

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

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

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

In Senate Chamber
Thursday
April 15, 1993

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

Prayer by Father Michael Lauze of St. Paul's Center in Augusta.

FATHER MICHAEL LAUZE: Oh source of all goodness and truth we beseech you to come into our heart and soul and to fill us with your love and compassion. As we have been called to serve may we be responsible in a special way to those who are less fortunate. Grant us the vision to see beyond our limited realms and understand your plan, your holy will. Might your wisdom and insight guide all our deliberations, might we ever demonstrate care and understanding towards ourselves and bear patiently with the burdens of others. Allow us to be open and receptive to the needs of others and always courageous when injustice comes our way. May we never shirk our responsibilities, our duties, or minimize their importance. As the people of Maine have entrusted us with the well-being of their State, so as official representatives of those same people, might we be worthy of their trust. We pray that our mission in life might not be centered on ourselves but especially on the poor and those who suffer. Amen.

Reading of the Journal of Tuesday, April 13, 1993.

Off Record Remarks

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

S.P. 413

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, April 26, 1993, at four o'clock in the afternoon.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Development and Construction of Municipal Solid Waste Disposal Facilities and to Purchase Equipment and Facilities for Managing Demolition Debris"

H.P. 935 L.D. 1258

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Construction of Necessary Safe Drinking Water Facilities"

H.P. 937 L.D. 1260

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

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

Bill "An Act to Amend the Natural Resources Protection Laws"

H.P. 936 L.D. 1259

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

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

Bill "An Act to Provide Support to Maine Small Businesses"

H.P. 929 L.D. 1252

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

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

Resolve, Directing the Bureau of Health to Study the Problem of Violence among Children, Teens and Young Adults (Emergency)

H.P. 927 L.D. 1250

Bill "An Act to Authorize a Demonstration Needle Exchange Program"

H.P. 933 L.D. 1256

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

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

Resolve, Authorizing Stephanie Burton to Sue the Town of Freeport

H.P. 928 L.D. 1251

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 to Implement the Constitutional Amendment Requiring the State to Fund Mandates"

H.P. 924 L.D. 1247

Bill "An Act Concerning State Transactions with Businesses in Northern Ireland"

H.P. 931 L.D. 1254

RESOLUTION, Proposing an Amendment to the Constitution of Maine Providing for the Direct Election of the Attorney General and the Secretary of State

H.P. 932 L.D. 1255

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 Clarify the Laws Pertaining to Mortgages and the Laws Pertaining to Taxation of Real Estate Transfers"

H.P. 934 L.D. 1257

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

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

Bill "An Act to Define Certain Municipal Service Charges or Payments in Lieu of Tax as Elements of Hospital Financial Requirements under the State of Maine Hospital Care Financing System"

H.P. 930 L.D. 1253

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

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

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

Bill "An Act to Change Public Hearing Requirements for Certain Railroad Grade Crossing Projects"

H.P. 926 L.D. 1249

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 Require Provision of Information to Consumers by the Public Utilities Commission"

H.P. 925 L.D. 1248

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

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

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

April 13, 1993

Honorable Joy J. O'Brien
Secretary of the Senate
116th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its former action whereby it indefinitely postponed Bill "An Act Regarding Bow Hunting" (H.P. 382) (L.D. 495).

Sincerely,
S/Joseph W. Mayo
Clerk of the House

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

The Following Communication:

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

April 13, 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 & Veterans has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 135 An Act to Reinstate the Secretary of the Veterans' Counselor in Washington County
- L.D. 425 An Act to Allow Retirement Credits for Previous Municipal Employment
- L.D. 622 An Act to Repeal the Laws Allowing Legislators to Participate in the Maine Legislative Retirement System and to Receive State Employee Benefits
- L.D. 655 An Act Concerning Service-related Retirement for Certain Teachers

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 AGRICULTURE
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

April 13, 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 Agriculture has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 419 An Act to More Fully Regulate the Sale of Pets

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

Sincerely,

S/Sen. Judy Paradis Senate Chair
S/Rep. Robert J. Tardy 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**

April 13, 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 & Insurance has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 441 An Act Relating to Uninsured Vehicle Coverage

- L.D. 481 An Act to Provide Consumers with the Opportunity to Acquire an Estimate of Health Care Costs
- L.D. 532 An Act to Ensure an Option for Complete Recovery for Injuries to Minors
- L.D. 625 An Act to Amend the Laws Regarding the Purchase of Insurance
- L.D. 719 An Act Regarding Employee Benefits for School Employees
- L.D. 732 An Act to Facilitate Disclosure of Insurance Coverage
- L.D. 900 An Act to Change the Fees Payable to the Bureau of Consumer Credit Protection

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:

**JOINT SELECT COMMITTEE ON CORRECTIONS
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

April 13, 1993

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.**

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

Dear President Dutremble and Speaker Martin:

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

- L.D. 58 An Act to Require the Department of Corrections to Provide Certain Services to Juveniles
- L.D. 76 An Act Concerning Incarceration of Sex Offenders
- L.D. 192 An Act to Establish a Shock Incarceration Program
- L.D. 242 Resolve, Directing the Department of Corrections to Develop a Plan for the Employment of Correctional Facility Inmates
- L.D. 333 An Act to Restore Funding to the Maine Youth Center and to Establish a Task Force on Funding
- L.D. 456 An Act to Ensure Reimbursement for Counties under the Community Corrections Programs

The Following Communication:

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

April 13, 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. 603 An Act to Allow All Retailers to Obtain Cigarettes at the Same Price
- L.D. 864 An Act to Allow Amateur Mechanics to Make Certain Repairs to Motor Vehicles

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

Sincerely,

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

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

The Following Communication:

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

April 13, 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. 152 An Act to Amend the Laws Governing Certification of Professional Speech and Language Therapists
- L.D. 212 An Act to Appropriate Funds for the Maintenance and Restoration of the Landmark Site "Montpelier" in Thomaston
- L.D. 266 An Act Regarding Career Counseling of High School Students
- L.D. 306 An Act to Establish Uniform Building Designs for Public Schools
- L.D. 363 An Act to Require the Bureau of General Services to Purchase School Buses in Lots
- L.D. 403 An Act to Provide for Middle School Teacher Certification
- L.D. 457 An Act to Establish a Fuel Efficiency Savings Program in the University of Maine System
- L.D. 553 An Act to Establish a School Choice Program
- L.D. 579 An Act to Amend Teacher Certification Laws
- L.D. 584 Resolve, to Reduce the Cost of Administration for Public Primary and Secondary Education
- L.D. 586 An Act to Allow Elementary and Secondary Schools to Obtain Insurance Coverage through the Bureau of General Services
- L.D. 593 An Act Related to Parenting Education
- L.D. 640 An Act to Provide Funding for School Bus Purchases
- L.D. 679 An Act Concerning School Building Plans
- L.D. 838 An Act to Establish a Professional Standards Board for Maine Educators

L.D. 849 Resolve, to Create the Commission on Education Rules

L.D. 1000 An Act to Eliminate the Position and Office of the Chancellor of the University of Maine System

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

Sincerely,

S/Sen. John J. O'Dea
Senate Chair

S/Rep. Elizabeth H. Mitchell
House Chair

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

The Following Communication:

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

April 13, 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 Energy & Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 216 An Act to Extend the Municipal Landfill Closure Mandate
- L.D. 330 An Act Regarding Energy Standards for Electrically Heated Residential Buildings
- L.D. 384 An Act Regarding Noncomplying House and Camp Lots
- L.D. 413 An Act to Extend the Deadline for Landfill Closures
- L.D. 506 An Act to Exempt Permitted Borrow Pit Operations from Municipal Shoreland Zoning Review
- L.D. 527 An Act to Eliminate the Necessity to License Gravel Pits
- L.D. 624 An Act to Limit Conflicts of Interest and Ensure Objective and Qualified State Consultants
- L.D. 653 An Act to Amend the Shoreland Zoning Laws

L.D. 785 Resolve, Directing the Office of Waste Reduction and Recycling to Study the Recycling of Incinerator Ash

L.D. 886 An Act to Amend the Municipal Subdivision Laws

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

Sincerely,

S/Sen. Mark W. Lawrence
Senate Chair

S/Rep. Paul F. Jacques
House Chair

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

The Following Communication:

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

April 13, 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 Human Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 175 An Act Regarding Low-cost Drugs for the Elderly
- L.D. 178 An Act to Allocate Funds to a Teenage Homeless Shelter in Bangor
- L.D. 223 An Act to Enhance Resources of the Division for the Blind and Visually Impaired
- L.D. 233 An Act to Expand the Shelter Operating Subsidy Program
- L.D. 268 An Act to Facilitate the Transport of Bodies Out of State by Funeral Directors

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

Sincerely,

S/Sen. Judy Paradis
Senate Chair

S/Rep. Sharon Anglin Treat
House Chair

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

The Following Communication:

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

April 13, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 227 An Act to Increase the Days on Which Protective Custody Hearings Are Held
- L.D. 380 An Act to Amend the Laws Governing Visitation Rights
- L.D. 430 An Act to Encourage Good Samaritan Drug and Medical Supply Donations
- L.D. 447 An Act to Amend the Maine Tort Claims Act
- L.D. 453 An Act to Continue Health Insurance Coverage for Spouses and Ex-spouses
- L.D. 528 An Act to Amend the Laws Concerning Immunity from Civil Liability
- L.D. 560 An Act to Provide Probation Periods to Facilitate Payment of Restitution
- L.D. 617 An Act to Abolish All Concurrent Sentences
- L.D. 623 An Act Relating to the Evaluation of Juveniles Prior to Court Placement Out of Their Homes
- L.D. 632 An Act to Protect the Identity of Minor Witnesses in Criminal Trials
- L.D. 712 An Act Concerning Disclosure of the Names of Criminal Suspects
- L.D. 721 An Act Concerning Financial Contributions Made by a Nonparent Regarding Child Support Obligations
- L.D. 722 An Act Excluding Certain Income and Higher Education Savings of Minors from Consideration under the Child Support Guidelines
- L.D. 723 An Act to Increase the Penalty for the Writing of Certain Bad Checks

- L.D. 752 An Act to Allow Courts to Allocate between Divorced Parents the Costs of Postsecondary Education
- L.D. 782 An Act Regarding the Writing of Bad Checks
- L.D. 821 An Act Regarding Supervision of Foster Children during Visitation

The Following Communication:

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

April 13, 1993

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

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:

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

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. 80 An Act to Permit the Saco River Corridor Commission to Adopt Ordinances Governing Alcohol Use within the Corridor
- L.D. 529 An Act to Improve Zoning Authority over the Retail Sale of Liquor
- L.D. 564 Resolve, to Direct the Commission on Governmental Ethics and Election Practices to Study Accountability and Truth in Campaign Advertising
- L.D. 636 An Act to Prohibit the Charging of Rents in Advance
- L.D. 812 An Act Requiring Mobile Home Park Operators to Notify Lienholders Prior to Eviction

The Following Communication:

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

April 13, 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

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 Daggett
Senate Chair House Chair

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

- L.D. 301 An Act to Establish the Definition of Week for Purposes of Unemployment Compensation
- L.D. 688 An Act Requiring Certification for the Payment of Subminimum Wages to Disabled Workers
- L.D. 701 An Act to Require Good Cause for Employment Termination

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. James R. Handy S/Rep. Richard P. Ruhlin
Senate Chair House Chair

The Following Communication:

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

April 13, 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 13 Resolve, Directing the Commissioner of Marine Resources to Mediate a Conflict between Those Fishing for Lobster with Short Trawls and Those Using Long Trawls in the Harraseeket River
- L.D. 48 Resolve, Directing the Department of Environmental Protection to Study the Safety of Seafood in Maine Waters
- L.D. 308 An Act to Prohibit Persons Harvesting Sea Urchins from Harvesting Lobsters
- L.D. 328 An Act to Establish a Season for Sea Urchin Fishing in a Restricted Area
- L.D. 352 An Act to Amend the Lobster Dealer License Fee
- L.D. 682 An Act to Require Safety Identification for Sea Kayaks
- L.D. 774 An Act to Prohibit the Sale of Menhaden Caught in Penobscot Bay to Foreign Processors in Internal Waters

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. James Mitchell
House Chair

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

The Following Communication:

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

April 13, 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 & Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 583 An Act to Ensure Continuity of State-contracted Services
- L.D. 610 An Act to Establish an Advisory Board to Ensure That the State Maximizes the Use of Available Federal Funds
- L.D. 710 An Act to Permit a Municipality to Reset Land Monuments Dislocated by the Municipality
- L.D. 716 An Act Relating to the Omnibus Drug Policy Reform Act
- L.D. 726 An Act to Provide State Government with Independent Cost Assessment of Federally Mandated and Regulated Programs
- L.D. 783 An Act to Change the Composition of the Board of Directors of the Maine Criminal Justice Academy
- L.D. 827 An Act to Amend the Kennebec County Budget Process
- L.D. 934 An Act to Compensate Towns and Counties for Time Police Officers Spend in Court

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 C. 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**

April 13, 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. 252 An Act to Create a Presumption of Domicile for Income Tax Purposes

- L.D. 276 An Act to Repeal Point-of-sale Fees for Future Disposal of Certain Items
- L.D. 347 An Act to Fund the Investment Tax Credit for Solid Waste Reduction
- L.D. 525 An Act to Amend the Circuit Breaker Program
- L.D. 549 An Act to Revise the Boat Excise Tax Law
- L.D. 557 An Act to Further Define the Just Value of Residential Property
- L.D. 565 An Act to Exclude Income of Certain College Students from Household Income for Purposes of Determining Eligibility in the Circuit Breaker Program
- L.D. 572 An Act to Adjust Property Tax Levies Based on Household Income
- L.D. 797 An Act to Conform the Sales Tax on Meals and Liquor to the Rate of the General Sales Tax

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

Sincerely,

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

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

The Following Communication:

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

April 13, 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. 570 An Act to Increase Driver Safety in Inclement Weather
- L.D. 753 An Act to Ensure Complete Motor Vehicle Accident Reports

- L.D. 876 An Act to Change the Wording on Maine State Automobile License Plates

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

Sincerely,

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

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

The Following Communication:

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

April 13, 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. 176 An Act Regarding the Removal of Public Utility Commissioners

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

Sincerely,

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

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

SENATE PAPERS

Bill "An Act to Amend the Laws Governing Aseptic Containers"

S.P. 410 L.D. 1286

Presented by Senator **CLEVELAND** of Androscoggin

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

Sent down for concurrence.

Bill "An Act to Provide for the Combination of Cary Medical Center and The Aroostook Medical Center in Central Aroostook County" (Emergency)
S.P. 411 L.D. 1287

Presented by Senator **KIEFFER** of Aroostook
Cosponsored by Representative **DONNELLY** of Presque Isle and Senators: **CAHILL** of Sagadahoc, **CIANCHETTE** of Somerset, **LUDWIG** of Aroostook, **PARADIS** of Aroostook, Representatives: **ANDERSON** of Woodland, **BRUNO** of Raymond, **HILLOCK** of Gorham, **KNEELAND** of Easton, **MACBRIDE** of Presque Isle, **MARTIN** of Eagle Lake, **PENDLETON** of Scarborough, **ROBICHAUD** of Caribou, **TOWNSEND** of Portland, **YOUNG** of Limestone

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

Sent down for concurrence.

Bill "An Act to Allow a Casino to be Constructed by the Passamaquoddy Tribe in Calais for the Purpose of Gambling"
S.P. 409 L.D. 1266

Presented by Senator **VOSE** of Washington
Cosponsored by Senators: **BALDACCI** of Penobscot, **BERUBE** of Androscoggin, **CAREY** of Kennebec, **CIANCHETTE** of Somerset, **CONLEY** of Cumberland, **HALL** of Piscataquis, **HANDY** of Androscoggin, **LAWRENCE** of York, **MARDEN** of Kennebec, **TITCOMB** of Cumberland, Representatives: **CARR** of Sanford, **CARROLL** of Gray, **COTE** of Auburn, **DRISCOLL** of Calais, **GOULD** of Greenville, **HICHBORN** of Howland, **HUSSEY** of Milo, **JALBERT** of Lisbon, **JOSEPH** of Waterville, **LARRIVEE** of Gorham, **MARTIN** of Van Buren, **MORRISON** of Bangor, **PARADIS** of Augusta, **POULIOT** of Lewiston, **RICKER** of Lewiston, **ROTONDI** of Athens, **TARDY** of Palmyra, **TOWNSEND** of Eastport, **VIGUE** of Winslow

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

Sent down for concurrence.

Resolve, Authorizing Philip E. Wolley to Bring Suit against the State
S.P. 408 L.D. 1265

Presented by Senator **BALDACCI** of Penobscot

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

Sent down for concurrence.

Bill "An Act to Clarify the Responsibilities of Property Assessment Review Boards"
S.P. 412 L.D. 1288

Presented by Senator **CAREY** of Kennebec
Cosponsored by Representative: **KERR** of Old Orchard Beach

Which was referred to the Committee on **TAXATION** 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 **BANKING & INSURANCE** on Bill "An Act to Authorize the Offset of Insurance Premiums"
H.P. 627 L.D. 847

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 **EDUCATION** on Bill "An Act Regarding the Approval of School Warrants by Municipal Officers"
H.P. 185 L.D. 237

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 Bill **TOMORROW ASSIGNED FOR SECOND READING.**

Ought to Pass As Amended

The Committee on **UTILITIES** on Bill "An Act to Provide Protection for Mortgagees Under the Utility Laws"

H.P. 501 L.D. 659

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 **JUDICIARY** on Bill "An Act to Strengthen the State's Support Laws"

H.P. 401 L.D. 514

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-138).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-138).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-138) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act to Eliminate the Seasonal Legal Researcher Position at the Public Utilities Commission and to Make Certain Other Changes"

H.P. 670 L.D. 908

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 **JUDICIARY** on Bill "An Act Regarding Priorities in the Probate Code"

H.P. 491 L.D. 649

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-140).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-140).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-140) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act to Include a Waiver Provision for the Advance Notice Required by the Public Utilities Commission for Energy Agreements and Contracts"

H.P. 686 L.D. 927

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 Committee on **JUDICIARY** on Bill "An Act to Amend the Recording Requirements for Proceedings Involving Real Estate"

H.P. 534 L.D. 718

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-139).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-139)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-139) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LEGAL AFFAIRS** on Bill "An Act to Allow Rebate Coupons in Agency Liquor Stores"
H.P. 304 L.D. 392

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-141)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-141)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-141) **READ** and **ADOPTED**, in concurrence.

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

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-136)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-136)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-136) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act to Amend the Mars Hill Utility District" (Emergency)
H.P. 540 L.D. 724

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-137)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-137)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-137) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator **CIANCHETTE** for the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Require That Purchasers of Used Cars Be Informed Whether the Cars Were the Subjects of Lemon Law Decisions"
S.P. 223 L.D. 694

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-67)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-67) **READ** and **ADOPTED**.

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

Senator **CIANCHETTE** for the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Regulate Home Repair by Transient Contractors"
S.P. 228 L.D. 699

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-72)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-72) **READ** and **ADOPTED**.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator VOSE for the Committee on UTILITIES on Bill "An Act to Amend the Maine Nuclear Emergency Planning Act" (Emergency)

S.P. 152 L.D. 484

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-68).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-68) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator CARPENTER for the Committee on UTILITIES on Bill "An Act to Modify Public Utilities Commission Practice and Rules of Evidence" S.P. 202 L.D. 638

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-69).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-69) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on APPROPRIATIONS & FINANCIAL AFFAIRS on Bill "An Act to Make Supplemental Allocations, to Transfer Positions among Funds and to Make Technical Corrections to the Laws for Fiscal Year 1992-93" (Emergency)

S.P. 406 L.D. 1264

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-73) pursuant to Joint Order S.P. 344.

Signed:

Senators:

PEARSON of Penobscot
TITCOMB of Cumberland
FOSTER of Hancock

Representatives:

CARROLL of Gray
HICHBORN of Howland
MICHAUD of East Millinocket
KERR of Old Orchard Beach
POULIOT of Lewiston
CHONKO of Topsham
RYDELL of Brunswick

The Minority of the same Committee on the same subject reported that the same Ought to Pass pursuant to Joint Order S.P. 344.

Signed:

Representatives:

MACBRIDE of Presque Isle
REED of Falmouth
FOSS of Yarmouth

Which Reports were READ.

The Majority OUGHT TO PASS AS AMENDED Report ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-73) READ and ADOPTED.

Which was, under suspension of the Rules, READ A SECOND TIME, and PASSED TO BE ENGROSSED, As Amended.

Sent down for concurrence.

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

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

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

After Recess

Senate called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **UTILITIES** on Bill "An Act to Exempt Employees of the Public Utilities Commission from Furlough and Shutdown Days" (Emergency)

S.P. 119 L.D. 357

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-70).**

Signed:

Senators:

VOSE of Washington
CARPENTER of York

Representatives:

MORRISON of Bangor
CLARK of Millinocket
TAYLOR of Cumberland
HOLT of Bath
DONNELLY of Presque Isle
KONTOS of Windham
CASHMAN of Old Town
ADAMS of Portland

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass.**

Signed:

Representatives:

AIKMAN of Poland
COFFMAN of Old Town

Which Reports were **READ.**

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED.**

The Bill **READ ONCE.**

Committee Amendment "A" (S-70) **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 Concerning the Degree-granting Authority of Educational Associates, Inc."
H.P. 242 L.D. 321

Bill "An Act to Clarify Certain Statutes Relating to the Public Utilities Commission"
H.P. 575 L.D. 780

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

House As Amended

Bill "An Act to Establish a Consistent Expiration Date for Shellfish Licenses and Marine Worm Digger's Licenses"

H.P. 45 L.D. 61
(C "A" H-132)

Bill "An Act to Retain the Federal Demonstration Grant Funding the Maine Health Program"

H.P. 141 L.D. 186
(C "A" H-124)

Bill "An Act to Establish a Statute of Limitations for Claims against Titles to Property Acquired for Nonpayment of Taxes"

H.P. 149 L.D. 201
(C "A" H-111)

Bill "An Act to Protect Animal Enterprises"

H.P. 163 L.D. 215
(C "A" H-119)

Bill "An Act to Encourage the Recycling of Tires from Municipal Landfills"

H.P. 209 L.D. 271
(C "A" H-123)

Bill "An Act to Prohibit the Transfer of Credit Card Information"

H.P. 246 L.D. 325
(C "A" H-125)

Bill "An Act to Define Composting Operations as Agricultural Activities for Environmental Purposes"

H.P. 270 L.D. 348
(C "A" H-127)

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

H.P. 448 L.D. 574
(C "A" H-120)

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

H.P. 459 L.D. 585
(C "A" H-133)

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

Bill "An Act Concerning Harness Racing"
H.P. 156 L.D. 208
(C "A" H-121)

Which was **READ A SECOND TIME.**

On motion by Senator **CAREY** of Kennebec, Senate Amendment "A" (S-75) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED, As Amended in NON-CONCURRENCE.**

Sent down for concurrence.

An Act to Promote Safety of School Buses
H.P. 493 L.D. 651
(C "A" H-94)

An Act to Amend the Laws Governing the Dimming of Lights When Following Vehicles.

H.P. 498 L.D. 656
(C "A" H-87)

An Act to Amend the Laws Exempting Aseptic Packaging of Milk Substitutes

H.P. 544 L.D. 740

An Act to Eliminate the Bureau of Public Administration

H.P. 601 L.D. 816

Bill "An Act to Amend the Laws Relating to Financial Institution Service Corporations"
H.P. 301 L.D. 389
(C "A" H-131)

Which was **READ A SECOND TIME.**

On motion by Senator **CAREY** of Kennebec, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-131), in concurrence..

On further motion by same Senator, Senate Amendment "A" (S-74) to Committee Amendment "A" (H-131) **READ** and **ADOPTED.**

Committee Amendment "A" (H-131) as Amended by Senate Amendment "A" (S-74) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED, As Amended in NON-CONCURRENCE.**

Sent down for concurrence.

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

An Act to Change the Manner in Which Debt Service on Jail Facility Bonds Is Repaid to Counties

H.P. 43 L.D. 59
(H "A" H-106)

On motion by Senator **PEARSON** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT.**

Emergency

An Act to Provide an Adequate Period for the Adoption of Local Ordinances

S.P. 150 L.D. 482
(C "A" S-53)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ENACTORS

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

An Act to Restrict the Use of State Facilities
H.P. 223 L.D. 291
(C "A" H-93)

An Act to Change the Definition of Beverage Container for the Purposes of Recycling
H.P. 306 L.D. 394
(C "A" H-96)

An Act to Reaffirm the Prohibition of Spaghetti-lots
H.P. 467 L.D. 604
(C "A" H-95)

ORDERS OF THE DAY

Unfinished Business

The following matter 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 and Specially Assigned (4/15/93) matter:

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
(H "A" H-77)

Tabled - April 12, 1993, by Senator ESTY of Cumberland.

Pending - **FURTHER CONSIDERATION**

(Committee on **AUDIT & PROGRAM REVIEW** suggested and **ORDERED PRINTED.**)

(In Senate, March 30, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-77)**, without reference to a Committee, in concurrence.)

(In House, April 8, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-77) AND "B" (H-135)**, without reference to a Committee, in **NON-CONCURRENCE.**)

On motion by Senator CLEVELAND of Androscoggin, the Senate **RECEDED** from it's action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED.**

House Amendment "B" (H-135) **READ.**

On further motion by same Senator, Senate Amendment "A" (S-71) to House Amendment "B" (H-135) **READ.**

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

Senator CLEVELAND: Thank you Mr. President, Ladies and Gentlemen of the Senate. As you know this is the annual Audit and Program Review Bill. This is actually the Bill carried over from the 115th Session. What this particular amendment does is further clarify the process by which State Agencies will be involved in the approval and development of what are known as COPs or Certificates of Participation. This has been reviewed with the various agencies and I believe this amendment is satisfactory to most all of those agencies. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-71) to House Amendment "B" (H-135) **ADOPTED.**

House Amendment "B" (H-135) as Amended by Senate Amendment "A" (S-71) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED, As Amended** in **NON-CONCURRENCE.**

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

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

Bill "An Act to Protect Consumers when Disconnecting Cable Television Services" (Emergency)
S.P. 195 L.D. 631
(C "A" S-58)

Tabled - April 13, 1993, by Senator ESTY of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**

(In Senate, April 13, 1993, **READ A SECOND TIME.**)

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

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator BERUBE for the Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Deorganize the Town of Greenfield" (Emergency)

S.P. 324 L.D. 976

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-76).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-76) **READ** and **ADOPTED.**

Which was, under suspension of the Rules, **READ A SECOND TIME,** and **PASSED TO BE ENGROSSED, As Amended.**

Under suspension of the Rules, ordered sent down forthwith for 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 Provide Family Security through Quality, Affordable Health Care"

H.P. 956 L.D. 1285

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

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

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

Bill "An Act to Amend the Maine Pharmacy Act"
H.P. 944 L.D. 1273

Bill "An Act to Maintain Confidentiality of Medical Information Reported to the Department of Human Services"
H.P. 945 L.D. 1274

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

Bill "An Act to Amend the Bill of Rights for Persons with Mental Retardation"
H.P. 955 L.D. 1284

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

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

Resolve, to Survey Nonionizing Radiation Exposure in Schools
H.P. 946 L.D. 1275

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

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

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

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

PAPERS FROM THE HOUSE

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

House Papers

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Permit the Entry of a Not Guilty Plea on Arraignment without the Physical Presence of the Defendant"
H.P. 938 L.D. 1267

Bill "An Act to Amend the State Contribution to Pollution Abatement and Overboard Discharge Replacement Laws"
H.P. 941 L.D. 1270

Bill "An Act Regarding the Collection of Medical Payments for an Absent Parent When a Court Order Exists"
H.P. 939 L.D. 1268

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

Bill "An Act to Improve the Operation of Prelitigation Screening Panels"
H.P. 947 L.D. 1276

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

Bill "An Act Related to Sentencing for Aggravated Trafficking and Furnishing Scheduled Drugs"
H.P. 952 L.D. 1281

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

Bill "An Act Authorizing the Commissioner of Inland Fisheries and Wildlife to Establish Open and Closed Seasons on the Hunting of Deer"
H.P. 940 L.D. 1269

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

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

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Allow Agency Liquor Stores to Remain Open Past 5:00 P.M. on Sundays" (Emergency)
H.P. 943 L.D. 1272

Bill "An Act to Amend the Laws Related to Concealed Weapon Permits"
H.P. 951 L.D. 1280

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 Create the Tax-exempt Organization Sunshine Act of 1993"
H.P. 942 L.D. 1271

(See Action Later Today)

Resolve, Creating the New England Regional Commission on Fiscal and Public Policy
H.P. 950 L.D. 1279

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Adjust the Taxation of Public Pensions and Social Security Benefits"
H.P. 949 L.D. 1278

Bill "An Act to Allow for Regional Local Option Taxing Districts"
H.P. 953 L.D. 1282

Bill "An Act to Authorize an Optional Regional Sales Tax"
H.P. 954 L.D. 1283

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

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

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 957

ORDERED, the Senate concurring, that the Joint Standing Committee on Judiciary report out a bill, "An Act Concerning Stalking."

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

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

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide the Governor with a Line-item Veto
H.P. 948 L.D. 1277

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

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

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

Off Record Remarks

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

Off Record Remarks

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

Off Record Remarks

On motion by Senator **CLEVELAND** of Androscoggin, **RECESSED** until 1:15 this afternoon.

After Recess

Senate called to order by the President.

Off Record Remarks

On motion by Senator **ESTY** of Cumberland, the Senate **RECONSIDERED** its action whereby it **REFERRED** to the Committee on **STATE & LOCAL GOVERNMENT**, in concurrence:

Bill "An Act to Create the Tax-exempt Organization Sunshine Act of 1993" H.P. 942 L.D. 1271

(In Senate, April 15, 1993, **REFERRED** to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.)

(In House, April 15, 1993, **REFERRED** to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**.)

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

On motion by Senator **SUMMERS** of Cumberland, **RECESSED** until 4:00 this afternoon.

After Recess

Senate called to order by the President.

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

ENACTORS

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

Mandate

An Act to Deorganize the Town of Greenfield
S.P. 324 L.D. 976
(C "A" S-76)

This being a Mandate and in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Make Supplemental Allocations to Continue Certain Positions Established by Financial Order, to Establish Other Positions, to Transfer Positions among Funds and to Make Technical Corrections to the Laws for Fiscal Year 1992-93
S.P. 406 L.D. 1264
(C "A" S-73)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with 1 Senator having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

COMMUNICATIONS

The Following Communication:

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

April 14, 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 Energy and Natural Resources has had under consideration the nomination of Betty Lou Mitchell of Etna, for appointment to the Low-Level Radioactive Waste Authority.

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 | Lawrence of York, Cianchette of Penobscot, Ludwig of Aroostook |
| | Rep. 7 | Jacques of Waterville, Coles of Harpswell, Gould of Greenville, Constantine of Bar Harbor, Poulin of Oakland, Lord of Waterboro, Marsh of West Gardiner |
| NAYS: | 0 | |
| ABSENT: | 3 | Rep. Mitchell of Freeport, Rep. Wentworth of Arundel, Rep. Anderson of Woodland |

Ten 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 Betty Lou Mitchell of Etna, for appointment to the Low-Level Radioactive Waste Authority be confirmed.

Signed:

S/Mark W. Lawrence
Senate Chair

S/Paul F. Jacques
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Betty Lou Mitchell of Etna be confirmed.

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

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

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

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

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators AMERO, HANDY, LAWRENCE, O'DEA, PINGREE

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 5 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 Betty Lou Mitchell, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:

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

April 14, 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 Energy and Natural Resources has had under consideration the nomination of Abbie McMillen of Harborside, for appointment to the Facility Siting Board.

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 Lawrence of York, Cianchette of Penobscot, Ludwig of Arostook
 Rep. 8 Jacques of Waterville, Rep. Mitchell of Freeport, Coles of Harpswell, Gould of Greenville, Constantine of Bar Harbor, Poulin of Oakland, Lord of Waterboro, Marsh of West Gardiner

NAYS: 0

ABSENT: 2 Rep. Wentworth of Arundel, Rep. Anderson of Woodland

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 Abbie McMillen of Harborside, for appointment to the Facility Siting Board be confirmed.

Signed:

S/Mark W. Lawrence
 Senate Chair

S/Paul F. Jacques
 House Chair

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

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Abbie McMillen of Harborside be confirmed.

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

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

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

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

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators AMERO, HANDY, LAWRENCE, O'DEA, PINGREE

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 5 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 Abbie McMillen, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

COMMUNICATIONS

The Following Communication:

**COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
 ONE HUNDRED AND SIXTEENTH LEGISLATURE**

April 15, 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 Housing and Economic Development has had under consideration the nomination of Elsie B. Morris of Bath, for appointment to the Maine State Housing Authority.

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. 1 Brannigan of Cumberland

Rep. 10 Melendy of Rockland, Heeschen of Wilton, Plourde of Biddeford, Coffman of Old Town, Rowe of Portland, Sullivan of Bangor, Dexter of Kingfield, Kneeland of Easton Marshall of Eliot, Quint of Paris

NAYS: 0

ABSENT: 2 Sen. Pingree of Knox, Sen. Harriman of Cumberland

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 Elsie B. Morris of Bath, for appointment to the Maine State Housing Authority be confirmed.

Signed:

S/Rochelle Pingree
Senate Chair

S/Rita B. Melendy
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Elsie B. Morris of Bath be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development 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.

The Chair noted the absence of Senator **AMERO** of Cumberland, Senator **LAWRENCE** of York, and Senator **O'DEA** of Penobscot, and further excused them from today's Roll Call votes.

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 BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Elsie B. Morris, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

April 15, 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 Housing and Economic Development has had under consideration the nomination of Orland McPherson of Eliot, for appointment to the Maine State Housing Authority.

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. 1 Sen. Brannigan of Cumberland
Rep. 10 Melendy of Rockland, Heeschen of Wilton, Plourde of Biddeford, Coffman of Old Town, Rowe of Portland, Sullivan of Bangor, Dexter of Kingfield, Kneeland of Easton Marshall of Eliot, Quint of Paris

NAYS: 0

ABSENT: 2 Sen. Pingree of Knox, Sen. Harriman of Cumberland

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 Orland McPherson of Eliot, for appointment to the Maine State Housing Authority be confirmed.

Signed:

S/Rochelle Pingree
Senate Chair

S/Rita B. Melendy
House Chair

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

Senate at Ease

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Orland McPherson of Eliot be confirmed.

Senate called to order by the President.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development be overridden?"

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

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.

COMMUNICATIONS

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

The Following Communication:

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

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

April 15, 1993

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

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

ROLL CALL

Dear Mr. President:

YEAS: Senators None

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 Education has had under consideration the nomination of Walter H. Moulton of Brunswick, for reappointment to the Maine Educational Loan Authority.

NAYS: Senators BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

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:

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

YEAS: Sen. 3 O'Dea of Penobscot, Lawrence of York, Amero of Cumberland
Rep. 9 Oliver of Portland, Pfeiffer of Brunswick, Simonds of Cape Elizabeth, Cloutier of South Portland, Pinette of Fort Kent, Stevens of Orono, Norton of Winthrop, Ault of Wayne, Small of Bath

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Orland McPherson, was **CONFIRMED**.

NAYS: 0

ABSENT: 0

ABSTAINED: 1 Rep. Mitchell of Vassalboro

The Secretary has so informed the Speaker of the House.

Twelve 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 Walter H. Moulton of Brunswick for reappointment to the Maine Educational Loan Authority be confirmed.

Off Record Remarks

Signed:

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

S/John J. O'Dea
Senate Chair

S/Elizabeth H. Mitchell
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Walter H. Moulton of Brunswick be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Education 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 BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Walter H. Moulton, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

April 15, 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 Education has had under consideration the nomination of Frederic A. Reynolds of Machias, for reappointment to the Maine Educational Loan Authority.

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 | O'Dea of Penobscot, Lawrence of York, Amero of Cumberland |
| | Rep. 9 | Oliver of Portland, Pfeiffer of Brunswick, Simonds of Cape Elizabeth, Cloutier of South Portland, Pinette of Fort Kent, Stevens of Orono, Norton of Winthrop, Ault of Wayne, Small of Bath |

NAYS: 0

ABSENT: 0

ABSTAINED: 1 Rep. Mitchell of Vassalboro

Twelve 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 Frederic A. Reynolds of Machias for reappointment to the Maine Educational Loan Authority be confirmed.

Signed:

S/John J. O'Dea
Senate Chair

S/Elizabeth H. Mitchell
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Frederic A. Reynolds of Machias be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Education 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 BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Frederic A. Reynolds, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

April 15, 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 Education has had under consideration the nomination of Ronald P. Milliken of Farmington, for reappointment to the Maine Educational Loan Authority.

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 | O'Dea of Penobscot, Lawrence of York, Amero of Cumberland |
| | Rep. 9 | Oliver of Portland, Pfeiffer of Brunswick, Simonds of Cape Elizabeth, Cloutier of South Portland, Pinette of Fort Kent, Stevens of Orono, Norton of Winthrop, Ault of Wayne, Small of Bath |

NAYS: 0

ABSENT: 0

ABSTAINED: 1 Rep. Mitchell of Vassalboro

Twelve 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 Ronald P. Milliken of Farmington for reappointment to the Maine Educational Loan Authority be confirmed.

Signed:

S/John J. O'Dea
Senate Chair

S/Elizabeth H. Mitchell
House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Ronald P. Milliken of Farmington be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Education 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 BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Ronald P. Milliken, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

April 15, 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 Education has had under consideration the nomination of Dr. David W. Brown of Bar Harbor, for appointment to the Maine Educational Loan Authority.

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 | O'Dea of Penobscot, Lawrence of York, Amero of Cumberland |
| | Rep. 9 | Oliver of Portland, Pfeiffer of Brunswick, Simonds of Cape Elizabeth, Cloutier of South Portland, Pinette of Fort Kent, Stevens of Orono, Norton of Winthrop, Ault of Wayne, Small of Bath |
| NAYS: | 0 | |
| ABSENT: | 0 | |
| ABSTAINED: | 1 | Rep. Mitchell of Vassalboro |

Twelve 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 Dr. David W. Brown of Bar Harbor for appointment to the Maine Educational Loan Authority be confirmed.

Signed:

| | |
|---------------------------------|--|
| S/John J. O'Dea Senate Chair | S/Elizabeth H. Mitchell House Chair |
|---------------------------------|--|

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Dr. David W. Brown of Bar Harbor be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Education 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 BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MARDEN, MCCORMICK, PARADIS, PEARSON, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators HANDY, PINGREE

EXCUSED: Senators AMERO, LAWRENCE, O'DEA

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent, and 3 Senators being excused, 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 Dr. David W. Brown, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Senator **BALDACCI** of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I was just noting the Pratt and Whitney decision to remain in North Berwick and possibly relocate more jobs here in the State of Maine and I just wanted to commend the leadership, the presiding officer, and the Executive Branch for making the venture down there and working at it cooperatively to preserve jobs and possibly increase jobs. I think that there are some bright spots in the Maine economy and this is one of them. Thank you.

Off Record Remarks

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **VOSE** of Washington, **ADJOURNED** until Monday, April 26, 1993, at 4:00 in the afternoon.