

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
Tuesday
May 11, 1993

Senate called to Order by the President.

Prayer by Reverend Larry Shaw of the Church of Good News in Rumford.

REVEREND LARRY SHAW: Shall we pray. Dear heavenly Father we thank you for this grand State of Maine and for these Ladies and Gentlemen who serve our State. Our priorities Lord are to be to you first, our State second and our party affiliations next. In these complex times there must be some simple answers. Help us to be aware that wisdom begins with fear of the Lord and truth before popularity. Let peace rule, where no peace rules let each one of them re-evaluate their options. Give us wisdom, give them wisdom to deal with minority situations without treading all over the majority. May much be accomplished this day in this room. Bless now each one. In His name we pray. Amen.

Reading of the Journal of Monday, May 10, 1993.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Change the Scallop Harvesting Season"

H.P. 117 L.D. 158
(C "A" H-146)

In Senate, April 29, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146) AS AMENDED BY HOUSE AMENDMENT "A" (H-270)** thereto, in **NON-CONCURRENCE**.

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

Non-concurrent Matter

JOINT RESOLUTION - Memorializing the Congress of the United States to Revoke its Congressional Payraise H.P. 1066

In House, May 4, 1993, **READ** and **ADOPTED**.

In Senate, May 6, 1993, **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **TRANSPORTATION** on Bill "An Act Concerning the Definition of Compact Area for Municipalities"

H.P. 770 L.D. 1043

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 **BUSINESS LEGISLATION** on Bill "An Act to Provide Additional Exemptions to the Need for a Cosmetology License"

H.P. 395 L.D. 508

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-243)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-243) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Require Sellers of Mobile Homes to Make Specific Disclosures Regarding Formaldehyde When the Purchase Agreement is Executed"

H.P. 690 L.D. 931

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-245)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-245) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **EDUCATION** on Bill "An Act Related to Conferring Degrees by Thomas College" (Emergency)

H.P. 988 L.D. 1319

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-244)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-244)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-244) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **FISHERIES & WILDLIFE** on Bill "An Act Relating to the Maine Endangered and Nongame Wildlife Fund"

H.P. 748 L.D. 1015

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-246)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-246) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **FISHERIES & WILDLIFE** on Bill "An Act Authorizing the Commissioner of Inland Fisheries and Wildlife to Establish Open and Closed Seasons on the Hunting of Bear"

H.P. 749 L.D. 1016

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-247)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-247)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-247) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HOUSING & ECONOMIC DEVELOPMENT** on Bill "An Act to Establish the Maine Promotion Council Cooperative"

H.P. 642 L.D. 873

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-241)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-241)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-241) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act Regarding Law Court Staffing"
H.P. 699 L.D. 951

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-240)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-240) **READ** and **ADOPTED**, in concurrence.

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

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-242)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-242) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LEGAL AFFAIRS** on Bill "An Act Simplifying Dealer Sale of Firearms"
H.P. 626 L.D. 846

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-249)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-249)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-249) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act Repealing Advisory Boards on Transportation Matters"
H.P. 811 L.D. 1097

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-248)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-248) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Resolve, to Name the So-called "Covered Bridge", No. 2189, Spanning the Aroostook River, in Presque Isle on Route 1, the Harold N. Flagg Memorial Bridge
H.P. 901 L.D. 1216

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-236)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-236)**.

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

The Resolve **READ ONCE**.

Committee Amendment "A" (H-236) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act to Change Public Hearing Requirements for Certain Railroad Grade Crossing Projects"

H.P. 926 L.D. 1249

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-235).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-235).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-235) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act Regarding the Use of Natural Gas in Motor Vehicles"

H.P. 421 L.D. 540

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-222).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222) AS AMENDED BY HOUSE AMENDMENT "A" (H-269)** thereto.

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-222) **READ.**

House Amendment "A" (H-269) to Committee Amendment "A" (H-222) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-222) As Amended by House Amendment "A" (H-269) thereto, **ADOPTED**, in concurrence.

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 Suspension of Registrations under the Operating-under-the-influence Laws"

H.P. 694 L.D. 935

Resolve, to Extend the Commission to Study the Feasibility of a Capital Cultural Center and to Establish an Advisory Committee to the Commission (Emergency)

H.P. 827 L.D. 1113

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

House As Amended

Bill "An Act to Eliminate the Automatic Issuance of Conditional Withholding Orders"

H.P. 593 L.D. 808
(C "A" H-234)

Bill "An Act Regarding Judicial Branch Publications"

H.P. 596 L.D. 811
(C "A" H-233)

Bill "An Act to Amend the Waldoboro Utility District Charter"

H.P. 745 L.D. 1012
(C "A" H-225)

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

Bill "An Act to Extend the Retirement Incentive Option for Two Years"

H.P. 462 L.D. 599
(C "A" H-220)

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

Sent down for concurrence.

Senate

Bill "An Act to Amend the Selection Process for the Administration of the Mexico Water District"

S.P. 430 L.D. 1340

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

Sent down for concurrence.

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

Senate As Amended

ENACTORS

Bill "An Act to Amend the Liquor Laws Pertaining to the Retail Sale of Wine"

S.P. 120 L.D. 358
(C "A" S-122)

(See Action Later Today)

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

Bill "An Act Related to Mortgage Companies"

S.P. 177 L.D. 591
(C "A" S-121)

An Act to Revise the Correctional Facility Board of Visitors Laws

H.P. 212 L.D. 274
(C "A" H-186)

Bill "An Act to Clarify the Appointment, Powers and Duties of Building Committees"

S.P. 178 L.D. 592
(C "A" S-119)

An Act to Amend the Hunting Laws

H.P. 228 L.D. 296
(H "A" H-208 to C "A" H-99)

Bill "An Act to Amend the Maine Hunting Laws to Prohibit Discharges of Firearms across Paved Ways"

S.P. 282 L.D. 853
(C "A" S-120)

An Act to Change the Penalty for Night Hunting or Illegal Killing of Large Game Animals

H.P. 229 L.D. 297
(C "A" H-203)

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

An Act Authorizing Maine Banks to Export Certain Credit Terms

H.P. 230 L.D. 298
(C "A" H-175)

Sent down for concurrence.

An Act Regarding Recurring Charges Charged to Credit or Charge Cards

H.P. 267 L.D. 345
(C "A" H-174)

Bill "An Act Regarding the Credentialing of School Psychological Service Providers"

S.P. 262 L.D. 800
(C "A" S-125)

An Act to Clarify the Laws Relating to Property Tax Abatements

H.P. 283 L.D. 370
(C "A" H-182)

Which was **READ A SECOND TIME.**

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

An Act to Assist Policy Makers in Establishing Health Care Policy

H.P. 287 L.D. 374
(C "A" H-189)

Senate at Ease

Senate called to order by the President.

An Act to Require Removal of Ice-fishing Shacks from Private and Public Property

H.P. 339 L.D. 442
(C "A" H-197)

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

S.P. 246 L.D. 765
(C "A" S-126)

An Act to Clarify the Disbursement of Maine Children's Trust Fund Income

H.P. 380 L.D. 493
(C "A" H-196)

Which was **READ A SECOND TIME.**

An Act Regarding Responsibilities of School Union Committees

H.P. 456 L.D. 582
(C "A" H-198)

An Act to Continue Certain Provisions of the Seed Certification Laws That Encourage the Development of New Varieties

S.P. 175 L.D. 589
(C "A" S-85)

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

H.P. 485 L.D. 643
(C "A" H-201)

An Act Concerning Property Tax Payment by Owners of Mobile Homes

H.P. 557 L.D. 754

An Act Clarifying Identification of Financial Institution Off-premise Facilities

H.P. 580 L.D. 784
(C "A" H-173)

An Act to Increase the Penalties for Littering

H.P. 608 L.D. 823
(C "A" H-181)

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

H.P. 628 L.D. 848
(C "A" H-172)

An Act to Clarify the Role of the Child Abuse and Neglect Councils

H.P. 664 L.D. 902
(C "A" H-190; H "A" H-206)

An Act to Authorize the Operation of Articulated Buses on Maine Highways

H.P. 679 L.D. 921
(C "A" H-185)

An Act to Increase Reimbursement to the State Police for Services Provided to Federal Agencies

H.P. 723 L.D. 982
(C "A" H-204)

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 Amend the Motor Vehicle Laws

H.P. 482 L.D. 619
(C "A" H-183)

Senator **PEARSON** of Penobscot moved this Bill be placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

Senator **PEARSON** of Penobscot requested and received leave of the Senate to withdraw his motion to place on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

On motion by Senator **BRANNIGAN** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (H-183).

On further motion by same Senator, Senate Amendment "A" (S-127) to Committee Amendment "A" (H-183) **READ** and **ADOPTED**.

Committee Amendment "A" (H-183) As Amended by Senate Amendment "A" (S-127) thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

Sent down for concurrence.

An Act to Regulate Home Repair by Transient Contractors

S.P. 228 L.D. 699
(C "A" S-72)

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

Off Record Remarks

Emergency

An Act to Improve Access to Maine's Veterans' Homes

S.P. 41 L.D. 53
(C "A" S-84)

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

Emergency

An Act to Exempt Qualified Flight Nurses from the Licensing Requirements of the Emergency Medical Services System

H.P. 210 L.D. 272
(C "A" H-179)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in the negative, and 32 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.

Emergency

An Act to Clarify the Process of Resolving Nuisance Complaints Involving Agriculture and to Protect Farm Operations

H.P. 386 L.D. 499
(H "A" H-205 to C
"A" H-187)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in the negative, and 31 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.

Emergency

An Act to Amend the Laws Pertaining to the Distance Snowmobiles May Be Operated from Certain Buildings

H.P. 424 L.D. 543
(C "A" H-200)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in the negative, and 31 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.

Emergency Resolve

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

H.P. 450 L.D. 576
(C "A" H-188)

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

Emergency Resolve

Resolve, to Direct Elected and Appointed Officials of the State to Work to Maintain Canadian Atlantic Railway Service through the State

H.P. 661 L.D. 899
(C "A" H-184)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Continue the Commission to Study the Feasibility of a Capital Cultural Center

H.P. 747 L.D. 1014

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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 Concerning Preferred Provider Arrangements"

H.P. 1104 L.D. 1491

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

Senator **ESTY** of Cumberland moved to Table 1 Legislative Day, pending **REFERENCE**.

The same Senator requested and received Leave of the Senate to withdraw his motion to Table 1 Legislative Day, pending **REFERENCE**.

Which was referred to the Committee on **BANKING & INSURANCE** 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 Clarify Statutory Provisions Related to Juveniles"

H.P. 1103 L.D. 1490

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Related to the Site Location of Development Laws"

H.P. 1105 L.D. 1492

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.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, to Establish the Labor and Welfare Transition Team to Facilitate the Inclusion within the Department of Labor of Certain Welfare Functions of the Department of Human Services (Governor's Bill) (Emergency)

H.P. 1102 L.D. 1489

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

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

(See Action Later Today)

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Clarify the Process for a Direct Initiative of Legislation and to Simplify Questions Presented to the Voters at a Referendum"

H.P. 1101 L.D. 1488

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

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

ORDERS OF THE DAY

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

Bill "An Act to Extend the Repeal Date of the Laws Governing Biosynthetic Bovine Somatotropin" (Emergency)

S.P. 198 L.D. 634
(C "A" S-105)

Tabled - May 10, 1993, by Senator **CAREY** of Kennebec.

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

(In Senate, May 10, 1993, **READ A SECOND TIME.**)

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

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

Bill "An Act to Create a Student Seat on the Board of Trustees of the Maine Maritime Academy"

S.P. 359 L.D. 1073
(C "A" S-113)

Tabled - May 10, 1993, by Senator **ESTY** of Cumberland.

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

(In Senate, May 10, 1993, **READ A SECOND TIME.**)

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

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

An Act to Ensure Geographically Appropriate Placement for Nursing Home Residents

H.P. 87 L.D. 241
(H "A" H-171)

Tabled - May 10, 1993, by Senator **ESTY** of Cumberland.

Pending - **ENACTMENT**

(In Senate, April 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-171)**, in concurrence.)

(In House, May 3, 1993, **PASSED TO BE ENACTED.**)

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

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

SENATE REPORTS - from the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Require That the Inspection and Investigation Responsibilities of the Electricians' Examining Board Receive Funding Priority"

H.P. 490 L.D. 648

Majority - **Ought Not to Pass**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-176)**

Tabled - May 10, 1993, by Senator **ESTY** of Cumberland.

Pending - **ACCEPTANCE** of Either Report

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

(In House, May 3, 1993, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-176).**)

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

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

Resolve, to Establish the Labor and Welfare Transition Team to Facilitate the Inclusion within the Department of Labor of Certain Welfare Functions of the Department of Human Services (Governor's Bill) (Emergency)

H.P. 1102 L.D. 1489

(In House, May 11, 1993, referred to the Committee on **LABOR** and **ORDERED PRINTED.**)

(In Senate, May 11, 1993, referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.)

On further motion by same Senator, referred to the Committee on **HUMAN RESOURCES** in **NON-CONCURRENCE.**

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

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

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

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

S.P. 246 L.D. 765
(C "A" S-126)

Tabled - May 11, 1993, by Senator **ESTY** of Cumberland.

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

(In Senate, May 11, 1993, **READ A SECOND TIME.**)

On motion by Senator **CAREY** of Kennebec, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-126).

On further motion by same Senator Senate Amendment "A" (S-128) to Committee Amendment "A" (S-126) **READ** and **ADOPTED.**

Committee Amendment "A" (S-126) As Amended by Senate Amendment "A" (S-128) thereto, **ADOPTED.**

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

Sent down for concurrence.

Off Record Remarks

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

Off Record Remarks

On motion by Senator **BRANNIGAN** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

On motion by Senator **CAREY** of Kennebec, the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENGROSSED AS AMENDED**:

Bill An Act to Amend the Liquor Laws Pertaining to the Retail Sale of Wine"

S.P. 120 L.D. 358
(C "A" S-122)

(In Senate, May 11, 1993, **PASSED TO BE ENGROSSED AS AMENDED**.)

On further motion by same Senator, 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:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Amend the Mars Hill Utility District" (Emergency)

H.P. 540 L.D. 724
(C "A" H-137)

In Senate, April 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-137)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-137) AND HOUSE AMENDMENT "A" (H-273)** in **NON-CONCURRENCE**.

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

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:

COMMITTEE REPORTS

House

Change of Reference

The Committee on **LEGAL AFFAIRS** on Bill "An Act to Prevent Diversion of Solid Waste"
H.P. 958 L.D. 1289

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

The Bill **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

Off Record Remarks

On motion by Senator **HANLEY** of Oxford, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTORS

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

Mandate

An Act to Amend the Mars Hill Utility District
H.P. 540 L.D. 724
(C "A" H-137; H "A"
H-273)

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 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.

On motion by Senator **CARPENTER** of York,
ADJOURNED until Thursday, May 13, 1993, at 10:00 in
the morning.