

# 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

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

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

In Senate Chamber  
Tuesday  
March 2, 1993

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

Prayer by Pastor Willis Flynn of the Church of God in Belfast.

**PASTOR WILLIS FLYNN:** Father for this day we thank you, for your kindnesses upon us, for the goodness you have bestowed upon your people we give you thanks. As the Senate today does business, as they carry on that which is in the interest of this State and the people of this State we pray that you might watch over, that you might bless, that you might give keen insight, you might strengthen resolve, that you might enable this group of people to do that which benefits this State and the people of this State. We ask that you would watch over and guide, strengthen all that we do and we thank you for your love for us and your kindness. In the name of your Son Jesus, Amen.

Reading of the Journal of Thursday, February 25, 1993.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

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**.

In House, February 23, 1993, referred to the Committee on **LEGAL AFFAIRS**.

In Senate, February 25, 1993, referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

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

**COMMUNICATIONS**

The Following Communication:

**COMMITTEE ON AGING, RETIREMENT AND VETERANS  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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 Aging, Retirement and Veterans has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 28 An Act to Clarify Eligibility for Ordinary Death Benefits under the Maine State Retirement System

L.D. 222 An Act to Provide Funds for the Maine National Guard

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

Sincerely,

S/Sen. Bonnie L. Titcomb  
Senate Chair

S/Rep. John Jalbert  
House Chair

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

The Following Communication:

**COMMITTEE ON BANKING AND INSURANCE  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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 Banking and Insurance has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 51 An Act to Facilitate the Sale of Health Insurance
- L.D. 200 An Act to Require Insurers to Modify Loss Payees in the Event of Termination of Coverage
- L.D. 194 An Act Requiring Disclosure of Coinsurance Provisions on Insurance Policies or Contracts
- L.D. 361 An Act Relating to Workers' Compensation Insurance
- L.D. 224 An Act to Require Health Insurance to Pay for Weight-loss Programs

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

Sincerely,

S/Sen. Dale McCormick                      S/Rep. Edward L. Pineau  
Senate Chair                                      House Chair

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

The Following Communication:

**COMMITTEE ON BUSINESS LEGISLATION  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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. 97 An Act Regarding the Labeling of Returnable Containers
- L.D. 114 An Act to Amend the Lemon Law
- L.D. 117 An Act to Provide an Inactive License for Barbers and Cosmetologists

- L.D. 134 An Act to Require the Board of Barbering and Cosmetology to Consider Experience as a Barber in Determining Eligibility for a Cosmetologist's License

- L.D. 141 An Act Concerning the Reimbursement of Beverage Container Handling Costs

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

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

The Following Communication:

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

February 26, 1993

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. 75 An Act Authorizing School Unions to Act as Fiscal Agents for Regional Cooperative Programs
- L.D. 197 Resolve, to Consolidate the University of Maine at Fort Kent into the University of Maine at Presque Isle
- L.D. 204 An Act to Require the Trustees of the University of Maine System to Include Certain Projections in Their Annual Report to the Legislature

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

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

The Following Communication:

**COMMITTEE ON FISHERIES AND WILDLIFE  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

The Following Communication:

February 26, 1993

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

February 26, 1993

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

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:

Dear President Dutremble and Speaker Martin:

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

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

- L.D. 17 An Act to Prohibit the Use of Jet Skis on Great Ponds
- L.D. 31 An Act to Lower the Age at Which Residents Are Entitled to Complimentary Hunting and Fishing Licenses
- L.D. 101 An Act to Amend the Laws Limiting the Number and Size of Fish Taken
- L.D. 109 An Act to Improve Safety for Snowmobile and ATV Operators
- L.D. 165 An Act to Authorize the Hunting of Bobwhite Quail
- L.D. 179 An Act to Allow Hunting of Small Game Animals on Sundays
- L.D. 188 An Act to Establish a Minimum Age Limit on the Use of All-terrain Vehicles

- L.D. 93 An Act to Require Outhouses to Be Removed from Shoreland Zones
- L.D. 95 An Act Prohibiting Licensed Septic Disposal Facilities on Leased Land
- L.D. 105 An Act to Extend the Deadline for Municipal Adoption of Mandatory Shoreland Zoning Ordinances
- L.D. 149 An Act to Foster Cooperative Legislative Oversight of Natural Resource Agencies
- L.D. 166 An Act to Exempt Public Schools From Air Emission License Fees
- L.D. 184 An Act to Prevent Clear-cutting within One Mile of a Great Pond
- L.D. 206 An Act to Require Reimbursement of Fines or Penalties Imposed on Municipalities by the Department of Environmental Protection
- L.D. 207 An Act to Exempt Municipalities from Fines and Penalties Imposed for Violations of Board of Environmental Protection Rules

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

Sincerely,

S/Sen. M. Ida Luther                      S/Rep. Dorothy A. Rotondi  
Senate Chair                                      House Chair

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

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

Sincerely,

S/Sen. Mark W. Lawrence                      S/Rep. Paul F. Jacques  
Senate Chair                                      House Chair

The Following Communication:

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

February 26, 1993

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

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. 39 An Act to Provide Restitution for Vandalism
- L.D. 98 An Act to Modify the Law Concerning Public Indecency
- L.D. 106 An Act to Provide for Adequate Bail Conditions for High-risk Offenders
- L.D. 214 An Act to Ensure That Interest on Lawyers' Trust Accounts Is the Property of the Clients

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

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

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The Following Communication:

**COMMITTEE ON LEGAL AFFAIRS  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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. 32 Resolve, Authorizing Albert W. Hallowell to Bring a Civil Action against the State
- L.D. 85 An Act to Prohibit the Chief of the State Police from Participating in Political Advertising

L.D. 115 Resolve, to Direct the State to Compensate Property Owners and Business Owners on Sebago Lake for Damages Incurred as a Result of Low Water Levels

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

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

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The Following Communication:

**COMMITTEE ON MARINE RESOURCES  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 34 An Act to Allow the Possession of Hatchery Produced, Sublegal, Red, Yellow or Blue Lobsters as Aquarium Pets

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. James Mitchell  
Senate Chair House Chair

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

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The Following Communication:

**COMMITTEE ON STATE AND LOCAL GOVERNMENT  
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

February 26, 1993

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 and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 72 An Act to Establish Certain Voting Rights for Landowners
- L.D. 81 An Act to Reduce the Number of Full-time Legislative Staff Employees
- L.D. 111 An Act Relating to the Somerset County Budget Process
- L.D. 130 An Act Regarding the Androscoggin County Budget Committee
- L.D. 316 An Act to Amend the Laws Governing Convening of Town Meetings

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

Sincerely,

S/Sen. Georgette B. Berube  
 Senate Chair

S/Rep. Ruth Joseph  
 House Chair

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

The Following Communication:

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

February 26, 1993

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. 54 An Act to Provide a Method of Taxation for Development Projects
- L.D. 154 An Act to Adjust Veterans' Property Tax Exemptions to Coincide with the Increase in Property Values
- L.D. 161 An Act Concerning the Overpayment of Taxes

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

Sincerely,

S/Sen. John E. Baldacci  
 Senate Chair

S/Rep. Susan E. Dore  
 House Chair

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

The Following Communication:

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

February 26, 1993

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. 47 An Act to Amend the Laws Governing Automatic Loss of License
- L.D. 55 An Act to Protect the Safety of Members of Municipal and Volunteer Fire Departments
- L.D. 83 An Act to Amend the Laws Governing Registration of Light Trailers
- L.D. 88 An Act to Amend the Laws Governing Use of Handicapped Plates
- L.D. 107 An Act to Authorize Municipal Snow Removal from Certain Private Driveways for Public Purposes
- L.D. 131 An Act to Amend the Traveler Information Services Laws
- L.D. 209 An Act to Allow Rental Vehicles to be Used on a Temporary Basis by Limousine Companies
- L.D. 385 An Act to Require Commercial Trucks to Operate with Care in Adverse Weather Conditions
- L.D. 401 An Act Concerning Parking Space Availability for the State's Elderly

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

Sincerely,

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

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

The Following Communication:

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

February 26, 1993

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. 23 An Act to Amend the Terms of Public Utilities Commissioners
- L.D. 155 An Act Concerning Fair Electric Rates

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

Sincerely,

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

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

The Following Communication:

**DEPARTMENT OF LABOR  
PO BOX 309  
AUGUSTA, MAINE 04332-0309**

February 22, 1993

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

Dear President Dutremble:

I am pleased to submit the Department of Labor's annual report on the Dislocated Worker Benefits (DWB) Program for 1992, in accordance with 26 MRSA §1196, sub-§ 2.

If you have any questions or comments about this report, please do not hesitate to contact me.

Sincerely,

S/Charles A. Morrison  
Commissioner

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

**SENATE PAPERS**

Bill "An Act to Facilitate Disclosure of Insurance Coverage"  
S.P. 239 L.D. 732

Presented by Senator **MCCORMICK** of Kennebec  
Cosponsored by Senator: **CONLEY** of Cumberland,  
Representatives: CATHCART of Orono, KETTERER of  
Madison, RAND of Portland

Bill "An Act to Prohibit Businesses from Requiring Social Security Numbers in Certain Cases"  
S.P. 242 L.D. 735

Presented by Senator **CAREY** of Kennebec

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

Sent down for concurrence.

Bill "An Act to Require Postgraduate Residency Training for Podiatric Medical Licensure and to Permit Temporary Residency Licensure"  
S.P. 234 L.D. 727

Presented by Senator **BALDACCI** of Penobscot

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

Sent down for concurrence.

Bill "An Act to Amend the Laws Governing Protective Custody"  
S.P. 240 L.D. 733

Presented by Senator **CLEVELAND** of Androscoggin



Which was referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**.

Sent down for concurrence.

---

Bill "An Act to Update and Clarify Certain Provisions of Fish and Wildlife Laws"

S.P. 243 L.D. 736

Presented by Senator **LUTHER** of Oxford  
Cosponsored by Senator: **HALL** of Piscataquis,  
Representatives: **CLARK** of Millinocket, **FARREN** of  
Cherryfield, **GREENLAW** of Standish, **HEINO** of  
Boothbay, **JACQUES** of Waterville, **NICKERSON** of  
Turner, **PINEAU** of Jay, **ROTONDI** of Athens, **SWAZEY**  
of Bucksport  
Submitted by the Department of Inland Fisheries  
and Wildlife pursuant to Joint Rule 24.

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

Sent down for concurrence.

---

Bill "An Act to Provide Local Control for the  
Job-start Program"

S.P. 246 L.D. 765

Presented by Senator **FOSTER** of Hancock  
Cosponsored by Senators: **GOULD** of Waldo, **VOSE**  
of Washington, Representatives: **BAILEY** of  
Township 27, **BRENNAN** of Portland, **COTE** of Auburn,  
**FARNUM** of South Berwick, **FARREN** of Cherryfield,  
**FITZPATRICK** of Durham, **GRAY** of Sedgwick, **LOOK** of  
Jonesboro, **TOWNSEND** of Eastport, **WALKER** of Blue  
Hill

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

Sent down for concurrence.

---

Bill "An Act to Ensure Small Boarding Homes  
Sufficient Funds to Remain Economically Viable"

S.P. 238 L.D. 731

Presented by Senator **PARADIS** of Aroostook  
Cosponsored by Senator: **BALDACCI** of Penobscot,  
Representatives: **BRUNO** of Raymond, **GEAN** of  
Alfred, **MICHAUD** of East Millinocket, **TOWNSEND** of  
Portland, **TREAT** of Gardiner

Bill "An Act to Determine Eligibility of Child  
for Benefits"

S.P. 245 L.D. 764

Presented by Senator **BEGLEY** of Lincoln  
Cosponsored by Senator: **PARADIS** of Aroostook,  
Representatives: **DAGGETT** of Augusta, **PENDEXTER** of  
Scarborough  
Submitted by the Department of Human Services  
pursuant to Joint Rule 24.

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

Sent down for concurrence.

---

Bill "An Act to Provide a Remedy for a Violation  
of the Lead Poisoning Control Act"

S.P. 244 L.D. 763

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by Representatives: **FARNSWORTH** of  
Hallowell, **SIMONDS** of Cape Elizabeth, **TREAT** of  
Gardiner  
Submitted by the Department of the Attorney  
General pursuant to Joint Rule 24.

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

On motion by Senator **ESTY** of Cumberland, Tabled  
until Later in Today's Session, pending **REFERENCE**.

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Bill "An Act Regarding the Use of Alternate  
Jurors"

S.P. 232 L.D. 725

Presented by Senator **CONLEY** of Cumberland

Bill "An Act to Make Provisions of the Maine  
Human Rights Act Consistent with Federal Law"

S.P. 235 L.D. 728

Presented by Senator **CONLEY** of Cumberland

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

Sent down for concurrence.

---

Bill "An Act to Permit Inspections upon Notice by  
Landlords of Apartments of At-will Tenants"

S.P. 237 L.D. 730

Presented by Senator **CLEVELAND** of Androscoggin

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

Sent down for concurrence.

Bill "An Act to Provide State Government with Independent Cost Assessment of Federally Mandated and Regulated Programs"

S.P. 233 L.D. 726

Presented by President DUTREMBLE of York Cosponsored by Senators: HARRIMAN of Cumberland, PARADIS of Aroostook, PEARSON of Penobscot, Representatives: MARTIN of Eagle Lake, RYDELL of Brunswick

Bill "An Act Concerning the Composition of Appointed Governmental Boards in the State"

S.P. 236 L.D. 729

Presented by Senator MCCORMICK of Kennebec Cosponsored by Senators: CONLEY of Cumberland, HANDY of Androscoggin, Representatives: ADAMS of Portland, BOWERS of Washington, CATHCART of Orono, CHASE of China, ERWIN of Rumford, HEESCHEN of Wilton, HOLT of Bath, JOHNSON of South Portland, PFEIFFER of Brunswick

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

Sent down for concurrence.

Bill "An Act to Ensure Compliance with Existing Energy Efficiency Building Standards"

S.P. 241 L.D. 734

Presented by Senator CLEVELAND of Androscoggin Cosponsored by Representative: KONTOS of Windham

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

Sent down for concurrence.

COMMITTEE REPORTS

House

Ought to Pass

The Committee on HUMAN RESOURCES on Bill "An Act to Extend the Reporting Date of the Task Force on Mental Health Education and Licensure" (Emergency)

H.P. 241 L.D. 320

Reports that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on ENERGY & NATURAL RESOURCES on Bill "An Act to Authorize Financing of Solid Waste Districts on a Per Capita or a State Valuation Basis" (Emergency)

H.P. 9 L.D. 16

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

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-27) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE & LOCAL GOVERNMENT on Bill "An Act to Expand the Membership of the National Conference of Commissioners on Uniform State Laws"

H.P. 74 L.D. 104

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-26).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-26) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

**Senate**

**Ought to Pass As Amended**

Senator **MCCORMICK** for the Committee on **BANKING & INSURANCE** on Bill "An Act to Clarify Insurance Eligibility" (Emergency)

S.P. 29 L.D. 25

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-29)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-29) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

---

Senator **GOULD** for the Committee on **MARINE RESOURCES** on Bill "An Act to Clarify the Enforcement Authority of the Maine Sardine Council" (Emergency)

S.P. 20 L.D. 10

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-31)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-31) **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**

Bill "An Act to Amend the Lounge License Provisions"

H.P. 19 L.D. 21

Which was **READ A SECOND TIME**.

On motion by Senator **ESTY** of Cumberland, Tabled until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

**Senate**

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

Which was **READ A SECOND TIME**.

On motion by Senator **BERUBE** of Androscoggin, Senate Amendment "A" (S-30) **READ**.

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

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. All the amendment does is sets a fiscal note and the fiscal note simply states that there will be no general fund dollars. The monies needed, if there are any, would be raised from private sources. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-30) **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, As Amended**.

Sent down for concurrence.

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**Senate As Amended**

Bill "An Act Related to Private Facilities in the Public Way"

S.P. 71 L.D. 133  
(C "A" S-27)

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

Sent down for concurrence.

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

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Senator **CARPENTER** of York was granted unanimous consent to address the Senate off the Record.

On motion by Senator **LAWRENCE** of York, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

**ORDERS OF THE DAY**

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

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

Tabled - February 25, 1993 by Senator **ESTY** of Cumberland.

Pending - Motion by Senator **HALL** of Piscataquis to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE** (Roll Call Ordered)

(In Senate, February 18, 1993, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, February 23, 1993, **PASSED TO BE ENACTED**.)

**THE PRESIDENT:** The pending question before the Senate is the motion of Senator **HALL** of Piscataquis to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

A vote of Yes will be in favor of **INDEFINITE POSTPONEMENT**.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

**ROLL CALL**

**YEAS:** Senators **AMERO, BEGLEY, CAHILL, CARPENTER, FOSTER, HALL, HANLEY, KIEFFER, LUDWIG, MARDEN, SUMMERS, WEBSTER**

**NAYS:** Senators **BALDACCI, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAREY, CIANCHETTE, CLEVELAND, CONLEY, ESTY, HANDY, HARRIMAN, LAWRENCE, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, TITCOMB, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE**

**ABSENT:** Senator **GOULD**

12 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 1 Senator being absent, the motion of Senator **HALL**, of Piscataquis, to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**, **FAILED**.

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

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

Bill "An Act to Encourage Payment of Child Support Obligations"  
H.P. 441 L.D. 567

Tabled - February 25, 1993 by Senator **ESTY** of Cumberland.

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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

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

Tabled - February 25, 1993 by Senator **ESTY** of Cumberland.

Pending - **REFERENCE**

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

(In House, February 23, 1993, referred to the Committee on **TAXATION**.)

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

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

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

Tabled - February 25, 1993 by Senator **HANDY** of Androscoggin.

Pending - **REFERENCE**

Off Record Remarks

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(Committee on **LABOR** suggested and **ORDERED PRINTED.**)

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

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Senator **CARPENTER** of York was granted unanimous consent to address the Senate off the Record.

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The Chair laid before the Senate, The Tabled and Later Today Assigned matter:

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

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Bill "An Act to Provide a Remedy for A violation of the Lead Poisoning Control Act"  
S.P. 244 L.D. 763

Off Record Remarks

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Tabled - March 2, 1993, by Senator **ESTY** of Cumberland.

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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On motion by Senator **HARRIMAN** of Cumberland, **ADJOURNED** until Thursday, March 4, 1993, at 10:00 in the morning.

The Chair laid before the Senate, the Tabled and Later Today Assigned matter:

Bill "An Act to Amend the Lounge License Provisions"  
H.P. 19 L.D. 21

Tabled - March 2, 1993, by Senator **ESTY** of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED**

(In Senate, March 2, 1993, **READ A SECOND TIME.**)

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

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

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Senate at Ease

Senate called to order by the President.

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