

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

PAPERS FROM THE HOUSE

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

Non-concurrent Matter

Bill "An Act to Strengthen the Laws Prohibiting Driving under the Influence of Alcohol or Drugs"
S.P. 261 L.D. 799

In Senate Chamber
Wednesday
March 10, 1993

Committee on **LEGAL AFFAIRS** suggested and **ORDERED PRINTED.**

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

In Senate, March 4, 1993, referred to the Committee on **JUDICIARY.**

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

Prayer by Reverend Doctor Scott Dow of the Augusta Mental Health Institute in Augusta.

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

REVEREND DOCTOR SCOTT DOW: Loving and all wise God we offer to you our praise this morning for the magnificent State of Maine in which we live and which we've been chosen to serve. We rejoice in its beauty, its purity, its people, and its prospects. We bow in awe before you as we acknowledge our limitations and our needs and the possibilities before us today. We face some of the most difficult times of our lives, of our history, and yet thanks to your grace we bring some of the greatest resources to our tasks. We thank you for one another, even for all of us. We thank you for the combined wisdom and creativity and for the processes available to us to legislate for the good of all. Call forth from us that which is best as we seek to serve faithfully and diligently. Amen.

House Papers

Bill "An Act to Extend the Maine Dairy Farm Stabilization Act"
H.P. 591 L.D. 806

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.

Reading of the Journal of Tuesday, March 9, 1993.

Bill "An Act to Enhance the Cost-effectiveness of the Central Motor Pool"
H.P. 610 L.D. 825

Off Record Remarks

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

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

S.P. 285

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

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, March 15, 1993, at four o'clock in the afternoon.

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

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

Bill "An Act Relating to Conferring of Degrees by the Research Institute for Semiological Mathematics"
H.P. 594 L.D. 809

Bill "An Act Regarding Certification Fees for Adult Education Teachers"
H.P. 619 L.D. 843

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 Reduce the Registration Fee on Small Hazardous Waste Generators"
H.P. 607 L.D. 822

Resolve, to Direct the Department of Environmental Protection to Develop a Report Regarding the Feasibility of the State Applying to Assume Permitting Jurisdiction over Federal Wetlands
H.P. 609 L.D. 824

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 Restrict the Harvesting of Smelts"
H.P. 614 L.D. 829

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

Comes from the House referred to the Committee on **FISHERIES & WILDLIFE**.

On motion by Senator **ESTY** of Cumberland, referred to the Committee on **FISHERIES & WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Resolve, to Direct the Economic Development and Business Assistance Coordinating Council to Develop a Statement of Principles and Standards for Sustainable Development
H.P. 616 L.D. 831

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.

Bill "An Act to Encourage Fair Medicare Payments to Hospitals and to Promote Management Improvements and Planning by Hospitals and for Related Purposes"
H.P. 602 L.D. 817

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

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

Bill "An Act to Eliminate the Automatic Issuance of Conditional Withholding Orders"
H.P. 593 L.D. 808

Bill "An Act to Specify Criminal Liability for Tampering with Food or Drugs and Related Crimes"
H.P. 599 L.D. 814

Bill "An Act Regarding Supervision of Foster Children during Visitation"
H.P. 606 L.D. 821

Bill "An Act to Protect Civil Rights" (Emergency)
H.P. 620 L.D. 844

Bill "An Act to Create a Cause of Action Against the State for Wrongful Imprisonment"
H.P. 621 L.D. 845

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 Regarding Judicial Branch Publications"
H.P. 596 L.D. 811

Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **JUDICIARY**.

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

Bill "An Act Requiring Mobile Home Park Operators to Notify Lienholders Prior to Eviction"
H.P. 597 L.D. 812

Bill "An Act to Increase the Penalties for Littering"
H.P. 608 L.D. 823

Bill "An Act to Ensure Integrity in Maine Government by Prohibiting Involvement of Constitutional Officers and the State Auditor in Political Action Committees"
H.P. 613 L.D. 828

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 Change the Opening Date for the Harvesting of Scallops to December 1st"
H.P. 598 L.D. 813

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

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

Bill "An Act Regarding Records of Notaries Public"
H.P. 592 L.D. 807

Bill "An Act to Eliminate the Bureau of Public Administration"
H.P. 601 L.D. 816

Bill "An Act to Amend the Kennebec County Budget Process"
H.P. 612 L.D. 827

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 Exempt from State Income Tax Individual Retirement Accounts Funds for the Purchase of Homes or the Renovations of Existing Homes"
H.P. 595 L.D. 810

Bill "An Act to Increase the Stability of the Maine State Income Tax"
H.P. 600 L.D. 815

Bill "An Act to Amend Appeals Procedures in the State Valuation Process for Property Tax Purposes"
H.P. 611 L.D. 826

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 Decrease Traffic Accidents through Creation of an Intermediate License for Minors"
H.P. 617 L.D. 832

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

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

Bill "An Act to Modify the Fuel Clause for Electric Utilities"
H.P. 603 L.D. 818

Bill "An Act Amending the Charter of the Brewer Water District" (Emergency)
H.P. 615 L.D. 830

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.

Joint Resolutions

The Following Joint Resolution: H.P. 624

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REAFFIRM AND IMPROVE OUR NATION'S EFFORTS TO PROTECT AND RESTORE THREATENED AND ENDANGERED SPECIES

WE, your Memorialists, the Members of the One Hundred and Sixteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the President

and the Congress of the United States, as follows:

WHEREAS, the State of Maine has previously enacted legislation, commonly referred to as the Maine Endangered Species Act, aimed at protecting and promoting the recovery of threatened and endangered species, in part through evaluation of activities that affect habitat essential to those species; and

WHEREAS, that legislation has made possible significant progress in restoration of the bald eagle population and that of other endangered species, and the continued success of these critical conservation efforts and similar efforts in states across the nation depends on federal support under the federal Endangered Species Act; and

WHEREAS, Congress is considering legislation this year to reauthorize the federal Endangered Species Act; and

WHEREAS, biodiversity, the fundamental objective of federal and state endangered species laws, ensures preservation and sustainable use of ecosystems upon which the well-being and natural heritage of the people of our State and of all Americans depend; and

WHEREAS, experience at both federal and state levels has shown that this vital conservation effort has not significantly impeded economic growth, as only one project reviewed under Maine's endangered species habitat protection laws and 18 of 17,650 projects under federal endangered species review from 1987 to 1991 have been prevented due to endangered species concerns; and

WHEREAS, state and federal endangered species laws involve economic and social considerations beyond the biological question of whether a species should be listed; and

WHEREAS, despite concerted state and federal efforts, dozens of species across the nation are at increased risk of extinction due to delays in the federal listing process, inadequate funding for states, stalled efforts to designate habitats necessary for the recovery of species and inadequate enforcement; now, therefore, be it

RESOLVED: That, We, your Memorialists, take this occasion to urge the Congress of the United States to reauthorize the federal Endangered Species Act with provisions to streamline the bureaucratic process for listing threatened and endangered species, to improve critical habitat designation and enhance recovery planning efforts, to ensure adequate funding for vital conservation activities at all levels, to strengthen enforcement provisions and to broaden the scope of the Act to prevent further degradation of biodiversity; and be it further

RESOLVED: that suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William Clinton, President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of the Maine Congressional Delegation.

Comes from the House **READ** and **ADOPTED**.

Which was **READ** and **ADOPTED**, in concurrence.

COMMUNICATIONS

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333**

The Following Communication: H.P. 618

March 5, 1993

John L. Martin
Speaker of the House
116th Legislature

Dennis L. Dutremble
President of the Senate
116th Legislature

Dear Mr. Speaker and Mr. President:

On March 5, 1993, two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committee on March 5, 1993 as follows:

Judiciary

Bill "An Act to Ensure a Woman's Right to Know" (H.P. 604) (L.D. 819) (Presented by Representative COFFMAN of Old Town) (Cosponsored by Senator PARADIS of Aroostook and Representatives: AHEARNE of Madawaska, BRUNO of Raymond, CLARK of Millinocket, DEXTER of Kingfield, GOULD of Greenville, JOY of Island Falls, KUTASI of Bridgton, MARSHALL of Eliot, MARTIN of Van Buren, MICHAUD of East Millinocket, MURPHY of Berwick, NICKERSON of Turner, PINETTE of Fort Kent, POULIOT of Lewiston, REED of Dexter, VIGUE of Winslow, Senator: CAREY of Kennebec)

Bill "An Act to Ensure a Parent's Right to Know" (H.P. 605) (L.D. 820) (Presented by Representative COFFMAN of Old Town) (Cosponsored by Senator PARADIS of Aroostook and Representatives: AHEARNE of Madawaska, BRUNO of Raymond, CLARK of Millinocket, DEXTER of Kingfield, GOULD of Greenville, JOY of Island Falls, KUTASI of Bridgton, MARSHALL of Eliot, MARTIN of Van Buren, MICHAUD of East Millinocket, MURPHY of Berwick, NICKERSON of Turner, PINETTE of Fort Kent, POULIOT of Lewiston, REED of Dexter, VIGUE of Winslow, YOUNG of Limestone, Senators: CAREY of Kennebec, LUTHER of Oxford)

Sincerely,

S/Joseph W. Mayo
Clerk of the House

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

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence

The Following Communication: H.P. 622

**HOUSE OF REPRESENTATIVES
STATE HOUSE
AUGUSTA 04333**

March 4, 1993

Speaker John L. Martin
Speaker of Maine House
Augusta, ME 04333

Dear Mr. Speaker:

I am writing this letter to officially offer my resignation as a member of the Reapportionment Commission. I don't do this lightly, but I know that if I am replaced now, the new member will still be coming in at a good time since the Commission has just really begun its actual work.

The fact that Sen. Lawrence and myself are both on the Commission really puts a strain on the work of the Energy and Natural Resources Committee. This problem as well as a very busy schedule elsewhere really prohibits me from doing the kind of job the Commission requires.

I, therefore, offer this resignation and thank you for your consideration.

Respectfully,

S/Paul F. Jacques
State Representative
District #97

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence

The Following Communication: H.P. 623

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

March 5, 1993

Honorable 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 my authority under Article IV, Part Third, Section 1-A, of the Constitution of the State of Maine, I am today appointing Rep. Beverly Daggett, of Augusta, to serve on the Reapportionment Commission. She will be replacing Rep. Paul Jacques who has resigned.

Sincerely,

S/John L. Martin
Speaker of the House

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence

The Following Communication:

**STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333**

March 9, 1993

Honorable Joy J. O'Brien
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under M.R.S.A. Title 3, Section 227, I have made the following appointments to the Maine Canadian Legislative Advisory Commission:

Senator Judy A. Paradis of Aroostook
Senator Georgette B. Berube of Androscoggin (reappointment)
Senator Dennis L. Dutremble of York (reappointment).

Rather than serving in my former capacity as Senator, I am reappointing myself to serve as the Senate's appointed member with a term of one year.

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

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

SENATE PAPERS

Bill "An Act to Amend the Maine Hunting Laws to Prohibit Discharges of Firearms across Paved Ways"
S.P. 282 L.D. 853

Presented by Senator **BUTLAND** of Cumberland
Cosponsored by Senators: **AMERO** of Cumberland,
LUTHER of Oxford, Representatives: **REED** of
Falmouth, **SMALL** of Bath

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

Sent down for concurrence.

Bill "An Act to Ensure the Timely Resolution of Complaints under the Maine Human Rights Act"
S.P. 283 L.D. 854

Presented by President **DUTREMBLE** of York
Cosponsored by Senator **MCCORMICK** of Kennebec,
Representative **PARADIS** of Augusta and
Senator: **TITCOMB** of Cumberland, Representative:
FARNSWORTH of Hallowell

Bill "An Act Concerning Victims of Stalking"
(Emergency)

S.P. 284 L.D. 855

Presented by Senator **BALDACCI** of Penobscot

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

Sent down for concurrence.

Bill "An Act to Prohibit Voter Registration on Election Day"

S.P. 281 L.D. 852

Presented by Senator **SUMMERS** of Cumberland
Cosponsored by Senators: **BUTLAND** of Cumberland,
CAHILL of Sagadahoc, **CARPENTER** of York,
FOSTER of Hancock, **HANLEY** of Oxford,
HARRIMAN of Cumberland, **LUDWIG** of Aroostook,
MARDEN of Kennebec, Representatives: **DIPIETRO**
of South Portland, **GOULD** of Greenville, **GREENLAW**
of Standish, **LORD** of Waterboro, **MURPHY** of
Berwick, **NORTON** of Winthrop, **PENDEXTER** of
Scarborough, **TARDY** of Palmyra, **ZIRNKILTON** of
Mount Desert

Which was referred to the Committee on **LEGAL AFFAIRS** 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

House

Ought to Pass

The Committee on **LABOR** on Bill "An Act to Amend the Municipal Public Employees Labor Relations Laws"
H.P. 165 L.D. 217

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-38)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

House Amendment "A" (H-38) **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 Allow Game Wardens to Receive Remuneration for Serving in Elected Municipal or County Positions"

H.P. 174 L.D. 226

Reported 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**.

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Repeal the Statutory Provisions Formerly Governing Unfunded State Mandates"

H.P. 303 L.D. 391

Reported 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**.

The Committee on **STATE & LOCAL GOVERNMENT** on Resolve, Renaming Ames Cove of Friendship as Flood's Cove

H.P. 368 L.D. 471

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

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

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

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

Ought to Pass As Amended

The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Amend the Public Works Contractors' Surety Bond Law of 1971"

H.P. 51 L.D. 67

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-35)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-35)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-35) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Utilize Local Enforcement Mechanisms for Land Use Violations"

H.P. 73 L.D. 103

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-28)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-28) AS AMENDED BY HOUSE AMENDMENT "A" (H-39)** thereto.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-28) **READ**.

House Amendment "A" (H-39) to Committee Amendment "A" (H-28) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-28) as Amended by House Amendment "A" (H-39) thereto, **ADOPTED**, in concurrence.

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

The Committee on **FISHERIES & WILDLIFE** on Bill "An Act to Amend the Archery Hunting Requirements"
H.P. 93 L.D. 123

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-36)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-36)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-36) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HUMAN RESOURCES** on Bill "An Act to Permit Professional Review Committees to Work with Impaired Physician Assistants"

H.P. 103 L.D. 145

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-33)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-33)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-33) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act Relating to the Protection of Public Water Supplies" (Emergency)

H.P. 91 L.D. 121

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-37)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-37)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-37) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Amend the Energy Policy of the State"

H.P. 72 L.D. 102

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

LAWRENCE of York
CIANCHETTE of Somerset
LUDWIG of Aroostook

Representatives:

POULIN of Oakland
CONSTANTINE of Bar Harbor
LORD of Waterboro
JACQUES of Waterville
GOULD of Greenville
ANDERSON of Woodland

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-30)**.

Signed:

Representatives:

COLES of Harpswell
MITCHELL of Freeport
MARSH of West Gardiner
WENTWORTH of Arundel

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

SECOND READERS

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

House

Bill "An Act to Amend the Law Pertaining to Abandoned Vehicles"

H.P. 320 L.D. 408

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

House As Amended

Bill "An Act to Retain the Current Standard for the Release of Tributyltin in Marine Antifouling Paints" (Emergency)

H.P. 7 L.D. 14
(C "A" H-32)

Bill "An Act Concerning Employees of the Maine Technical College System" (Emergency)

H.P. 78 L.D. 108
(C "A" H-29)

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

Senate

Bill "An Act to Establish the Boundary Between Enfield and Passadumkeag"

S.P. 49 L.D. 71

Bill "An Act to Establish a Part of the Boundary Between Enfield and Lowell"

S.P. 132 L.D. 423

Bill "An Act to Allow Young People to Accompany Their Parents When Voting"

S.P. 136 L.D. 427

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

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

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED.**

Sent down for concurrence.

On motion by Senator **CAREY** of Kennebec, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

Sent down for concurrence.

Senate As Amended

Resolve, to Require the Department of Education to Develop Education Guidelines for Public Schools

S.P. 40 L.D. 52
(C "A" S-42)

Off Record Remarks

Bill "An Act to Clarify the Procedures by Which Fees Are Collected under the Petroleum Market Share Act" (Emergency)

S.P. 94 L.D. 248
(C "A" S-41)

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

Senator **MCCORMICK**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I would just like to add my enthusiasm and congratulations to the Ramblers for the most exciting season that Kennebec County, or the enlightened part of Kennebec County, has ever seen. Not only is this team unparalleled in its athletic excellence and beat every other team by about twenty points but three are in the top ten of their class, all eight seniors are going to college, and it's the second year in a row that the Ramblers have won the Class C State Championship, and so I would like to offer this challenge to any other Senator here. I've been talking to the Superintendent and I believe since the Class C champions did not get a really good game that we really ought to be playing the Class B champions and the Class A champions. I know that the Ramblers are up to such a task and would probably smooch them too. I want to throw that out for all of us to consider. Thank you very much for making this a wonderful basketball season for everybody in Kennebec County, you are a really exciting team and I wish you all the best of luck. Thanks for coming. Thank you.

Bill "An Act to Abolish the Board of Licensure of Railroad Personnel"

S.P. 98 L.D. 251
(C "A" S-40)

Bill "An Act to Require the State to Pay for Mediation Sessions"

S.P. 107 L.D. 310
(C "A" S-39)

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

Sent down for concurrence.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the Tabled Later (3/9/93) Assigned matter:

Bill "An Act to Amend the Lounge License Provisions"

H.P. 19 L.D. 21

Tabled - March 4, 1993 by Senator **ESTY** of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED,** in concurrence

Off Record Remarks

The Chair laid before the Senate the Tabled Later (3/9/93) Assigned matter:

SENATE REPORTS - from the Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act Prohibiting Political Activity by Members of the Workers' Compensation Board"

S.P. 19 L.D. 9

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-37)**

Minority - **Ought Not to Pass**

Tabled - March 4, 1993, by Senator **ESTY** of Cumberland.

Pending - Motion by Senator **BERUBE** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 4, 1993, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Butland.

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would urge that you reject the pending motion so that we may go on to accept the Minority Ought Not to Pass Report. Senator Pearson's purpose in introducing this legislation was to protect the new Workers' Compensation Board from undue outside distractions. As you all remember the Board was created as a result of the work of the Blue Ribbon Commission and the compromise that was passed last October. At no time during that process was it felt necessary that we restrict the political activity of this particular Board and its members. As originally drafted the Bill was far too restrictive and to the credit of the State and Local Government Committee many of the more onerous aspects have been amended out. However, I continue to oppose this particular piece of legislation because it singles out one particular Board for unequal treatment. You only need to consider the roles of the various Boards and Commissions throughout the State of Maine to realize that controversial Boards abound in State Government. Look at LURC or BEP or PUC or the Board of Education, none of the members of these particular Boards have similar restrictions. I personally have faith in all of the good citizens of Maine who make the sacrifice to serve on these Boards as unpaid volunteers. I believe that each understands the serious nature of their proceedings and each is capable of rising above any petty differences for the good of the people of the State of Maine. We need not single out this particular Board for separate and unequal treatment and I would urge that you vote against the pending motion and Mr. President I request a Division.

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

Off Record Remarks

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

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. My colleague from State and Local Government is partly right but there were some things that were not in agreement in the original Bill that has been struck out, but the amended Bill I think is a very good Bill, it's a viable Bill. It prevents political activity of a partisan nature by the members of the Board of the Commission. You must remember that they all deal with very emotional issues, the positions are

polarized on the issue of Workers' Compensation and it's essential that in view of the fact that they are going to make policy decisions, judicial decisions that address this very volatile issue that they be kept above board. They are, but the perception is always there that if people participate in partisan activities then it deters from what they are supposed to be doing. If I may touch briefly on a paper, this yellow paper, that has been placed on our desks with the title "Where we Stand" that says that the Commissioners volunteer their time and would preclude others from volunteering their services, I would remind you that they are paid a per diem to serve plus expenses. They are paid the loss of wages up to \$100 a day. So I would urge that you accept the Ought to Pass as Amended Report. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **BERUBE** of Androscoggin, to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

A Division has been requested.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

15 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion of Senator **BERUBE** of Androscoggin, to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **FAILED**.

The Chair moved that the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This is the Bill that I introduced and I do want to say a few things about it. There has been nothing anymore contentious in the last several years then the Workers' Compensation system and the effort to try to resolve the difficulties that surround it. It seemed to me that in it's new beginning, in it's infancy, it is one of the most vulnerable and fragile of all of the Commissions that we have in this State. It has a quasi-judicial function and the language that is used to prevent political involvement in this is the same as it is for people in other judicial functions in this State. I fail to understand why it is that we wouldn't give every single opportunity that we possibly could to make this work and try to prevent everything that would impede its progress. I'm not a person who has been intimately involved in Workers' Compensation, I must admit, but I do know a little bit about the difficulties that they have had in the last several weeks, in the last couple of months. We have come very close to falling apart on a number of occasions. The atmosphere has been politically charged, there isn't any denying that and this yellow sheet that is on your desk is an indication of people who are trying to get involved in a political situation. I think it's unfortunate. Mr. President I would hope that people would vote to reject the Minority Ought Not to Pass Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Butland.

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Just to respond

to two of those comments. It is a polarized committee, it's polarized by the statute, it's factionalized from the very beginning in that it says four members will come from labor and four members will come from management. This isn't going to assuage the root problem or the root faction that might cause disagreement. The other comment is that many of the Boards that I have mentioned also have judicial functions and once again we are singling out this particular Board for unequal treatment and I would hope that you would continue to vote for the Ought Not to Pass Report. Thank you.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This is not the only governmental function that has a prohibition against political activity, State employees do themselves. I'd ask for a Division when the vote is taken. Thank you.

Senator **PEARSON** of Penobscot requested a Division.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Amero.

Senator **AMERO:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'd like to vote in favor of the motion Ought Not to Pass because of my experience on another Board, the State Board of Education, which I think has some similar roles as the Workers' Compensation Board. The Board does have some regulatory functions, it also has some quasi-judicial functions and that Board does not have such restrictions on partisan activities. My belief is that all such Boards should be treated in the same manner, not one Board having such restrictions as this. Thank you.

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

THE PRESIDENT: The pending question before the Senate is **ACCEPTANCE** of the Minority **OUGHT NOT TO PASS** Report.

A vote of Yes will be in favor of **ACCEPTANCE**.

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, BRANNIGAN, BUTLAND, CAHILL, CARPENTER, CIANCHETTE, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, MARDEN, PINGREE, SUMMERS, WEBSTER

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

ABSENT: Senator LUTHER

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being absent, the motion to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, **PREVAILED**.

(See Action Later Today)

The Chair laid before the Senate the Tabled and Later (3/9/93) Assigned matter:

SENATE REPORTS - from the Committee on **LABOR** on Bill "An Act to Require Tentative Agreements to be Considered a Part of the Arbitration Panel's Binding Recommendations"

S.P. 116 L.D. 317

Majority - **Ought Not to Pass**

Minority - **Ought to Pass**

Tabled - March 4, 1993, by Senator **ESTY** of Cumberland.

Pending - Motion by Senator **HANDY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS** Report

(In Senate, March 4, 1993, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Begley.

Senator **BEGLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The Minority Report on this was voted by three members of the Committee, most of us voted Ought Not to Pass. Generally when labor negotiations start both parties, by law and in good faith, determine that there are so many issues to be discussed. Looking over the agenda, generally both parties in good faith decide that there are a certain number, eight or ten, that can be agreed tentatively to set on a table until a later time. Generally they are in favor of management but labor has an opportunity to come back and discuss those later. There is no definition of tentative that cannot be changed. If the Report were to be passed then you would find both parties, not just management and not just labor, but both parties would shy away from ever using the term 'tentative'. They would use any number of terms that would allow them to come back in good faith to consider later. The other situation could be that if the tentative agreements, according to the Minority Report, could hamper the arbiter in his negotiations later on when he might suggest to the two parties that they should take a look at one of the tentative agreements to bring about a more conciliatory comment from both sides. In both cases, in the situation as the Minority Report asks for, you would be hampering the good faith and you would be disturbing a situation that I think has worked extremely well in almost 90% or 95% of the cases. In regards to this I urge you to not accept the Minority Report. Thank you.

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

Senator **HANDY**: Thank you Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Lincoln is correct, there is no definition to tentative, but the operative word here is agreement. We're talking about both management and the employees side coming together and deciding on a set of principals or concepts that will be included in their final agreement. What this Bill will do, it will codify what the Maine Labor Relations Board has termed, in several rulings, as bad faith bargaining. That is to say when these two parties agree on something and then the entire matter goes to the Arbitration Board, that Arbitration Board may not go to those matters on which the two parties agree. Unless one party or the other is negotiating in bad faith, either side should have no problem in doing that because they do agree on these matters. The Bill would codify those rulings of the Maine Labor Relations Board into statute in effect and would impose upon the two parties the importance of negotiating in good faith and not simply putting up phantom agreements and then later withdrawing them. I would urge your support of the Minority Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Begley.

Senator **BEGLEY**: Thank you Mr. President, Ladies and Gentlemen of the Senate. The point of having these as binding in regards to allowing that to take place in a more equitable and fair position is not, in my estimation, true. Any body, either side, when finding that the other side is not bargaining in good faith has under the current statute a right to go to the Labor Relations Board and accuse the other side of doing so. That is where it should be in regards to this and not tying anybody's hands or of making those people avoid a definition and therefore making the negotiations longer, more involved, and less in good faith. I would ask for a Division. Thank you.

Senator **BEGLEY** of Lincoln requested a Division.

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

Senator **CARPENTER**: Thank you Mr. President, Ladies and Gentlemen of the Senate. As far as the words 'tentative' and 'agreement' go you could substitute 'contract' for 'agreement' and that would say a 'tentative contract'. A tentative contract is not a contract unless there is a signed document, therefore a tentative agreement is certainly not an agreement unless it has been signed by both parties and I think we ought to vote as the good Senator from Lincoln, Senator Begley, has suggested. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **HANDY** of Androscoggin, to **ACCEPT** the Minority **OUGHT TO PASS** Report.

A Division has been requested.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

14 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion of Senator **HANDY** of Androscoggin, to **ACCEPT** the Minority **OUGHT TO PASS** Report, **FAILED**.

On motion by the Chair the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

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

Senator **CIANCHETTE**: Mr. President, having voted on the prevailing side, I now move that the Senate **RECONSIDER** its action whereby it **ACCEPTED** the Minority **OUGHT NOT TO PASS** Report on Bill:

"An Act Prohibiting Political Activity by Members of the Worker's Compensation Board"

S.P. 19 L.D 9

(In Senate, March 10, 1993, motion to **ACCEPT** Majority **OUGHT TO PASS AS AMENDED** Report, **FAILED**)

Senator **CAHILL** of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **CIANCHETTE** of Somerset, that the Senate **RECONSIDER** its action whereby it **ACCEPTED** the Minority **OUGHT NOT TO PASS** Report.

A Division has been requested.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

22 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **CIANCHETTE** of Somerset, that the Senate **RECONSIDER** its action whereby it **ACCEPTED** the Minority **OUGHT NOT TO PASS** REPORT, **PREVAILED**.

The Chair moved that the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I voted to reconsider this bill in order to give people a chance to have more discussion to table it or whatever and seeing as no one else wants to discuss it I just would like to say that I voted against the sponsor and the Chair, that's very unusual. I want to commend the sponsor, Senator Pearson from Penobscot, for what he has tried to do. I would certainly want to do anything and everything to make the Workers' Compensation proposal that we put together last term work. If I can be convinced that this measure would help them work in a serious way then I would support this Bill, but my fear is this Bill is going to lead to others that will begin to restrict each and every Board and put them under the Hatch type Act. It just seems to me that that would not serve Government

well, that people have to be able in a small State, in a State where it's hard to get people to volunteer, it just seems to me that if we begin to put restrictions on Board after Board, and it seems to me that's what this could lead to, then I just don't think that ought to happen. That's why I voted the way I did. If I could be convinced that this was necessary for the good working order of the Workers' Compensation reforms that we put in then I would certainly support it. Maybe it should have been looked at to do it for a short period of time until we got over this Workers' Compensation phobia that we have. Until I can be convinced of that I don't believe I can be convinced to change my vote. 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. Very briefly to express why I am supporting this measure, I am supporting the measure because I was here two years ago when this State was shut down because of the issue of Workers' Compensation time in with the budget. I am supporting this issue because of the special session we had on Workers' Compensation and the discussion throughout the State that continues to this day as it pertains to Workers' Compensation. This is not the State Board of Education, this is not the Board of Environmental Protection, this is a Board that we have set up through a special Blue Ribbon Commission that was supposed to be the answer to the problem. It was supposed to bring management and labor together to work together to solve this problem, to select a CEO and run that Board. It's not the same as all of the other Boards. If it means to protect every time somebody looks the wrong way on this particular issue they get castigated, I'm just saying when it comes to these members of this particular Board that we ought to be making sure that these things are not causing problems. That's why I'm supporting this legislation. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Begley.

Senator **BEGLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The act to prohibit political activity goes far beyond what these eight people are expected to do on any particular Board. There are many aspects of political activity, if we restrict people because they serve on one, whether it's a major or minor one to my way of thinking is wrong. Thank you.

THE PRESIDENT: The pending question before the Senate is **ACCEPTANCE** of the Minority **OUGHT NOT TO PASS** Report.

The Chair ordered a Division.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, **FAILED**.

The Chair moved that the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Senator **CAHILL** of Sagadahoc requested a Division.

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending **ACCEPTANCE** of the Majority **OUGHT TO PASS AS AMENDED** Report (Division Requested).

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

COMMITTEE REPORTS

Senate

Ought to Pass

Senator **PARADIS** for the Committee on **HUMAN RESOURCES** on Bill "An Act to Repeal the Release Review Advisory Committee"

S.P. 144 L.D. 435

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

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

The Bill **READ ONCE**.

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

Senate at Ease

Senate called to order by the President.

Off Record Remarks

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

Off Record Remarks

Senator **PEARSON** of Penobscot was granted unanimous consent to address the Senate off the Record.

Senator **CAHILL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Senator **HANDY** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senator **VOSE** of Washington was granted unanimous consent to address the Senate off the Record.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Authorize the Offset of Insurance Premiums"

H.P. 627 L.D. 847

Bill "An Act to Amend Laws Related to Dependent's Group Life Insurance Coverage"

H.P. 628 L.D. 848

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.

Resolve, to Create the Commission on Education Rules (Emergency)

H.P. 629 L.D. 849

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

Which was 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 Allocation System for Commercial Whitewater Outfitters"

H.P. 630 L.D. 850

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

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

Bill "An Act Simplifying Dealer Sale of Firearms"

H.P. 626 L.D. 846

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.

Bill "An Act Amending the Maine Administrative Procedure Act Regarding Rulemaking"

H.P. 631 L.D. 851

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

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

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **ESTY** of Cumberland, **ADJOURNED** until Monday, March 15, 1993, at 4:00 in the afternoon.