

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION

Senate

December 2, 1992 to May 18, 1993

STATE OF MAINE
ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Thursday
February 25, 1993

Senate called to Order by the President, Dennis L. Dutremble of York.

Prayer by Reverend Susan Davenport of the Brown Memorial United Methodist Church in Clinton.

REVEREND SUSAN DAVENPORT: Good morning. Will you join me in prayer? Gracious and loving God we give you thanks for the beauty of this day and for all of the blessings and opportunities that it holds for us. You have called us out of many places to be your servants, to serve your people to whom you show no partiality but love equally. Grant us your wisdom tempered with compassion in our work that all we do and say this day may be for the greater good and to the glory of your holy name. Amen.

Reading of the Journal of Tuesday, February 23, 1993.

Out of order and under suspension of the Rules, on motion by Senator **BUSTIN** of Kennebec, the following Joint Order:

S.P. 231

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 2, 1993, at ten o'clock in the morning.

Which was **READ** and **PASSED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Centralize Licensing for Retail Businesses"

H.P. 399 L.D. 512

In House, February 16, 1993, referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**.

In Senate, February 17, 1993, referred to the Committee on **TAXATION** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

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

Senator **CIANCHETTE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. As Chairman of the Business Legislation Committee I wanted you to know that Senator Baldacci and I have been having a big fight about this particular bill and which Committee it's going to go to. I yielded it to him the other day but apparently now he wants to throw it back on the Business Legislation Committee because he thinks he's going to get his work done before we're going to get our work done. It's really immaterial to me whether the Business Legislation Committee gets it or the Taxation Committee gets it. I just wanted everyone to understand that. Thank you.

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

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Somerset County, Senator Cianchette is correct. We have discussed it and it is going to go to Business Legislation and as far as the tax portion on it, he has assured us that it will be going to Taxation if in fact it does survive the light of day in the Business Legislation Committee. Thank you.

On motion by Senator **ESTY** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Extend the Retirement Incentive Option for Two Years" H.P. 462 L.D. 599

Bill "An Act Concerning Funding of the Maine State Retirement System" H.P. 465 L.D. 602

Come from the House referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**.

Which were referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Allowing Animal Welfare Personnel of the Department of Agriculture, Food and Rural Resources to Enforce Laws Prohibiting the Sale of Certain Fish and Wildlife"

H.P. 448 L.D. 574

Comes from the House referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**, in concurrence.

Resolve, to Reduce the Administrative Costs of State Government (Emergency)
H.P. 487 L.D. 645

Comes from the House referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend the Mutual Holding Company Laws"
H.P. 477 L.D. 614

Bill "An Act to Strengthen Laws Against Uninsured Motorists"
H.P. 484 L.D. 642

Come from the House referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Allow All Retailers to Obtain Cigarettes at the Same Price"
H.P. 466 L.D. 603

Bill "An Act to Clarify the Laws Related to Debt Collectors and Repossession Companies"
H.P. 470 L.D. 607

Bill "An Act Regarding Vessels Stored at Marinas"
H.P. 481 L.D. 618

Come from the House referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Clarify the Days During Which Prisoners May Be Delivered to the Custody of the Department of Corrections"
H.P. 443 L.D. 569

Resolve, to Require the Maine Criminal Justice Commission to Study Adult Inmate Education and Training in the Correctional System (Emergency)
H.P. 478 L.D. 615

Come from the House referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**.

Which were referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend Teacher Certification Laws"
H.P. 453 L.D. 579

Bill "An Act Regarding Responsibilities of Union School Committees"
H.P. 456 L.D. 582

Resolve, to Reduce the Cost of Administration for Public Primary and Secondary Education (Emergency)
H.P. 458 L.D. 584

Bill "An Act to Allow Elementary and Secondary Schools to Obtain Insurance Coverage through the Bureau of General Services"
H.P. 460 L.D. 586

Come from the House referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **EDUCATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Reaffirm the Prohibition of Spaghetti-lots"
H.P. 467 L.D. 604

Bill "An Act Concerning Mooring Permits"
H.P. 469 L.D. 606

Come from the House referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Establish the Maine Parks and Recreation Fund"

H.P. 472 L.D. 609

Comes from the House referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

On motion by Senator **ESTY** of Cumberland, referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Allow Bow Hunters to Take Antlerless Deer During the Open Firearms Season"

H.P. 440 L.D. 566

Bill "An Act to Require People Applying for the Moose Lottery to Have Hunting Licenses"

H.P. 455 L.D. 581

Bill "An Act to Ensure Safe Hunting"

H.P. 475 L.D. 612

Bill "An Act to Restrict the Taking of Turtles and Snakes from the Wild for Export, Sale or Commercial Purposes"

H.P. 485 L.D. 643

Bill "An Act Authorizing the Commissioner of Inland Fisheries and Wildlife to Regulate the Hunting of Moose"

H.P. 486 L.D. 644

Come from the House referred to the Committee on **FISHERIES & WILDLIFE** and **ORDERED PRINTED**.

Which were referred to the Committee on **FISHERIES & WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Require Job Impact Statements for Investment Programs Administered by the Finance Authority of Maine"

H.P. 449 L.D. 575

Comes from the House referred to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**, in concurrence.

Resolve, to Maximize the Availability of Federal Financing of Services for Families and Children (Emergency)

H.P. 450 L.D. 576

Bill "An Act to Reestablish Pineland Center as a Training, Education, Research and Treatment Center"

H.P. 479 L.D. 616

Bill "An Act to Equalize Mental Health Funding Across Regions"

H.P. 483 L.D. 641

Come from the House referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Encourage Payment of Child Support Obligations"

H.P. 441 L.D. 567

Comes from the House referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending **REFERENCE**.

Bill "An Act to Amend the Wrongful Death Laws"

H.P. 451 L.D. 577

Bill "An Act to Authorize the Experimental Use of Video Telecommunication for Arraignment"

H.P. 463 L.D. 600

Bill "An Act to Abolish All Concurrent Sentences"

H.P. 480 L.D. 617

Come from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which were referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Further Clarify Appellate Procedures under the Public Sector Labor Laws"

H.P. 459 L.D. 585

Comes from the House referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.

Resolve, to Direct the Commission on Governmental Ethics and Election Practices to Study Accountability and Truth in Campaign Advertising
H.P. 438 L.D. 564

Bill "An Act Concerning Termination of Tenancies at Will"
H.P. 468 L.D. 605

Bill "An Act to Change the Time of the State Primary"
H.P. 488 L.D. 646

Come from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Further Discourage the Smoking of Cigarettes by Minors"
H.P. 454 L.D. 580

Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **LEGAL AFFAIRS**.

On motion by Senator **ESTY** of Cumberland, referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Ensure Continuity of State-contracted Services"
H.P. 457 L.D. 583

Bill "An Act Regarding Legislative Ethics"
H.P. 471 L.D. 608

Bill "An Act to Establish an Advisory Board to Ensure That the State Maximizes the Use of Available Federal Funds"
H.P. 473 L.D. 610

Bill "An Act to Shorten the Appeal Procedure for the State Bidding Process and to Provide Consistent Administration of Appeal Hearings"
H.P. 476 L.D. 613

Come from the House referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which were referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Exclude Income of Certain College Students from Household Income for Purposes of Determining Eligibility in the Circuit Breaker Program"
H.P. 439 L.D. 565

Bill "An Act to Adjust Property Tax Levies Based on Household Income"
H.P. 446 L.D. 572

Bill "An Act to Provide a Local Option Sales and Use Tax"
H.P. 452 L.D. 578

Bill "An Act to Increase the County Share of the Real Estate Transfer Tax"
H.P. 464 L.D. 601

Bill "An Act to Promote Job Creation, Retention and Development in Economically Depressed Areas"
H.P. 474 L.D. 611

(See Action Later Today)

Come from the House referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Create a Pilot Project at the Yarmouth Information Center"
H.P. 442 L.D. 568

Bill "An Act to Increase Driver Safety in Inclement Weather"
H.P. 444 L.D. 570

Bill "An Act to Regulate the Safety of Off-system Railroads"
H.P. 445 L.D. 571

Bill "An Act to Ensure That Towns Do Not Have to Pay for Ambulance or Emergency Vehicle Response on Controlled Access Highways within Their Boundaries"
H.P. 461 L.D. 598

Bill "An Act to Amend the Motor Vehicle Laws"
H.P. 482 L.D. 619

Come from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Ensure Residential Consumer Representation on and before the Public Utilities Commission"
H.P. 447 L.D. 573

Comes from the House referred to the Committee on **UTILITIES** and **ORDERED PRINTED**.

Which was referred to the Committee on **UTILITIES** and **ORDERED PRINTED**, in concurrence.

On motion by Senator **ESTY** of Cumberland, the Senate **RECONSIDERED** its action whereby it **REFERRED** to the Committee on **TAXATION**:

Bill "An Act to Promote Job Creation, Retention and Development in Economically Depressed Areas"
H.P. 474 L.D. 611

(In Senate, February 25, 1993, **REFERRED** to the Committee on **TAXATION** and **ORDERED PRINTED** in concurrence.)

(In House, February 23, 1993, **REFERRED** to the Committee on **TAXATION** and **ORDERED PRINTED**.)

On further motion by same Senator, Tabled 1 Legislative Day, pending **REFERENCE**.

Off Record Remarks

Senator **PARADIS** of Aroostook was granted unanimous consent to address the Senate off the Record.

COMMUNICATIONS

The Following Communication:

**HEALTH CARE FINANCE COMMISSION
STATE HOUSE STATION 102
AUGUSTA, MAINE 04333**

January 15, 1993

The Honorable Dennis L. Dutremble
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear President Dutremble:

I am pleased to transmit to you the Commission's Annual Report. My fellow Commissioners and I hope that our report will be helpful to you and the other members of the Legislature in your efforts to formulate and implement health policy for Maine.

Our report indicates that the cost of hospital services has increased at a significantly lower rate in Maine than in our neighboring states and the nation since the establishment of Maine's hospital payment system. These lower rates of increase have directly benefited Maine payors in the form of lesser payments and have made hospital services more accessible to Maine citizens.

Unfortunately, this progress in cost containment has been somewhat clouded by the continuing failure of the federal government to pay its fair share of the cost of hospital services. Governmental payment shortfalls have increased significantly over the past several years, causing higher hospital charges and greater payments by Maine's private payors. We recognize that this problem is not unique to Maine and that its solution may require a national initiative.

We note with special emphasis two developments relating to hospital utilization. First, a twelve year decline in hospital admissions was reversed in 1991, and second, hospital utilization by Medicaid patients increased sharply between 1988 and 1991. Both of these developments deserve further analysis and we will discuss the reasons for and the policy implications of these developments in a future report.

In our last Annual Report we described the first phase of the implementation process for the major statutory amendments enacted in 1989. We can now report that the transition from the original hospital payment system to the significantly revised system established in 1989 has been completed and, over this next year, we will be collecting the information necessary to permit the first assessment of these new systems.

We look forward to working with you to assure that quality hospital care is available to all Maine citizens at an affordable cost.

Sincerely,

S/Rosalyn S. Bernstein
Chairman

Which was **READ** and with Accompanying Papers **ORDERED PLACED ON FILE.**

The Following Communication:

**MAINE COUNCIL ON ALCOHOL AND DRUG ABUSE
PREVENTION AND TREATMENT
STATE HOUSE STATION 159
AUGUSTA, MAINE 04333**

February 1, 1993

The Honorable Dennis L. Dutremble
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear President Dutremble:

I am pleased to present the 1993 Annual Report of the Maine Council on Alcohol and Drug Abuse Prevention and Treatment, offered to the Governor, the Legislature, the Judicial Council, and the Acting Director of the Office of Substance Abuse.

The Report is the result of many hours of analysis and discussion by members of the Maine Council. It includes an assessment of the current continuum of alcohol and other drug abuse prevention and treatment services as well as four important focal issues the Council will address during the next few months: alcohol pricing and taxing mechanisms; the effective benefits of funding prevention initiatives; increasing student involvement in alcohol and other drug abuse prevention activities; the impact of managed care upon access to the continuum of treatment services.

As there are issues in this report which have direct impact upon your consideration of policy, we particularly want to direct your attention to the Council's priorities for 1993. We would be happy to talk with you concerning any additional information you might want, and to follow up with recommendations and proposals for action. We would welcome the opportunity to meet with you and discuss these concerns in greater detail.

On behalf of the Maine Council, I hope you find the 1993 Annual Report informative and useful.

Sincerely,

S/Granville V. Henthorne, Chair
Maine Council on Alcohol and
Drug Abuse Prevention and Treatment

Which was **READ** and with Accompanying Papers **ORDERED PLACED ON FILE.**

SENATE PAPERS

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 for Lake Restoration"

S.P. 215 L.D. 686

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Representative CHASE of China and
Senators: **CAREY** of Kennebec, **O'DEA** of
Penobscot, **TITCOMB** of Cumberland,
Representatives: BARTH of Bethel, DAGGETT of
Augusta, JACQUES of Waterville, LORD of Waterboro

Which was referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Require That Purchasers of Used Cars Be Informed Whether the Cars Were the Subjects of Lemon Law Decisions"

S.P. 223 L.D. 694

Presented by Senator **BRANNIGAN** of Cumberland
Cosponsored by Senator **HANDY** of Androscoggin,
Representative HOGLUND of Portland and
Senators: **ESTY** of Cumberland, **LUTHER** of
Oxford, Representatives: BOWERS of Washington,
CATHCART of Orono, FAIRCLOTH of Bangor, KILKELLY
of Wiscasset, LARRIVEE of Gorham, MELENDY of
Rockland, RICHARDSON of Portland, ROTONDI of
Athens, TOWNSEND of Portland
Submitted by the Department of the Attorney
General pursuant to Joint Rule 24.

Bill "An Act to Regulate Home Repair by Transient Contractors"

S.P. 228 L.D. 699

Presented by Senator **PARADIS** of Aroostook
Cosponsored by Representative HOGLUND of Portland
and Senators: **ESTY** of Cumberland, **HANDY** of
Androscoggin, Representatives: BOWERS of
Washington, KILKELLY of Wiscasset, MELENDY of
Rockland, RICHARDSON of Portland, TOWNSEND of
Portland
Submitted by the Department of the Attorney
General pursuant to Joint Rule 24.

Which were referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act Concerning School Building Plans"
S.P. 208 L.D. 679

Presented by Senator **CAREY** of Kennebec

Bill "An Act to Enhance the Role of the State Board of Education"

S.P. 209 L.D. 680

Presented by Senator **AMERO** of Cumberland
Cosponsored by Senators: **BEGLEY** of Lincoln,
CARPENTER of York, **CLEVELAND** of Androscoggin,
LUDWIG of Aroostook, **MARDEN** of Kennebec,
O'DEA of Penobscot, **PINGREE** of Knox,
Representatives: **CLOUTIER** of South Portland,
MITCHELL of Vassalboro, **PFEIFFER** of Brunswick,
PINETTE of Fort Kent, **SIMONDS** of Cape Elizabeth,
SMALL of Bath

Which were referred to the Committee on
EDUCATION and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Establish the Maine Environmental Trust Fund Commemorative Motor Vehicle Plate"

S.P. 222 L.D. 693

Presented by Senator **PEARSON** of Penobscot
Cosponsored by Senator: **SUMMERS** of Cumberland,
Representatives: **AULT** of Wayne, **MARSH** of West
Gardiner
Submitted by the Department of Environmental
Protection pursuant to Joint Rule 24.

Committee on **ENERGY & NATURAL RESOURCES**
suggested and **ORDERED PRINTED**.

On motion by Senator **ESTY** of Cumberland,
referred to the Committee on **TRANSPORTATION**.

Sent down for concurrence.

Bill "An Act to Prohibit Commercial Hunting on Unlicensed Land"

S.P. 210 L.D. 681

Presented by Senator **PEARSON** of Penobscot

Bill "An Act to Increase Fees Charged by Agents to Issue Sporting Licenses"

S.P. 218 L.D. 689

Presented by Senator **BEGLEY** of Lincoln

Bill "An Act to Require the Issuance of Antlerless Deer Permits to All Individuals Receiving Free Hunting Licenses"

S.P. 224 L.D. 695

Presented by Senator **HANLEY** of Oxford
Cosponsored by Representatives: **DEXTER** of
Kingfield, **KUTASI** of Bridgton, **RUHLIN** of Brewer,
TRUE of Fryeburg

Which were referred to the Committee on
FISHERIES & WILDLIFE and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act Related to Special Education Costs"
S.P. 219 L.D. 690

Presented by Senator **BRANNIGAN** of Cumberland
Cosponsored by Senator **PARADIS** of Aroostook and
Representative: **CARROLL** of Gray

Bill "An Act to Remove Home Health Care Agencies from the Maine Certificate of Need Act of 1978 Requirement for Initial Licensure"

S.P. 226 L.D. 697

Presented by Senator **ESTY** of Cumberland
Cosponsored by Representatives: **DORE** of Auburn,
GEAN of Alfred, **PINEAU** of Jay

Which were referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Maine Human Rights Act to Include Provisions Concerning Employment Discrimination"

S.P. 214 L.D. 685

Presented by Senator **PARADIS** of Aroostook
Cosponsored by Senators: **BALDACCIO** of Penobscot,
CLEVELAND of Androscoggin, **HANDY** of
Androscoggin, **LAWRENCE** of York, **PEARSON** of
Penobscot, **PINGREE** of Knox, **TITCOMB** of
Cumberland, **VOSE** of Washington,
Representatives: **BEAM** of Lewiston, **BRENNAN** of
Portland, **CARROLL** of Gray, **CHASE** of China, **ERWIN**
of Rumford, **FARNSWORTH** of Hallowell, **KONTOS** of
Windham, **MICHAUD** of East Millinocket, **RYDELL** of
Brunswick, **TOWNSEND** of Eastport, **TREAT** of
Gardiner, **WENTWORTH** of Arundel

Which was referred to the Committee on
JUDICIARY and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Limit Attorney's Fees in Workers' Compensation Cases"

S.P. 205 L.D. 676

Presented by Senator **HANLEY** of Oxford
Cosponsored by Representatives: **HILLOCK** of
Gorham, **LEMONT** of Kittery, **TRUE** of Fryeburg

Bill "An Act to Amend the Occupational Disease
Law"
S.P. 216 L.D. 687

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Senators: **CONLEY** of Cumberland,
DUTREMBLE of York, **LAWRENCE** of York,
PARADIS of Aroostook, **PEARSON** of Penobscot,
Representatives: **ADAMS** of Portland, **AHEARNE** of
Madawaska, **CAMERON** of Rumford, **CARROLL** of Gray,
CHONKO of Topsham, **CLARK** of Millinocket, **CLEMENT**
of Clinton, **COFFMAN** of Old Town, **DRISCOLL** of
Calais, **ERWIN** of Rumford, **HALE** of Sanford, **HATCH**
of Skowhegan, **HUSSEY** of Milo, **LEMONT** of Kittery,
MARTIN of Van Buren, **MARTIN** of Eagle Lake,
MICHAUD of East Millinocket, **MITCHELL** of
Freeport, **MORRISON** of Bangor, **OLIVER** of Portland,
ST. ONGE of Greene, **SWAZEY** of Bucksport, **TRACY** of
Rome

Bill "An Act Requiring Certification for the
Payment of Subminimum Wages to Disabled Workers"
S.P. 217 L.D. 688

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Representatives: **ADAMS** of
Portland, **DAGGETT** of Augusta, **PARADIS** of Augusta,
TRACY of Rome, **WINN** of Glenburn

Bill "An Act to Require Good Cause for Employment
Termination"
S.P. 230 L.D. 701

Presented by Senator **LUTHER** of Oxford
Cosponsored by Representative **TRACY** of Rome and
Senator: **DUTREMBLE** of York, Representatives:
GRAY of Sedgwick, **HEESCHEN** of Wilton, **JOSEPH** of
Waterville, **PINEAU** of Jay

Which were referred to the Committee on **LABOR**
and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Establish a Full Employment
Program as a Pilot Project in Certain Counties of the
State"
S.P. 212 L.D. 683

Presented by Senator **HANLEY** of Oxford
Cosponsored by Representatives: **BENNETT** of
Norway, **BRUNO** of Raymond, **QUINT** of Paris

Reference to the Committee on **LABOR** suggested
and **ORDERED PRINTED.**

On motion by Senator **HANDY** of Androscoggin,
Tabled 1 Legislative Day, pending **REFERENCE.**

Bill "An Act Concerning the Purchase of Liquor by
Establishments Licensed to Sell Liquor on Premises"
S.P. 213 L.D. 684

Presented by Senator **BALDACCI** of Penobscot
Cosponsored by Senator: **HANDY** of Androscoggin,
Representative: **KUTASI** of Bridgton

Which was referred to the Committee on **LEGAL**
AFFAIRS and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Require Safety Identification for
Sea Kayaks"
S.P. 211 L.D. 682

Presented by Senator **CAHILL** of Sagadahoc

Which was referred to the Committee on **MARINE**
RESOURCES and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Provide for Interstate
Cooperation Agreements between Neighboring
Municipalities"
S.P. 206 L.D. 677

Presented by Senator **HANLEY** of Oxford
Cosponsored by Representative: **TRUE** of Fryeburg

RESOLUTION, Proposing an Amendment to the
Constitution of Maine to Increase the Availability of
Legislative Participation
S.P. 220 L.D. 691

Presented by Senator **HANLEY** of Oxford
Cosponsored by Senators: **HALL** of Piscataquis,
SUMMERS of Cumberland, Representatives: **BARTH**
of Bethel, **BENNETT** of Norway, **BRUNO** of Raymond,
CAMERON of Rumford, **CROSS** of Dover-Foxcroft,
DEXTER of Kingfield, **KUTASI** of Bridgton, **LEMONT**
of Kittery, **QUINT** of Paris, **REED** of Dexter, **TRUE**
of Fryeburg

Bill "An Act to Limit to 4 the Number of
Consecutive Terms a Legislator May Serve"
S.P. 221 L.D. 692

Presented by Senator **HANLEY** of Oxford
Cosponsored by Senators: **CIANCHETTE** of
Somerset, **HALL** of Piscataquis, Representatives:
BARTH of Bethel, **BRUNO** of Raymond, **CAMERON** of
Rumford, **CROSS** of Dover-Foxcroft, **DEXTER** of
Kingfield, **HILLOCK** of Gorham, **KUTASI** of Bridgton,
MICHAEL of Auburn, **QUINT** of Paris, **TRUE** of
Fryeburg

Bill "An Act to Reform and Reestablish the Commission on Governmental Ethics and Election Practices"

S.P. 225 L.D. 696

Presented by Senator BUTLAND of Cumberland
Cosponsored by Senators: AMERO of Cumberland,
CARPENTER of York, Representatives: ANDERSON of
Woodland, GOULD of Greenville, LORD of Waterboro,
MARSH of West Gardiner, REED of Falmouth, TAYLOR
of Cumberland

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

S.P. 227 L.D. 698

Presented by Senator BUTLAND of Cumberland
Cosponsored by Senator: AMERO of Cumberland,
Representatives: AIKMAN of Poland, AULT of Wayne

Which were referred to the Committee on STATE &
LOCAL GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Develop and Expand Markets for
Recycled Materials"

S.P. 229 L.D. 700

Presented by Senator BALDACCI of Penobscot
Cosponsored by Senator SUMMERS of Cumberland,
Representative ZIRNKILTON of Mount Desert and
Representative: SAXL of Bangor
Submitted by the Maine Waste Management Agency
pursuant to Joint Rule 24.

Which was referred to the Committee on TAXATION
and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Make Additional Allocations to
the Public Utilities Commission Regulatory Fund for
the Fiscal Year Ending June 30, 1993" (Emergency)

S.P. 207 L.D. 678

Presented by Senator VOSE of Washington
Cosponsored by Senator: CARPENTER of York,
Representatives: AIKMAN of Poland, CLARK of
Millinocket
Submitted by the Public Utilities Commission
pursuant to Joint Rule 24.

Which was referred to the Committee on
UTILITIES and ORDERED PRINTED.

Sent down for concurrence.

Under suspension of the Rules, all matters thus
acted upon were ordered sent down forthwith for
concurrence.

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator CLEVELAND for the Committee on
UTILITIES on Bill "An Act Related to Private
Facilities in the Public Way"

S.P. 71 L.D. 133

Reported that the same Ought to Pass as Amended
by Committee Amendment "A" (S-27).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-27) READ and
ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR
SECOND READING.

SECOND READERS

The Committee on Bills in the Second Reading
reported the following:

House As Amended

Bill "An Act Concerning Installation of Propane
Gas Water Heaters"

H.P. 38 L.D. 46
(H "A" H-24 to C
"A" H-22)

Which was READ A SECOND TIME and PASSED TO BE
ENGROSSED, As Amended, in concurrence.

Senate As Amended

Bill "An Act to Authorize the New England School
of Broadcasting to Award the Degree of Associate of
Science in Broadcasting"

S.P. 70 L.D. 132
(C "A" S-26)

Which was READ A SECOND TIME and PASSED TO BE
ENGROSSED, As Amended.

Sent down for concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

An Act to Legalize Blue-dot Taillights
S.P. 18 L.D. 8

Which was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

An Act Concerning the Employment of Personnel by the Department of Inland Fisheries and Wildlife
H.P. 161 L.D. 213

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The last time here there was some information in the debate on this particular bill, L.D. 213, that I did a little research on after the debate. I talked with the Commissioner of Inland Fisheries and Wildlife, the Deputy Commissioner and the Colonel of the Maine Warden Service. They assured me that this was not a Department sponsored bill. They did send a representative over to listen to the testimony, that representative did indeed testify at the Committee hearing, basically not opposed. I wasn't there so I will not quote his testimony. I wanted the Chamber to know that it is not a department sponsored bill. I still do have some very strong reservations about this bill. I'd like to take just a second for anybody who doesn't totally understand the structure of the Maine Warden Service. The Maine Warden Service is headed by the Colonel, one individual. There is one Major under him who directly oversees the men in the field. Beyond that there is a structure of five Lieutenants that handle the five Warden Divisions throughout the State. Under the five Lieutenants there is a total of eighteen Sergeants who each handle approximately five or six District Wardens. These positions are very competitive, the Sergeant, Lieutenant and Major. You can add them up, there's a small total. There's twenty four people in the present law that we have. Those 24 people can be appointed to the position of Colonel. Having been in the position of a Lieutenant in this State I know how important it is to go through the proper steps. Every step is a learning procedure towards the next step. We have some very capable District Wardens out there. Most of them though, have not had any management experience. The Colonel's position in the Maine Warden Service is so important that we should always be assured that it has someone who does have management experience. Working up through the ranks in any field, I feel is very important. For these reasons I would ask that L.D. 213 be Indefinitely Postponed with its accompanying papers. Thank you.

Senator **HALL** of Piscataquis moved that Bill and Accompanying Papers be **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I don't know the rationale really for the motion that has just been made but I hope that you will disregard it and remember that this was a unanimous Committee report. It passed in the other body unanimously, there was absolutely no opposition. The Department did not testify either for or against it, nobody said boo. I would remind you that all this does is open up for consideration only the names of people, men or women if there are any in the department to be considered for the rank of Colonel, that's all it does. You've heard that there are currently eighteen Sergeants, but in the current budgetary proposal there is also consideration as you know to eliminate some positions. Of the twelve positions considered for elimination it would include four Sergeants, so that the pool is diminished from which to pick to become a Colonel, number one. Number two, it would open it up to all of the members of that Department who are qualified if they are members of the Department, the new enrollees, the people who enter the service are now better equipped to handle the job. They are much better educated and they are better trained, they have experience and it also would be a morale booster for the Department. You know when you come into a job if you think there's no upward mobility you may not give your best effort but if you know there is a chance for advancement you will give your all and it's good all around. I would urge that you enact this bill, it's a good bill and I thank you very much for your consideration. Thank you.

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

Senator **CARPENTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I believe that this bill takes away the incentive for advancement. You have Sergeants that are there now, they're not there because they were appointed, they're Sergeants because they have worked hard and worked their way up through the ranks, they've been tested, they have passed the test. They are now having supervisory experience. It's the same all the way up through the ranks. The Sergeants have passed tests, they have the experience. Lieutenants have passed tests they have more experience than the Sergeants, and the Major has taken tests and worked his way up through the ranks. I can't conceive the reason for this bill, it doesn't make any sense that a person that is appointed to the Warden's Service under this bill as it now stands, could be appointed Colonel the next day, he or she could be appointed Colonel the next day. I'm not saying it's going to happen, it most likely won't happen. If that's the case I would like to know what the reason for this bill is. Thank you.

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

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I went to this hearing because I felt this was very important for Inland Fisheries and Wildlife and perhaps worded differently it might have come to that Committee. No one showed up to speak in opposition to this Bill. No one came to the work session to speak in

opposition to this Bill. When we came here we were told that this was a more conservative body and that we respected each others work. I think that is what is really at stake here. This went through a process, it was heard by a Committee, it came out of Committee with a unanimous report, there was no controversy at all. Anyone that was opposed to this Bill could have done it at that time. If this is the way we're going to respect each others bills then I think this means it's free for all. It's a poor game that two people can't play, and in this case thirty five people can't play it. If we're going to let a bill go through a Committee and let it come through the whole process and if we don't like it then try to kill it this way, on the floor, then not only will we not be out of here by April, we'll be lucky if we get out of here by August. None of us is going to be bound by a rule that anyone else isn't bound by. This bill had its full process, it came without any controversy, a unanimous report. I think people put bills in because they want to and if anybody has a question about it I would go see Representative Rotondi, she's the one who is the prime sponsor for this bill. I urge you to defeat the motion on the floor. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'd like to respond to a couple of comments that have been made. Oversight is no excuse but I can assure you I missed the hearing on this bill or they would have had some very strong opposition in Committee. I agree, most definitely, that the Committee reports should definitely be respected in the Senate and also in the House. I'd like to speak for just a quick second to morale. It was brought out that this would be a morale booster, possibly it might be a morale booster to the District Warden's. It was also brought out that it might never happen and indeed it may not happen. This is a very small bill compared to what we have facing us ahead but I think of what would happen to the morale in the Sergeants, the Lieutenants and the Majors positions if, just if, a District Warden was appointed to the Colonel's position. It would be devastating. The whole management structure of the Maine Warden Service would collapse like a house of cards. Thank you.

Senator **ESTY** of Cumberland requested a Division.

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

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Because those black and red checked shirts really are the culture of the western mountains I ask for the yeas and nays.

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

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator McCormick.

Senator **MCCORMICK:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would just like to note from what I learned of our debate on this bill the other day that if we were to indefinitely postpone this bill we would most likely put the Department in violation of its own affirmative action policy. As you know all businesses and departments are required to have such

a policy if their work force does not reflect the gender and race and ethnicity of the work force in the greater population. Since as we have been told this Department's Wardens do not so reflect there must be a pool at least that gives the opportunity of acting affirmatively and if we indefinitely postpone this bill we will not have that opportunity and therefore I think it would be unwise of us to put the Department in that position and I think we ought to vote down the motion to indefinitely postpone and get on with passing this bill.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This bill has absolutely nothing to do with gender bias. Thank you.

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending the motion by Senator **HALL** of Piscataquis to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE** (Roll Call Ordered).

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned matter:

HOUSE REPORT - from the Committee on **LEGAL AFFAIRS** on Bill "An Act to Amend the Lounge License Provisions"

H.P. 19 L.D. 21

Report - **Ought to Pass**

Tabled - February 23, 1993 by Senator **ESTY** of Cumberland.

Pending - **ACCEPTANCE** of Report

(In Senate, February 23, 1993, Report **READ**.)

(In House, February 17, 1993, **PASSED TO BE ENGROSSED**.)

Which Report was **ACCEPTED**.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication:

**COMMITTEE ON ENERGY AND NATURAL RESOURCES
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 23, 1993

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 116th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Norman A. Dean of Madison, for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Sen. 2	Sen. Cianchette of Penobscot, Sen. Ludwig of Aroostook
	Rep. 7	Rep. Jacques of Waterville, Rep. Gould of Greenville, Rep. Poulin of Oakland, Rep. Wentworth of Arundel, Rep. Lord of Waterboro, Rep. Anderson of Woodland, Rep. Marsh of Gardiner
NAYS:	0	
ABSENT:	4	Sen. Lawrence of York, Rep. Mitchell of Freeport, Rep. Coles of Harpswell, Rep. Constantine of Bar Harbor

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Norman A. Dean of Madison, for appointment to the Board of Environmental Protection be confirmed.

Signed:

S/Mark W. Lawrence
Senate Chair

S/Paul F. Jacques
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Norman A. Dean of Madison be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 116th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators AMERO, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG, LUTHER, MARDEN, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, SUMMERS, TITCOMB, VOSE, THE PRESIDENT – DENNIS L. DUTREMBLE

ABSENT: Senators BUTLAND, CAREY, WEBSTER

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Norman A. Dean, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

COMMITTEE REPORTS

Senate

Ought to Pass

Senator **BERUBE** for the Committee on **STATE & LOCAL GOVERNMENT** on Resolve, Creating a Special Commission to Erect a Plaque in the Hall of Flags Honoring Medal of Honor Recipients from Maine
S.P. 101 L.D. 279

Reported that the same **Ought to Pass**.

Which Report was **READ** and **ACCEPTED**.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING.**

Senator **MCCORMICK** of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **VOSE** of Washington, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning Service-related Retirement for Certain Teachers" H.P. 497 L.D. 655

Comes from the House referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED.**

Which was referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend the Authority of the State Harness Racing Commission to Contract for Certain Services" H.P. 506 L.D. 664

Comes from the House referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED.**

Which was referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$30,000,000 for Land for Maine's Future"

H.P. 533 L.D. 717

Comes from the House referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED.**

Which was referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Law Pertaining to the Termination of Credit Insurance" H.P. 489 L.D. 647

Bill "An Act to Amend the Workers' Compensation Laws" H.P. 530 L.D. 714

Come from the House referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED.**

Which were referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Require That the Inspection and Investigation Responsibilities of the Electricians' Examining Board Receive Funding Priority" H.P. 490 L.D. 648

Bill "An Act to License Athletic Trainers" H.P. 536 L.D. 720

Come from the House referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED.**

Which were referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Ensure Flat Funding for Local School Units"

H.P. 502 L.D. 660

Bill "An Act to Facilitate the Conduct of Business of the Maine Technical College System" (Emergency)

H.P. 508 L.D. 666

Bill "An Act to Reapportion Maine School Administrative District No. 72" (Emergency)

H.P. 511 L.D. 669

Come from the House referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **EDUCATION** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Shoreland Zoning Laws" H.P. 495 L.D. 653

Bill "An Act to Encourage the Implementation of the Solid Waste Management Hierarchy"

H.P. 525 L.D. 709

Come from the House referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Foster the Bringing Together of Venture Capital and Innovative Business Ideas" (Emergency)

H.P. 531 L.D. 715

Comes from the House referred to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish Natural Resource Enhancement Laws for the Aroostook River" H.P. 492 L.D. 650

Bill "An Act to Guide Cold-water Fisheries Management in Maine"

H.P. 494 L.D. 652

Bill "An Act Regarding Doe Permits" H.P. 505 L.D. 663

Bill "An Act to Amend the Laws on Whitewater Rafting"

H.P. 516 L.D. 674

Come from the House referred to the Committee on **FISHERIES & WILDLIFE** and **ORDERED PRINTED**.

Which were referred to the Committee on **FISHERIES & WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Prohibit Smoking in Restaurants" H.P. 496 L.D. 654

Bill "An Act to Repeal the Sterilization Procedures Review Committee" H.P. 521 L.D. 705

Resolve, Concerning a Special Revenue Account for
Emergency Medical Services
H.P. 527 L.D. 711

Come from the House referred to the Committee on
HUMAN RESOURCES and **ORDERED PRINTED**.

Which were referred to the Committee on **HUMAN
RESOURCES** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Priorities in the Probate
Code"
H.P. 491 L.D. 649

Bill "An Act to Charge a Fee for Superior Court
and District Court File Searches for Criminal
Convictions"
H.P. 499 L.D. 657

Bill "An Act to Amend the Laws Governing Sexual
Exploitation of Minors"
H.P. 507 L.D. 665

Bill "An Act to Amend the Provisions of the
Probate Code Providing Filing Fees and Duties of
Registers of Probate"
H.P. 515 L.D. 673

Bill "An Act Concerning Disclosure of the Names
of Criminal Suspects"
H.P. 528 L.D. 712

Bill "An Act to Exclude Law Enforcement Agencies
in Cumberland County from the Laws Requiring a
Single-warrant Repository"
H.P. 529 L.D. 713

Bill "An Act to Amend the Recording Requirements
for Proceedings Involving Real Estate"
H.P. 534 L.D. 718

Come from the House referred to the Committee on
JUDICIARY and **ORDERED PRINTED**.

Which were referred to the Committee on
JUDICIARY and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Restoring the Right to Sue to
Workers Injured Due to Gross Negligence"
H.P. 509 L.D. 667

Bill "An Act Concerning the Maine Unemployment
Insurance Commission"
H.P. 523 L.D. 707

Bill "An Act to Change the Labor Laws that Apply
to Students under 18 Years of Age" (Emergency)
H.P. 524 L.D. 708

Come from the House referred to the Committee on
LABOR and **ORDERED PRINTED**.

Which were referred to the Committee on **LABOR**
and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend Election Laws"
H.P. 517 L.D. 675

Comes from the House referred to the Committee on
LEGAL AFFAIRS and **ORDERED PRINTED**.

Which was referred to the Committee on **LEGAL
AFFAIRS** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require Legislative Oversight of
Agency Rulemaking"
H.P. 510 L.D. 668

Bill "An Act to Permit a Municipality to Reset
Land Monuments Dislocated by the Municipality"
H.P. 526 L.D. 710

Bill "An Act Relating to the Omnibus Drug Policy
Reform Act"
H.P. 532 L.D. 716

Come from the House referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which were referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Definition of "Parcel" for Purposes of Property Taxes" H.P. 504 L.D. 662

Bill "An Act to Better Preserve and Protect Endangered and Threatened Wildlife in Maine" H.P. 512 L.D. 670

Resolve, to Establish a Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals H.P. 513 L.D. 671

Bill "An Act to Clarify That the Existing Sales Tax Exemption for the Aquaculture Industry Extends to Seaweed and Other Marine Plant Growers" H.P. 518 L.D. 702

Bill "An Act to Require Job Impact Statements and Cost Benefit Analyses for Business Tax Incentives" H.P. 522 L.D. 706

Come from the House referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Related to Hook-up Fees for New Installations of Electric Heat" H.P. 500 L.D. 658

Bill "An Act to Provide Protection for Mortgagees Under the Utility Laws" H.P. 501 L.D. 659

Bill "An Act to Amend the Charter of the Passamaquoddy Water District" H.P. 503 L.D. 661

Bill "An Act to Amend the Civil Violation and Civil Forfeiture Laws for Natural Gas and Natural Gas Pipeline Utilities" H.P. 519 L.D. 703

Come from the House referred to the Committee on **UTILITIES** and **ORDERED PRINTED**.

Which were referred to the Committee on **UTILITIES** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Promote Safety of School Buses" H.P. 493 L.D. 651

Bill "An Act to Amend the Laws Governing the Dimming of Lights When Following Vehicles" H.P. 498 L.D. 656

Come from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Reimburse Municipalities for Forest Fire Suppression Costs" H.P. 520 L.D. 704

Committee on **STATE & LOCAL GOVERNMENT** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS**.

Which was referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

In Senate, February 23, 1993, referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

Bill "An Act Regarding Employee Benefits for School Employees" (Emergency)

H.P. 535 L.D. 719

Committee on **EDUCATION** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **BANKING & INSURANCE**.

Which was referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**, in concurrence.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **BRANNIGAN** of Cumberland, **ADJOURNED** until Tuesday, March 2, 1993, at 10:00 in the morning.

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Limit Conflicts of Interest and Ensure Objective and Qualified State Consultants"
S.P. 188 L.D. 624

In Senate, February 23, 1993, referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

Non-concurrent Matter

Bill "An Act to Amend the Adult Protective Services Act"

S.P. 191 L.D. 627