't think we would be so eager at all to drop out of something that was just starting to fall into place and work well if we were going to be directly poisoned. Well, those states to the south are shipping us their poison, absolutely, it is in our air, you can see it in the summertime, you breathe it every day, we pay for it every day in our health bills, especially for those at risk, our elderly, those with asthma, children.

I would urge you to look at some of the handouts on the beige paper that we did have sent around earlier in the debate. Detroit's Big Three automakers have seen the handwriting on the wall. They have come somewhat reluctantly but finally more than halfway to producing the kind of cars that will produce less of the stuff that you and I, being at the end of the line, are breathing everyday. Now that is progress and if all Maine has to do to participate in that progress and keep it inching forward is to keep our word, stay in line, do what is the right thing, then I think that is progress. Detroit and other states are already starting to do their part of the big job. Our job is to just stay in the game.

I would point out that it might be easier for you to reject the measure before us today if you can remember the list of people who voted for the measure back in 1990 when it was part of the Clean Air Act of 1990, sponsored by Senator Mitchell, voted for by Senator Cohen, voted for by Representative Snowe and, in the election of 1992, endorsed fully by both candidate Tom Andrews and candidate Linda Bean. If you look at the light board today, folks, you will see both Representative Adams of District #27 of Portland and Linda Bean having cast a vote the same way. Now, that is progress.

Ladies and gentlemen, again I say, if we don't embrace the carrot, we are going to get hit with the stick. With regrets and with great respect toward my learned colleague and dear friend Representative Willis Lord, I must urge you to vote no upon the presentation before us today.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bath, Representative Holt.

Representative HOLT: Mr. Speaker, Ladies and Gentlemen of the House: With my respect and affection for the good Representative from Waterboro, Willis Lord, I not only ask you but I beg you to vote no on this Resolution. It is not just for the elderly and the young, it is for all of us, ozone levels hurt healthy lungs too. There are 20,000 children in Maine with asthma, it hurts them very badly.

My Dad is a healthy and I think handsome, young, 85 year old but you know he can't go out and work hard in the garden or repair his porch on days when the ozone levels are high. His eyes sting, it is hard on his lungs. There are 100,000 Mainers with lung disease so I beg you, we can't turn the clock back, we have to keep going forward.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, My Learned Colleagues: I would like to make one or two more remarks. When I went to the forum in Portland this summer, the Ozone Transport Commission had a forum there, it was quite a group of people from not only the State of Maine but other New England states that opposed the petition. Before we started, one of the fellows gave a little rundown of what is happening in California. California last year had 100 days they didn't meet the ozone level. That is quite a lot different than we are in the State of Maine. I ask all of you this question - if the California car is so good, why isn't EPA and all the states doing it?

Here is the City of Chicago that probably has two or three times the population that we have in Maine, they are not doing anything.

They talk about this federal car, yes this federal car isn't as rigid as is the California car but they are a lot more strict and all those cars will be sold in every state in the union. So, we are moving ahead.

I still say we don't need the California car at this time and I think we shouldn't have the California car at this time.

The SPEAKER PRO TEM: 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 PRO TEM: The pending question before the House is the motion of Representative Lord of Waterboro that Joint Resolution (H.P. 1346) be adopted.

The Chair recognizes the Representative from Eastport, Representative Townsend.

Representative TOWNSEND: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with Representative Townsend of Portland. If she were present and voting, she would be voting nay; I would be voting yea.

The SPEAKER PRO TEM: The pending question before the House is the motion of Representative Lord of Waterboro that Joint Resolution (H.P. 1346) be adopted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 237

YEA - Aikman, Aliberti, Anderson, Bailey, H.; Bailey, R.; Barth, Birney, Cameron, Campbell, Carleton, Carr, Clark, Clement, Clukey, Coffman, Cross, Dexter, Driscoll, Erwin, Farnum, Farren, Foss, Greenlaw, Hale, Hillock, Hussey, Jalbert, Joy, Kilkelly, Libby Jack, Lipman, Look, Lord, Marshall, Melendy, Mitchell, J.; Morrison, Murphy, Nash, Nickerson, Norton, O'Gara, Reed, G.; Reed, W.; Ricker, Robichaud, Rotondi, Saint Onge, Simoneau, Small, Spear, Stevens, A.; Strout, Taylor, Thompson, True, Tufts, Whitcomb, Young, Zirkilton.

NAY - Adams, Ault, Beam, Bennett, Bowers, Bruno, Carroll, Cashman, Cathcart, Chase, Cloutier, Coles, Daggett, Dipietro, Dore, Faircloth, Farnsworth, Fitzpatrick, Gamache, Gean, Gould, R. A.; Gray, Gwadosky, Heeschen, Hichborn, Holt, Johnson, Joseph, Kerr, Ketterer, Kontos, Larrivee, Lemke, Lemont, Libby James, Marsh, Michael, Michaud, Nadeau, Oliver, Ott, Paradis, P.; Pendexter, Pfeiffer, Pineau, Pinette, Plourde, Plowman, Poulin, Rand, Richardson, Rowe, Ruhlman, Rydell, Saxl, Simonds, Skoglund, Stevens, K.; Sullivan, Swazey, ; Townsend, L.; Tracy, Treat, Vigue, Walker, Wentworth, Winn.

ABSENT - Ahearne, Brennan, Caron, Chonko, Constantine, Cote, Donnelly, Dutremble, L.; Hatch, Heino, Hoggund, Jacques, Kneeland, Kutasi, Lindahl, MacBride, Martin, H.; Mitchell, E.; Pendleton, Pouliot, Tardy, The Speaker.

PAIRED - Townsend, E. - Nay/Townsend, G. - Yea
Yes, 60; No, 67; Absent, 22; Paired, 2; Excused, 0.
60 having voted in the affirmative and 67 in the negative with 22 being absent and 2 having paired, Joint Resolution (H.P. 1346) failed adoption.

SENATE PAPER

Non-Concurrent Matter

Bill "An Act to Promote Fairness in Investigation of Employee Misconduct" (H.P. 1325) (L.D. 1787) which was referred to the Committee on **State and Local Government** in the House on January 25, 1994.

Came from the Senate referred to the Committee on **Judiciary** in non-concurrence.

The House voted to Recede and Concur.

On motion of Representative MICHAUD of East Millinocket, adjourned at 5:20 p.m., pursuant to Joint Order (S.P. 648).