

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
Monday
March 22, 1993

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

Prayer by the Honorable Margaret G. Ludwig of Aroostook.

SENATOR MARGARET G. LUDWIG: In May of 1989 a much loved member of this body delivered the opening comments at the start of the Session. I have Barbara Gill's permission to use her words today.

There are three kinds of people and all types of organizations. Rowboat people, sailboat people, and steamboat people. Rowboat people need to be pushed or shoved along, sailboat people move when a favorable wind is blowing, steamboat people move continuously through calm or storm. They are usually masters of themselves, their surroundings and their fate. As we proceed through these challenging days of the Legislative Session, oh Lord, we need your wisdom and spirit instilled in each of us as we perform our duties toward our constituents by helping to steer this ship of State. Amen.

Reading of the Journal of Thursday, March 18, 1993.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Amend the Workers' Compensation Laws for Workers in Certain Marine Resources Industries"

S.P. 290 L.D. 860

In Senate, March 15, 1993, referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**.

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

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

House Papers

Bill "An Act to Improve Access of Injured Workers to Medical Care"

H.P. 644 L.D. 875

Committee on **BANKING & INSURANCE** suggested and **ORDERED PRINTED**.

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

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

Bill "An Act Concerning Suspension of Registrations under the Operating-under-the-influence Laws"

H.P. 694 L.D. 935

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

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

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

COMMUNICATIONS

The Following Communication: S.P. 322

116TH MAINE LEGISLATURE

March 18, 1993

Senator Rochelle Pingree
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic Development
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Elsie B. Morris of Bath and Orland McPherson of Eliot for appointments to the Maine State Housing Authority.

Pursuant to Title 30A, MRSA Section 4723, these nominations will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/John L. Martin
Speaker of the House

Which was **READ** and referred to the Committee on **HOUSING AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Allow for the Use of Multi-layered Packages"

S.P. 323 L.D. 975

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Representative **ALIBERTI** of
Lewiston and Senators: **BALDACCI** of Penobscot,
BUTLAND of Cumberland, **CAREY** of Kennebec,
CIANCHETTE of Somerset, Representatives:
ANDERSON of Woodland, **BARTH** of Bethel, **DEXTER** of
Kingfield, **FOSS** of Yarmouth, **GOULD** of Greenville,
GREENLAW of Standish, **MORRISON** of Bangor, **PARADIS**
of Augusta, **PLOURDE** of Biddeford, **ZIRNKILTON** of
Mount Desert

Which was referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Preserve the Solvency of the Unemployment Compensation Fund" (Emergency)

S.P. 326 L.D. 978

Presented by Senator **CARPENTER** of York
(GOVERNOR'S BILL)
Cosponsored by Senator: **HANDY** of Androscoggin,
Representative: **RUHLIN** of Brewer

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

Sent down for concurrence.

Bill "An Act Concerning Identification Methods for Voter Registration"

S.P. 318 L.D. 971

Presented by Senator **LUTHER** of Oxford

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

Sent down for concurrence.

Bill "An Act to Amend the Laws Governing Legislative Ethics"

S.P. 321 L.D. 974

Presented by Senator **HALL** of Piscataquis
Cosponsored by Senators: **AMERO** of Cumberland,
BEGLEY of Lincoln, **CAHILL** of Sagadahoc,
KIEFFER of Aroostook, **LUDWIG** of Aroostook,
MARDEN of Kennebec, Representative: **CROSS** of
Dover-Foxcroft

Bill "An Act to Deorganize the Town of Greenfield" (Emergency)

S.P. 324 L.D. 976

Presented by Senator **O'DEA** of Penobscot
Cosponsored by Representative **COFFMAN** of Old Town
and Senator: **PEARSON** of Penobscot

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

Sent down for concurrence.

Bill "An Act to Make Allocations from the Public Advocate Regulatory Fund for the Fiscal Years Ending June 30, 1994 and June 30, 1995" (Emergency)

S.P. 325 L.D. 977

Presented by Senator **VOSE** of Washington
(GOVERNOR'S BILL)
Cosponsored by Representatives: **CLARK** of
Millinocket, **DONNELLY** of Presque Isle, **TAYLOR** of
Cumberland

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

On motion by Senator **ESTY** of Cumberland,
referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS**.

Sent down for concurrence.

**Pursuant to Statutes
COMMITTEE ON AUDIT AND PROGRAM REVIEW**

Senator **CLEVELAND** for the Committee on **AUDIT AND PROGRAM REVIEW**, pursuant to the Maine Revised Statutes, Title 3, chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act to Support the Natural Areas Program" (Emergency)

S.P. 319 L.D. 972

Be referred to the Committee on **AUDIT & PROGRAM REVIEW** for Public Hearing and printed pursuant to Joint Rule 20.

Which Report was **READ**.

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

Senator **CLEVELAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Under the Audit and Program Review process the Audit and Program Review Committee has worked the entire year, last year, on this program review. Under direction of the previous leadership of both parties a public hearing on this particular Bill has already been held. It was held in November of 1992 and the Report is complete so the public hearing has already been held and the Report has already been completed so it is in complete form to be reviewed by this body.

Which Report was **ACCEPTED**.

Pursuant to Joint Rule 14, the Chair ordered a Division on the question of whether to suspend the Rules for the purpose of giving the Bill its first reading, without reference to a Committee. 27 Senators having voted in the affirmative, and 1 Senator in the negative, the Rules were suspended and the Bill was **READ ONCE**, without reference to a Committee.

Which was, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Sent down for concurrence.

**Pursuant to Statutes
COMMITTEE ON AUDIT AND PROGRAM REVIEW**

Senator **CLEVELAND** for the Committee on **AUDIT AND PROGRAM REVIEW**, pursuant to the Maine Revised Statutes, Title 3, chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act Related to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Act" (Emergency)

S.P. 320 L.D. 973

Be referred to the Committee on **AUDIT & PROGRAM REVIEW** for Public Hearing and printed pursuant to Joint Rule 20.

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

Senate at Ease

Senate called to order by the President.

Pursuant to Joint Rule 14, the Chair ordered a Division on the question of whether to suspend the Rules for the purpose of giving the Bill its first reading, without reference to a Committee. 26 Senators having voted in the affirmative, and 2 Senators in the negative, the Rules were suspended and the Bill was **READ ONCE**, without reference to a Committee.

Which was, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Sent down for concurrence.

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **LABOR** on Bill "An Act Regarding the Selection of Arbitrators in Labor Disputes"

H.P. 394 L.D. 507

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**.

Ought to Pass As Amended

The Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Amend the Laws Regarding Motor Vehicle Air Conditioning"

H.P. 346 L.D. 449

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-59)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-59)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-59) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LABOR on Bill "An Act Allowing the Bureau of Labor Standards to Enter into Reciprocal Agreements in the Area of Employment Standards with Other States"

H.P. 363 L.D. 466

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-58).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-58) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act Regarding Seating on a Motorcycle or Motor-driven Cycle"

H.P. 356 L.D. 459

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-64).

Comes from the House with the Report READ and the Bill and Accompanying Papers INDEFINITELY POSTPONED.

Which Report was READ.

On motion by Senator ESTY of Cumberland, Tabled 1 Legislative Day, pending ACCEPTANCE of Report.

Divided Report

The Majority of the Committee on BUSINESS LEGISLATION on Bill "An Act to Amend the Credit Reporting Laws"

H.P. 131 L.D. 172

Reported that the same Ought Not to Pass.

Signed:

Senators: CIANCHETTE of Somerset BUSTIN of Kennebec MARDEN of Kennebec

Representatives: VIGUE of Winslow HOGLUND of Portland CLEMENT of Clinton CAMERON of Rumford ST. ONGE of Greene WINN of Glenburn THOMPSON of Lincoln REED of Dexter

The Minority of the same Committee on the same subject reported that the same Ought to Pass.

Signed:

Representative: HILLOCK of Gorham

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.

Divided Report

The Majority of the Committee on TRANSPORTATION on Bill "An Act Regarding Motorized Wheelchairs" H.P. 202 L.D. 264

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-51).

Signed:

Representatives: STROUT of Corinth RICKER of Lewiston BAILEY of Farmington DRISCOLL of Calais HUSSEY of Milo PLOURDE of Biddeford O'GARA of Westbrook

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-52).

Signed:

Senators: BRANNIGAN of Cumberland PARADIS of Aroostook GOULD of Waldo

Representatives: BAILEY of Township 27 MELENDY of Rockland MARTIN of Van Buren

Comes from the House with the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-52).

Which Reports were **READ**.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "B" (H-52) **READ** and **ADOPTED**, in concurrence.

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

Bill "An Act to Coordinate Public Sector Occupational Health and Safety Regulations"
H.P. 362 L.D. 465
(C "A" H-54)

Bill "An Act to Facilitate the Payment and Collection of Safety Education and Training Fund Assessments"
H.P. 369 L.D. 472
(C "A" H-53)

Resolve, Requiring All State Departments and Agencies to Analyze Unfunded Mandates (Emergency)
H.P. 418 L.D. 537
(C "A" H-55)

Senate

Ought to Pass

Senator **PARADIS** for the Committee on **HUMAN RESOURCES** on Bill "An Act to Ensure Geographically Appropriate Placement for Nursing Home Residents"
S.P. 87 L.D. 241

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

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

The Bill **READ ONCE**.

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

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

Senate As Amended

Bill "An Act to Make Additional Allocations from the Highway Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1993" (Governor's Bill) (Emergency)
S.P. 48 L.D. 70
(C "A" S-46)

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

Sent down for concurrence.

SECOND READERS

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

House As Amended

Bill "An Act to Permit Retired Teachers to Rejoin the Teachers Health Insurance Plan after Serving in the Legislature"
H.P. 26 L.D. 29
(C "A" H-49)

Bill "An Act to Require the Use of Standardized Evidence Kits for Cases of Gross Sexual Assault"
H.P. 198 L.D. 260
(C "A" H-50)

Bill "An Act to Make the Minimum Age for a Muzzle-loading License the Same as the Minimum Age for a Hunting License"
H.P. 294 L.D. 382
(C "A" H-57)

Resolve, To Authorize the Director of the Bureau of General Services to Transfer in the Name of the State a Certain State Built Water Pipeline in the Town of Boothbay Harbor
H.P. 308 L.D. 396
(C "A" H-56)

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

COMMUNICATIONS

The Following Communication:

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

March 22, 1993

The Honorable Dennis L. Dutremble
President of the Senate of Maine
116th Maine 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 Judiciary has had under consideration the nomination of Francis C. Marsano of Belfast, for appointment as a Justice of the Maine Superior Court.

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. 3 Sen. Conley of Cumberland,
Sen. Berube of Androscoggin,
Sen. Hanley of Oxford

Rep. 8 Rep. Cote of Auburn, Rep.
Farnsworth of Hallowell,
Rep. Cathcart of Orono, Rep.
Ketterer of Madison, Rep.
Faircloth of Bangor, Rep.
Caron of Biddeford, Rep.
Lipman of Augusta, Rep.
Plowman of Hampden

NAYS: 0

ABSENT: 2 Rep. Saxl of Bangor, Rep.
Ott of York

Eleven 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 Francis C. Marsano of Belfast, for appointment as a Justice of the Maine Superior Court be confirmed.

Signed:

S/Gerard P. Conley, Jr.
Senate Chair

S/Constance D. Cote
House Chair

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

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

Senator **CONLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I do not usually rise on nominations which we handle on a routine basis in the Judiciary Committee, particularly those who are unanimous votes are in order, however, today's hearing was such a joy compared to many of the things we have had to deal with around here these past few days that I would be reluctant not to share this joy with the other members of this chamber. The Judiciary Committee had the pleasure today to sit on the Governor's nomination and hear the Governor's nomination regarding the individual we are about to consider. Having had an opportunity to serve with this man like so many other members here on this third floor, I would be remiss if I did not say a few things about that hearing and about this individual. The testimony given about this man, I can honestly say, having been here for some seven years, is unparalleled in the testimony I have heard in reference to other nominations. As I indicated in the hearing this morning, it is not often that I commend the Governor on his nominations, or much of anything else for that matter, but in reference to Francis Marsano I can honestly say that I do not believe there is an individual more qualified to sit on the bench in this State. I know him, as others here do, to be a caring, a thoughtful, capable individual who will bring to the bench experience, a vast experience actually, both from his service here and the service in his community of Belfast to make life better from that branch of government for the citizens of this State. From his testimony this morning I can tell you that compared to other nominees I really do not believe that individuals who

have come before us have the depth of understanding of what the role of the Superior Court is for the citizenry of this State. He does, and he has a vision about where to bring the Court in the future so that it may serve our citizens better. I'm proud to stand here before you and endorse wholeheartedly, without reservation, his nomination. I welcome him and his son here to the Chamber this afternoon. I will miss him here in this building but I look forward, as other citizens should, to his service on the bench. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Gould.

Senator **GOULD:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Being from Belfast I am duly proud to be here today to vote for Francis Marsano. I fully support his nomination and am so glad that he was nominated by the Governor. Thank you.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It is indeed my distinct pleasure and privilege to see the former Representative from Belfast, Francis Marsano, being elevated to the Superior Court on this day. It was indeed my pleasure to nominate Francis Marsano in the Judiciary Committee this morning and I would just make the comments that I did this morning and say it's been a privilege to have had Francis Marsano as a seatmate for six years, three terms, to have Francis Marsano as my mentor, and to have him as my friend. I will be looking forward to voting in the negative. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I too would like to rise to endorse this nominee. For all of us who have served here in the Senate, many, many times we get to vote on nominees to various Boards and Commissions, and Judgeships and people submitted by the Governor who we do not know. People we have never heard of, we trust the judgement of the Committee. This vote today by this body will be a vote from a number of legislators, a number of Senators, really all of us who know and respect this nominee. I was privileged to serve in this body for four years as the Minority Leader and during those four years I served on the Council with Francis Marsano and I can't say enough good things about him. It's going to be good today and I urge all of you to follow and vote for a friend, a person who will do his job to the best of his ability and I'm sure we will all be proud of him. Thank you.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Francis C. Marsano of Belfast be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Judiciary 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, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, LAWRENCE, LUDWIG, LUTHER, MARDEN, MCCORMICK, O'DEA, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators KIEFFER, PINGREE

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 Francis C. Marsano, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

ORDERS OF THE DAY

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

NOMINATION - of S. Kirk Studstrup of Hallowell for reappointment as a Judge-at-Large of the Maine District Court

Tabled - March 18, 1993, by Senator ESTY of Cumberland.

Pending - **CONSIDERATION**

(In Senate, March 16, 1993, Communication from the Committee on **JUDICIARY READ** and **ORDERED PLACED ON FILE**.)

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of S. Kirk Studstrup of Hallowell be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Judiciary 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, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, LAWRENCE, LUDWIG, LUTHER, MARDEN, MCCORMICK, O'DEA, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators KIEFFER, PINGREE

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 S. Kirk Studstrup, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

SENATE REPORTS - from the Committee on **STATE AND 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 18, 1993, by Senator ESTY of Cumberland.

Pending - **ACCEPTANCE** of the Majority **OUGHT TO PASS AS AMENDED** Report (Division Requested)

(In Senate, March 10, 1993, Reports **READ**.
ACCEPTANCE of Majority **OUGHT TO PASS AS AMENDED**
Report **FAILED**. Minority **OUGHT NOT TO PASS** Report
ACCEPTED. Subsequently, **RECONSIDERED**. Minority
OUGHT NOT TO PASS Report **FAILED**.)

THE PRESIDENT: The pending question before the
Senate is **ACCEPTANCE** 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.

18 Senators having voted in the affirmative and
15 Senators having voted in the negative, the motion
to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED**
Report, **PREVAILED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-37) **READ** and
ADOPTED.

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

Off Record Remarks

On motion by Senator **BUTLAND** of Cumberland,
ADJOURNED until Tuesday, March 23, 1993, at 10:00
in the morning.