

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
Thursday
May 13, 1993

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

Prayer by Reverend Mark Kaat of the Peru United Baptist Church.

REVEREND MARK KAAT: Let us pray. Good morning Father. I worship you and I give you praise. I recognize that you are worthy to receive all glory and honor and praise. I also renew my allegiance to you and thank you that you love me and that you have completely forgiven me and that you have graciously adopted me into your family to be one of your very own. Because I experience the reality of this relationship with you I know that you are carefully listening to me now. I also know that you are able to do immeasurably more than all that I could ever ask or imagine. This morning I ask that you will indeed do more. Father I come before you on behalf of these who are called upon to make incredibly difficult decisions, decisions that have the potential of literally impacting the entire globe. Because these days are marked with much confusion and conflicting opinions, I ask that you would grant them your unlimited, supernatural wisdom. Guide these Senators, advise them, and give direction as they face the complicated, sticky issues of today. Father, since I affirm that your word is true, that you have raised me with Christ and have positionally seated me with Him in the heavenly realms, I now accept the authority that is mine through Christ Jesus to take my stand all the wicked influences of the devil that might be present. Demonic, satanic influences that stand in opposition to that which is morally right and good. I boldly take this stand on behalf of these Senators so that today their work might go on, unhindered, and that they might have the ability to discern right from wrong in order to make wise decisions. Make today count as these high officials seek your leadership and submit to your sovereignty. For I pray in the name of the Lord Jesus Christ. Amen.

Reading of the Journal of Tuesday, May 11, 1993.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Exempt Certain Greenhouse and Nursery Owners from Licensing Fees"
H.P. 166 L.D. 218
(C "A" H-209)

In Senate, May 6, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-209)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-209) AS AMENDED BY HOUSE AMENDMENT "A" (H-238)** thereto, in **NON-CONCURRENCE**.

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

Non-concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act Regarding Family Leave"
H.P. 318 L.D. 406

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-178)**

Minority - **Ought Not to Pass**

In House, May 3, 1993, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-178)**.

In Senate, May 6, 1993, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Senator **ESTY** of Cumberland moved that the Senate **INSIST** and Join in a Committee of Conference.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would hope that you would vote against the motion to Insist and join in a Committee of Conference so that we can follow the motion of the Senate several days ago which was Ought Not to Pass. Thank you.

The Chair ordered a Division.

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

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

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I hope you would support the motion of the good Senator from Cumberland, Senator Esty, to join in a Committee of

Conference. The issue of family medical leave is one that has been on the books for some time in the State of Maine, and Maine has been recognized as a leader in that effort to provide family care to Maine's workers. The points that were raised in the debates the previous day on this issue are valid points and I think that by having a Committee of Conference that would enable us to flush out some of those problem areas and go ahead with crafting a law that has less of a loophole but still affords the kind of protection for small employers as well as their employees. Thank you.

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

Senator **BEGLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I hope that you will not vote for the Committee of Conference. Many of you received a statement concerning the fiscal note that might come on a bill such as this and certainly in the time of budget crisis that we have we should not be considering that. You also received, from the Workers' Compensation Board, letters to ask you not to make major changes in the rules and regulations. Those two issues should certainly concern us as well as the economic conditions of small business are such that we should not be hampering them in any way. We should be saying to them we need your support and we certainly need the economy that you produce. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. L.D. 406 was debated, it's my understanding, and discussed at length in the Labor Committee. Because it is L.D. 406 that is an indication that it was one of the earlier pieces of legislation and here, two weeks before our scheduled adjournment date, it lands on our calendar. We had debate on it on Monday, a good debate, and now we're being asked to join in a Committee of Conference to work out compromises on this particular piece of legislation. This may be a philosophical disagreement but I believe, very strongly, that this bill perhaps is beyond a Committee of Conference stage. It was debated at length in Committee, it was debated at length on the floor of this Senate, and I believe the Committees, the Labor Committee and the individuals that would be appointed to the Committee of Conference, certainly have enough to do without once again jumping into this issue of family medical leave. It's a timing issue, frankly, and I think to join into this Committee of Conference today would put us probably into a situation of timing and crisis situation for some of these members. I don't think that they have the time to do it and I think this bill has had plenty of opportunity to be debated and compromises to have been worked out before we get to this point. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would request that you go along with the Insist motion asking for a Committee of Conference on "An Act Regarding Family Leave". Family leave may be a small item to a lot of people but to a lot of other people it's a big item and I think that we do have the time, no matter how constrained we are for time here, to do what we normally do in this legislature when we have

disagreement between both houses, and that is to ask for a Committee of Conference. I hope that you would support the motion that has been made. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **ESTY** of Cumberland to **INSIST** and Join in a Committee of Conference.

A vote of Yes will be in favor of **INSISTING** and **JOINING IN A COMMITTEE OF CONFERENCE**.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators **BALDACCI, BERUBE, BRANNIGAN, BUSTIN, CAREY, CIANCHETTE, CLEVELAND, CONLEY, ESTY, HANDY, LUTHER, MCCORMICK, PARADIS, PEARSON, PINGREE, TITCOMB, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE**

NAYS: Senators **AMERO, BEGLEY, BUTLAND, CAHILL, CARPENTER, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, MARDEN, SUMMERS, WEBSTER**

ABSENT: Senators **LAWRENCE, O'DEA**

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **ESTY** of Cumberland, to **INSIST** and **JOIN IN A COMMITTEE OF CONFERENCE, PREVAILED.**

The Chair appointed as conferees on the part of the Senate:
 Senator **CIANCHETTE** of Somerset.
 Senator **CAREY** of Kennebec.
 Senator **BEGLEY** of Lincoln.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

**DEPARTMENT OF LABOR
 BUREAU OF LABOR STANDARDS**

May 5, 1993

The Hon. Dennis L. Dutremble
President of the Senate
State House Station #3
Augusta, ME 04333

The Hon. John L. Martin
Speaker of the House
State House Station #2
Augusta, ME 04333

Dear President Dutremble and Speaker Martin:

I am pleased to submit, in accordance with M.R.S.A. Title 26, Section 1724, the annual report of the Maine Chemical Substance Identification Program.

The 1992 program year was most active. Program staff are to be commended on their efforts in maintaining a high standard of response to evolving needs.

Please do not hesitate to contact me directly with any questions or comments regarding this program or the report.

Sincerely,

S/James H. McGowan
Director

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

The Following Communication:

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

May 11, 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. 1074 An Act to Provide Equitable Representation on the Board of Trustees of the Maine State Retirement System
- L.D. 1100 An Act to Change the Base Period for Calculation of Maine State Retirement System Benefits
- L.D. 1110 An Act to Change the Nomination Procedure of the Board of Trustees of the Maine State Retirement System
- L.D. 1132 An Act Authorizing Judicial Retirement Service Credit for Service as a Workers' Compensation Commissioner
- L.D. 1182 An Act Allowing Participating Local Districts to Determine Eligibility in the Maine State Retirement System

L.D. 1330 An Act Regarding Creditable Service of Educational Technicians in the Maine State Retirement System

L.D. 1333 An Act to Change Beneficiary Provisions for Survivor Benefits in the Maine State Retirement System

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 APPROPRIATIONS AND FINANCIAL AFFAIRS
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

May 11, 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 Appropriations & Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 503 An Act to Establish a Bond Issue for Energy Conservation Measures
- L.D. 686 An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 for Lake Restoration
- L.D. 717 An Act to Authorize a General Fund Bond Issue in the Amount of \$30,000,000 for Land for Maine's Future
- L.D. 906 Resolve, to Reduce Positions within State Government
- L.D. 907 An Act to Facilitate State Payments
- L.D. 914 An Act to Assist Low-income Families with Children to Meet Their Winter Energy Costs
- L.D. 979 An Act to Adjust the Percentage of State Revenues Credited to the Local Government Fund to Replace the Loss of the Inventory Tax Reimbursement

- L.D. 1006 An Act to Provide for the Issuance of Refunding Bonds of the State
- L.D. 1033 An Act to Provide for the Purchase of School Buses
- L.D. 1260 An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Construction of Necessary Safe Drinking Water Facilities
- L.D. 1341 An Act to Restore Funds to the Commission on Governmental Ethics and Election Practices

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

Sincerely,

S/Sen. Michael D. Pearson S/Rep. Lorraine N. Chonko
 Senate Chair House Chair

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

The Following Communication:

**COMMITTEE ON AUDIT AND PROGRAM REVIEW
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

May 11, 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 Audit & Program Review has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1154 An Act to Reform the Audit and Program Review Process

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

Sincerely,

S/Sen. John J. Cleveland S/Rep. Phyllis R. Erwin
 Senate Chair 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**

May 11, 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. 836 An Act to Clarify and Preserve the Public Advocate's Authority to Protect the Rights of Employers Subject to Surcharges for Maine's Workers' Compensation Residual Market Pool
- L.D. 1055 An Act Related to Documentation of Transaction Fees at Automatic Teller Machines
- L.D. 1087 An Act Repealing Advisory Boards on Banking and Insurance Matters

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

Sincerely,

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

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

The Following Communication:

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

May 11, 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. 1161 An Act to Regulate the Practice of Cosmetology and Barbering Outside of Licensed Shops

L.D. 1221 An Act Concerning Certain Counseling Services

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

Sincerely,

S/Sen. Alton E. Cianchette S/Rep. Annette M. Hogleund
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**

May 11, 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. 1122 An Act to Ensure Access to the University of Maine System

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

L.D. 1345 An Act Concerning School Siting

L.D. 1397 An Act to Provide University of Maine System Employees the Option of Biweekly Payment

L.D. 1398 An Act to Provide for Direct Reimbursement of Special Education Costs

L.D. 1412 An Act to Amend the Laws Governing the Maine Arts Commission

L.D. 1434 An Act to Support Literacy

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

Sincerely,

S/Sen. John J. O'Dea S/Rep. Elizabeth H. Mitchell
Senate Chair House Chair

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

The Following Communication:

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

May 11, 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. 171 An Act to Clarify the Application of Recent Increases in Annual Dam Registration Fees

L.D. 766 An Act to Clarify the Definition of Solid Waste in Local Flow-control Ordinances

L.D. 842 An Act to Require Public Notice of Unusual Radioactive Emissions

L.D. 1019 An Act to Establish a Monthly Average Dissolved Oxygen Standard for Class C Waters

L.D. 1030 An Act to Clarify Air Emission Standards

L.D. 1217 An Act to Amend the Laws Concerning Dam Registration Fees

L.D. 1244 An Act to Protect Leaseholders

L.D. 1286 An Act to Amend the Laws Governing Aseptic Containers

L.D. 1362 An Act to Exempt Certain Dams from Permit Fees

L.D. 1387 An Act to Regulate the Impacts of Metallic Mining on Groundwater

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 FISHERIES AND WILDLIFE
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

May 11, 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 Fisheries & Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 695 An Act to Require the Issuance of Antlerless Deer Permits to All Individuals Receiving Free Hunting Licenses

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

Sincerely,

S/Sen. M. Ida Luther
Senate Chair

S/Rep. Dorothy A. Rotondi
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**

May 11, 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. 185 An Act to Retain the Housing Special Needs Payment for Aid to Families with Dependent Children Families
- L.D. 288 An Act to Restore Certain Benefits to Medically Needy Persons
- L.D. 319 An Act to Foster Family Self-sufficiency
- L.D. 412 An Act Regarding Smoking in Restaurants
- L.D. 1008 An Act to Establish Welfare Eligibility Reform

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 A. 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**

May 11, 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. 6 An Act Regarding Arrest Warrants
- L.D. 713 An Act to Exclude Law Enforcement Agencies in Cumberland County from the Laws Requiring a Single-warrant Repository
- L.D. 756 An Act to Clarify the Child and Family Services and Child Protection Act

- L.D. 778 An Act to Prevent Procurement of Controlled Substances through Fraud
- L.D. 966 An Act to Allow for the Joint Filing for Divorce
- L.D. 988 An Act to Prohibit Persons from Allowing Youths to Use Illegal Drugs
- L.D. 1034 An Act to Encourage Mediation Before Litigation
- L.D. 1094 An Act Repealing Advisory Boards on Judiciary Matters
- L.D. 1124 An Act to Amend the Laws Governing Desertion and Nonsupport
- L.D. 1142 An Act to Provide Victims of Medical Injury Access to Information
- L.D. 1145 An Act to Change the Maine Rules of Evidence That Currently Allow the Admission of Subsequent Remedial Measures as Evidence of Negligence
- L.D. 1159 An Act to Increase Accountability of the Department of Environmental Protection
- L.D. 1164 An Act to Clarify Relevant Information in Administrative Rule-making Procedures

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

Sincerely,

S/Sen. Gerard P. Conley, Jr. S/Rep. Constance D. Cote
Senate Chair House Chair

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

The Following Communication:

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

May 11, 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 Labor has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 203 An Act to Provide Wage Equity for Teenage Laborers

- L.D. 545 An Act to Amend the Labor Laws for Minors
- L.D. 1368 An Act to Establish a New Method of Workers' Compensation
- L.D. 1396 Resolve, Instructing the Department of Labor to Place Van Buren and Madawaska in Separate Labor Markets

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

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

The Following Communication:

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

May 11, 1993

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

Dear President Dutremble and Speaker Martin:

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

- L.D. 930 An Act to Limit the Physical Presence of Candidates at Voting Places on Election Day
- L.D. 1077 Resolve, Authorizing the State to Pay Elizabeth Penney an Amount Not to Exceed \$2,000
- L.D. 1201 An Act to Treat Minors Equitably under the Operating-under-the-influence Laws
- L.D. 1224 An Act Concerning the Location and Licensure of Agency Liquor Stores
- L.D. 1235 An Act Concerning State Claims
- L.D. 1272 An Act to Allow Agency Liquor Stores to Remain Open Past 5:00 P.M. on Sundays

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

Sincerely,

S/Sen. Richard J. Carey S/Rep. Beverly C. Daggett
Senate Chair House Chair

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

The Following Communication:

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

May 11, 1993

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

Dear President Dutremble and Speaker Martin:

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

- L.D. 1095 An Act Repealing Advisory Boards on
Marine Resources Matters
- L.D. 1219 An Act to Provide Fair and Equitable
Access to Marine Shellfish

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

Sincerely,

S/Sen. Harry L. Vose S/Rep. James Mitchell
Senate Chair House Chair

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

The Following Communication:

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

May 11, 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. 729 An Act Concerning the Composition of
Appointed Governmental Boards in the
State
- L.D. 751 An Act to Impose Term Limitations on
Legislators, Constitutional Officers
and the State Auditor
- L.D. 910 An Act to Limit Terms of State
Office Holders
- L.D. 1032 RESOLUTION, Proposing an Amendment
to the Constitution of Maine
Providing for the Free Election of
the Secretary of State and the
Attorney General
- L.D. 1255 RESOLUTION, Proposing an Amendment
to the Constitution of Maine
Providing for the Direct Election of
the Attorney General and the
Secretary of State

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

Sincerely,

S/Sen. Georgette B. Berube S/Rep. Ruth C. Joseph
Senate Chair House Chair

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

The Following Communication:

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

May 11, 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. 531 An Act to Require Credit Unions to
Pay Sales Tax and Income Tax

- L.D. 578 An Act to Provide a Local Option Sales and Use Tax
- L.D. 611 An Act to Promote Job Creation, Retention and Development in Economically Depressed Areas
- L.D. 826 An Act to Amend Appeals Procedures in the State Valuation Process for Property Tax Purposes
- L.D. 869 An Act Related to the State Valuation of the Town of Limestone
- L.D. 893 An Act to Collect State Sales Tax
- L.D. 896 An Act to Provide a Tax Exemption for Electronic Ministries
- L.D. 918 An Act to Amend the Laws Concerning Utility Taxes
- L.D. 928 An Act to Amend the Circuit Breaker Program Laws
- L.D. 929 Resolve, Authorizing the Bureau of Taxation to Make Certain Reimbursements for Inheritance Taxes Collected in Error
- L.D. 941 An Act to Clarify the Tax-exempt Status of Campgrounds Owned and Operated by Religious or Nonprofit Organizations
- L.D. 981 An Act to Improve the Circuit Breaker Program
- L.D. 984 An Act Concerning Disbursement of Property Tax Relief Payments
- L.D. 986 An Act to Expand Eligibility and to Assure that Payments Made Under the Maine Residents Property Tax Program are Applied to the Payment of Local Property Taxes
- L.D. 994 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require that Real and Personal Property Tax Valuation be Assessed according to Current Use
- L.D. 1010 An Act to Exempt Veterans Over 60 Years of Age from the Property Tax BY REQUEST
- L.D. 1099 An Act to Incorporate the Circuit Breaker Program into the Income Tax Process
- L.D. 1116 An Act to Amend the Tree Growth and Open Space Laws
- L.D. 1174 An Act to Change the Date County Taxes Are Due
- L.D. 1230 An Act to Clarify the Farm and Open Space Tax Law
- L.D. 1234 An Act to Establish a Uniform Method for Taxation of Personal Property
- L.D. 1241 An Act to Amend the Laws Related to the Taxation of Personal Property

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

Sincerely,

S/Sen. John E. Baldacci
Senate Chair

S/Rep. Susan E. Dore
House Chair

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

The Following Communication:

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

May 11, 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. 1225 An Act to Allow Public Access to Information Concerning Expenditures of Highway Funds for Acquisition of Private Property

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. William B. O'Gara
House Chair

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

The Following Communication:

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

May 11, 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. 955 An Act to Provide Lower Electricity Costs to Utility Ratepayers
- L.D. 1158 An Act Concerning the Installation of Cable and Other Utility Lines
- L.D. 1239 An Act to Amend the Charter of the East Pittston Water District
- L.D. 1261 An Act to Amend the Charter of the Kingfield Water District
- L.D. 1325 An Act to Decrease the Cost of Purchased Power to Electric Utility Customers in the State

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

Sincerely,

S/Sen. Harry L. Vose
Senate Chair

S/Rep. Herbert E. Clark
House Chair

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

SENATE PAPERS

Bill "An Act to Consolidate Certain State Functions and Create the Board of Licensing Counseling Professionals"

S.P. 489 L.D. 1500

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Representative: **GEAN** of Alfred

Bill "An Act to Modify Various Licensing Board Laws"

S.P. 490 L.D. 1501

Presented by Senator **PARADIS** of Aroostook
Cosponsored by Representatives: **LIBBY** of Kennebunk, **REED** of Dexter, **THOMPSON** of Lincoln, **VIGUE** of Winslow
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.

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

Sent down for concurrence.

Resolve, to Prevent the Improper Use of Correctional Facilities

S.P. 486 L.D. 1497

Presented by Senator **BUSTIN** of Kennebec

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

Sent down for concurrence.

Resolve, to Transfer the Responsibilities of the Division for the Blind and Visually Impaired from the Department of Human Services to the Department of Education (Emergency)

S.P. 487 L.D. 1498

Presented by Senator **AMERO** of Cumberland (GOVERNOR'S BILL)
Cosponsored by Representative: **OLIVER** of Portland

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

Sent down for concurrence.

Bill "An Act to Encourage People in the State to Plan for Long-term Care"

S.P. 492 L.D. 1503

Presented by President **DUTREMBLE** of York
Cosponsored by Senator **BERUBE** of Androscoggin, Representative **PINEAU** of Jay and Senator: **HARRIMAN** of Cumberland, Representatives: **CARLETON** of Wells, **ZIRNKILTON** of Mount Desert

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

Sent down for concurrence.

Bill "An Act to Expedite the Establishment of Administrative Child Support Orders"

S.P. 488 L.D. 1499

Presented by Senator **HANLEY** of Oxford (GOVERNOR'S BILL)
Cosponsored by Senator: **CIANCHETTE** of Somerset, Representatives: **BARTH** of Bethel, **DIPIETRO** of South Portland

Resolve, to Authorize Bonding by the Maine Court Facilities Authority

S.P. 493 L.D. 1504

Presented by President **DUTREMBLE** of York
 Cosponsored by Senators: **CIANCHETTE** of
 Somerset, **LAWRENCE** of York, **SUMMERS** of
 Cumberland, Representatives: **CARON** of Biddeford,
DUTREMBLE of Biddeford, **GEAN** of Alfred, **GWADOSKY**
 of Fairfield, **KERR** of Old Orchard Beach, **NADEAU**
 of Saco, **OTT** of York, **PLOURDE** of Biddeford

Sent down for concurrence.

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

Sent down for concurrence.

Bill "An Act to Encourage the Involvement of
 Volunteers in State Government" (Emergency)
 S.P. 485 L.D. 1496

Presented by Senator **BALDACCI** of Penobscot
 Cosponsored by Representative **RUHLIN** of Brewer and
 Senators: **CAHILL** of Sagadahoc, **CAREY** of
 Kennebec, **DUTREMBLE** of York, **HANLEY** of
 Oxford, **MARDEN** of Kennebec, **PARADIS** of
 Aroostook, **PEARSON** of Penobscot, **SUMMERS** of
 Cumberland, Representatives: **AHEARNE** of
 Madawaska, **BAILEY** of Farmington, **BRENNAN** of
 Portland, **BRUNO** of Raymond, **CAMPBELL** of Holden,
CARON of Biddeford, **CROSS** of Dover-Foxcroft,
DIPIETRO of South Portland, **DUTREMBLE** of
 Biddeford, **FOSS** of Yarmouth, **GOULD** of Greenville,
JACQUES of Waterville, **JALBERT** of Lisbon, **KERR** of
 Old Orchard Beach, **KNEELAND** of Easton, **KUTASI** of
 Bridgton, **LEMONT** of Kittery, **LIBBY** of Buxton,
MARSH of West Gardiner, **MARTIN** of Eagle Lake,
MICHAUD of East Millinocket, **MURPHY** of Berwick,
NORTON of Winthrop, **PENDEXTER** of Scarborough,
PLOURDE of Biddeford, **PLOWMAN** of Hampden, **QUINT**
 of Paris, **REED** of Falmouth, **ROBICHAUD** of Caribou,
ROWE of Portland, **SIMONEAU** of Thomaston, **STROUT**
 of Corinth, **TARDY** of Palmyra, **WINN** of Glenburn,
YOUNG of Limestone

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

Sent down for concurrence.

Bill "An Act to Identify Potential Costs of
 Utility Projects to Municipalities and Corporations
 That Provide Services to Municipalities"
 S.P. 491 L.D. 1502

Presented by President **DUTREMBLE** of York
 Cosponsored by Senator: **SUMMERS** of Cumberland,
 Representatives: **CARON** of Biddeford, **DUTREMBLE** of
 Biddeford, **KERR** of Old Orchard Beach, **NADEAU** of
 Saco, **PLOURDE** of Biddeford
 Approved for introduction by a majority of the
 Legislative Council pursuant to Joint Rule 27.

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

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 **ENERGY & NATURAL RESOURCES** on
 Bill "An Act to Amend the State Contribution to
 Pollution Abatement and Overboard Discharge
 Replacement Laws"

H.P. 941 L.D. 1270

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

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

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

The Bill **READ ONCE**.

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

The Committee on **STATE & LOCAL GOVERNMENT** on
 Bill "An Act Pertaining to the Appointment of Code
 Enforcement Officers"

H.P. 855 L.D. 1160

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 **APPROPRIATIONS & FINANCIAL
 AFFAIRS** on Bill "An Act to Establish a Mechanism for
 Ensuring Adequate Preservation and Maintenance of the
 State House"

H.P. 779 L.D. 1052

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-258)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-258)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-258) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act Related to Unavoidable Equipment Malfunctions"

H.P. 903 L.D. 1218

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-261)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-261)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-261) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Clarify the Time Frame in Which the Board of Environmental Protection Is to Establish a Numeric Water Quality Criterion for Dioxin"

H.P. 1002 L.D. 1348

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-254)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-254) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LEGAL AFFAIRS** on Bill "An Act to Amend the Laws Concerning the Sale of Alcohol" (Emergency)

H.P. 737 L.D. 995

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-256)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-256) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **MARINE RESOURCES** on Bill "An Act to Increase Access to Clam Flats for Nonresident Clam Diggers"

H.P. 701 L.D. 953

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-260)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-260) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Resolve, for Amending the Laws Pertaining to Job Classification Specifications

H.P. 122 L.D. 163

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-252)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-252)**.

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

The Resolve **READ ONCE**.

Committee Amendment "A" (H-252) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Shorten the Appeal Procedure for the State Bidding Process and to Provide Consistent Administration of Appeal Hearings"

H.P. 476 L.D. 613

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-253)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-253)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-253) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **AGING, RETIREMENT & VETERANS** on Bill "An Act to Amend the Laws Related to the Maine State Retirement System"

H.P. 227 L.D. 295

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

Signed:

Senators:

TITCOMB of Cumberland
WEBSTER of Franklin

Representatives:

JALBERT of Lisbon
VIGUE of Winslow
HATCH of Skowhegan
BARTH of Bethel
CLUKEY of Houlton
JOY of Island Falls
QUINT of Paris

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-215)**.

Signed:

Senator:

MCCORMICK of Kennebec

Representatives:

CATHCART of Orono
WENTWORTH of Arundel
TUFTS of Stockton Springs

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

Which Reports were **READ**.

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

Divided Report

The Majority of the Committee on **BANKING & INSURANCE** on Bill "An Act to Provide for the Popular Election of the Superintendent of Insurance"

H.P. 334 L.D. 437

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

Signed:

Senators:

CAREY of Kennebec
KIEFFER of Aroostook

Representatives:

HALE of Sanford
TRACY of Rome
ERWIN of Rumford
CARLETON of Wells
RAND of Portland
KUTASI of Bridgton
JOSEPH of Waterville
TOWNSEND L of Canaan
CAMPBELL of Holden

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-257)**.

Signed:

Senator:

MCCORMICK of Kennebec

Representative:

PINEAU of Jay

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

Which Reports were **READ**.

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

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act to Prohibit Public Housing Authorities from Regulating Firearm Possession by Residents"

H.P. 259 L.D. 337

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

Signed:

Senators:

CAREY of Kennebec
HALL of Piscataquis

Representatives:

BOWERS of Washington
STEVENS of Sabattus
BENNETT of Norway
NASH of Camden
GAMACHE of Lewiston

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

Signed:

Senator:

HANDY of Androscoggin

Representatives:

LEMKE of Westbrook
ROBICHAUD of Caribou
TRUE of Fryeburg
MICHAEL of Auburn
DAGGETT of Augusta

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

Which Reports were **READ.**

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

Senate

Ought to Pass As Amended

Senator **MCCORMICK** for the Committee on **BANKING & INSURANCE** on Bill "An Act to Clarify Ambiguous Language and Correct Errors in Licensing Procedures and Requirements for Licensees Regulated by the Superintendent of Insurance"

S.P. 361 L.D. 1075

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-129).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-129) **READ** and **ADOPTED.**

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

Senator **MCCORMICK** for the Committee on **BANKING & INSURANCE** on Bill "An Act to Clarify and Amend the Law Regarding Open-end Mortgages"

S.P. 380 L.D. 1136

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-130).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-130) **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 Amend Maine's Unclaimed Property Act"

S.P. 185 L.D. 621

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-132).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-132) **READ** and **ADOPTED.**

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

Senator **LUTHER** for the Committee on **FISHERIES & WILDLIFE** on Bill "An Act to Prohibit Commercial Hunting on Unlicensed Land"

S.P. 210 L.D. 681

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-133).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-133) **READ** and **ADOPTED.**

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

Senator **CONLEY** for the Committee on **JUDICIARY** on Bill "An Act Clarifying Certain Traffic Infraction Provisions of the Motor Vehicle Laws"

S.P. 341 L.D. 1038

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-131).**

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-131) **READ** and **ADOPTED**.

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

The **Committee of Conference** on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Require Written Reason for Discharge, Demotion or Discipline"

S.P. 106 L.D. 309

Have had the same under consideration and ask leave to report that they are **unable to agree**.

Signed on the part of the Senate:

Senator **HANDY** of Androscoggin
Senator **ESTY** of Cumberland
Senator **BEGLEY** of Lincoln

Signed on the part of the House:

Representative **PARADIS** of Augusta
Representative **RUHLIN** of Brewer
Representative **LIBBY** of Buxton

Which Report was **READ** and on motion by Senator **ESTY** of Cumberland, **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act to Provide for Special Liquor Licenses"

S.P. 442 L.D. 1372

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

Signed:

Senators:
CAREY of Kennebec
HANDY of Androscoggin
HALL of Piscataquis

Representatives:

DAGGETT of Augusta
LEMKE of Westbrook
BOWERS of Washington
GAMACHE of Lewiston
STEVENS of Sabattus
BENNETT of Norway
NASH of Camden
ROBICHAUD of Caribou
TRUE of Fryeburg

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

Signed:

Representative:
MICHAEL of Auburn

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act Concerning the Out-of-State Purchase of Alcoholic Beverages for Noncommercial Uses"

S.P. 443 L.D. 1410

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

Signed:

Senators:
CAREY of Kennebec
HANDY of Androscoggin
HALL of Piscataquis

Representatives:

DAGGETT of Augusta
BOWERS of Washington
GAMACHE of Lewiston
STEVENS of Sabattus
BENNETT of Norway
NASH of Camden
ROBICHAUD of Caribou
TRUE of Fryeburg

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

Signed:

Representatives:
MICHAEL of Auburn
LEMKE of Westbrook

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

SECOND READERS

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

House

Bill "An Act Concerning the Definition of Compact Area for Municipalities"

H.P. 770 L.D. 1043

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

House As Amended

Bill "An Act to Provide Additional Exemptions to the Need for a Cosmetology License"

H.P. 395 L.D. 508
(C "A" H-243)

Bill "An Act Regarding the Use of Natural Gas in Motor Vehicles"

H.P. 421 L.D. 540
(H "A" H-269 to C "A" H-222)

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
(C "A" H-242)

Bill "An Act Simplifying Dealer Sale of Firearms"

H.P. 626 L.D. 846
(C "A" H-249)

Bill "An Act to Establish the Maine Promotion Council Cooperative"

H.P. 642 L.D. 873
(C "A" H-241)

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
(C "A" H-245)

Bill "An Act Regarding Law Court Staffing"

H.P. 699 L.D. 951
(C "A" H-240)

Bill "An Act Relating to the Maine Endangered and Nongame Wildlife Fund"

H.P. 748 L.D. 1015
(C "A" H-246)

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
(C "A" H-247)

Bill "An Act Repealing Advisory Boards on Transportation Matters"

H.P. 811 L.D. 1097
(C "A" H-248)

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
(C "A" H-236)

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

H.P. 926 L.D. 1249
(C "A" H-235)

Bill "An Act Related to Conferring Degrees by Thomas College" (Emergency)

H.P. 988 L.D. 1319
(C "A" H-244)

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

ENACTORS

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

An Act to Amend the Statutory Provisions Governing the Time and Method of Paying Restitution

S.P. 176 L.D. 590
(C "A" S-89)

An Act to Amend the Law Pertaining to the Termination of Credit Insurance

H.P. 489 L.D. 647
(C "A" H-211)

An Act to Amend the Probate Code Providing Duties of Registers of Probate

H.P. 515 L.D. 673
(C "A" H-195)

An Act to Provide for an Open Season on Most Inland Fisheries in the State

H.P. 567 L.D. 772
(C "A" H-199)

An Act Regarding the Baiting of Animals

S.P. 260 L.D. 798
(C "A" S-87)

An Act to Change or Clarify Language in the Maine Insurance Code Relative to Procurement of Surplus Lines Insurance and Pertaining to Licensing Procedures in Order to Provide for a More Efficient Regulatory System

S.P. 273 L.D. 837
(C "A" S-93)

On motion by Senator **PEARSON** of Penobscot, Tabled until Later in Today's Session, pending **ENACTMENT**.

Emergency

An Act to Limit Administrative Costs in Contracted Services

H.P. 436 L.D. 555
(C "A" H-214)

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

An Act Requiring School Suspension or Expulsion in Cases Involving Dangerous or Concealed Weapons

S.P. 287 L.D. 857
(C "A" S-86)

An Act to Amend Certain Provisions of the Maine Emergency Medical Services Act of 1982

H.P. 674 L.D. 912
(C "A" H-180)

An Act to Extend Burial Eligibility for Dependent Children

H.P. 764 L.D. 1031
(C "A" H-213)

Emergency

An Act to Clarify the Existing Sales Tax Exemption for Aquacultural Production

H.P. 518 L.D. 702
(C "A" H-202)

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

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in the negative, and 33 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 Governing the Task Force on Defense Realignment and the Economy

H.P. 194 L.D. 257
(C "A" H-177)

Emergency

An Act to Amend the Medicare Supplement Insurance Regulatory Program

S.P. 337 L.D. 1011

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in the negative, and 33 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.

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in the negative, and 33 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 Protect the Future of the United States Naval Shipyard at Kittery

S.P. 114 L.D. 315
(C "A" S-90)

Emergency

An Act to Exempt Employees of the Public Utilities Commission from Furlough and Shutdown Days

S.P. 119 L.D. 357
(C "A" S-70)

Senate at Ease
Senate called to order by the President.

Comes from the House **FAILING OF ENACTMENT**.

On motion by Senator **ESTY** of Cumberland, Tabled Unassigned, pending **ENACTMENT** in **NON-CONCURRENCE**.

Mandate

An Act to Amend the Charter of the North Berwick Water District

H.P. 275 L.D. 353
(C "A" H-148)

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 33 Members of the Senate, with No Senators having voted in the negative, and 33 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.

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

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

Senate at Ease

Senate called to order by the President.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator **CONLEY** for the Committee on **JUDICIARY** on Bill "An Act to Authorize Trustees to Make Trust Investments in Certain Affiliated Securities and Bonds"

S.P. 313 L.D. 946

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-135)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-135) **READ** and **ADOPTED**.

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

Senator **CONLEY** for the Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Civil Rights Law Regarding Violations of Constitutional Rights"
S.P. 355 L.D. 1069

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

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-136) **READ** and **ADOPTED**.

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

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

COMMITTEE Reported

Senate

Ought to Pass As Amended

Senator **HANDY** for the Committee on **LABOR** on Bill "An Act to Amend the Workers' Compensation Laws for Workers in Certain Marine Resources Industries"
S.P. 290 L.D. 860

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-134)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-134) **READ** and **ADOPTED**.

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

Senator **CAREY** for the Committee on **LEGAL AFFAIRS** on Bill "An Act Regarding Visually Impaired Voters"

S.P. 305 L.D. 938

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

COMMUNICATIONS

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-139) **READ** and **ADOPTED**.

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

The Following Communication:

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

May 11, 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 Housing & Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 629 An Act to Prevent Mortgage Foreclosures
- L.D. 637 Resolve, to Direct the Bureau of Taxation to Establish Economic Impact Criteria for the State Procurement Process BY REQUEST
- L.D. 1107 Resolve, Relating to Preparation for Defense Conversion

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

Sincerely,

S/Sen. Rochelle M. Pingree Senate Chair	S/Rep. Rita B. Melendy House Chair
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Which was **READ** and with Accompanying Bills **ORDERED PLACED ON FILE**.

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

COMMITTEE REPORTS

Senate

Divided Report

The Majority of the Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Impose Term Limits on Presiding Officers of the Legislature"

S.P. 167 L.D. 559

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

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

COMMUNICATIONS

The Following Communication:

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

May 11, 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 Select Committee on Corrections has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 82 An Act Providing Access to Library Books for Persons Sentenced to Maine Correctional Institutions
- L.D. 388 An Act to Allow Prisoners to Make Local Phone Calls at No Charge

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

Sincerely,

S/Sen. Beverly M. Bustin Senate Chair	S/Rep. Anne M. Larrivee House Chair
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Which was **READ** and with Accompanying Bills **ORDERED PLACED ON FILE**.

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

Signed:

Senators:

BERUBE of Androscoggin
ESTY of Cumberland
BUTLAND of Cumberland

Representatives:

LOOK of Jonesboro
WALKER of Blue Hill
BENNETT of Norway
GRAY of Sedgwick
DUTREMBLE of Biddeford
YOUNG of Limestone
ROWE of Portland
KILKELLY of Wiscasset

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

Signed:

Representatives:

AHEARNE of Madawaska
JOSEPH of Waterville

Which Reports were **READ.**

On motion by Senator **BERUBE** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED.**

The Bill **READ ONCE.**

Committee Amendment "A" (S-141) **READ** and **ADOPTED.**

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

On motion by Senator **BUSTIN** of Kennebec, **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:

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **LABOR** on Bill "An Act to Clarify the Financial Authority of the Workers' Compensation Board" (Governor's Bill) (Emergency)
H.P. 1034 L.D. 1386

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-289).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-289).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-289) **READ** and **ADOPTED,** in concurrence.

Under suspension of the Rules **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended,** in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **AGING, RETIREMENT & VETERANS** on Bill "An Act to Amend the Laws Related to the Maine State Retirement System"
H.P. 227 L.D. 295

Majority - **Ought Not to Pass**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-215)**

Tabled - May 13, 1993, by Senator **ESTY** of Cumberland.

Pending - **ACCEPTANCE** of Either Report

(In Senate, May 13, 1993, Reports **READ.**)

(In House, May 11, 1993, Reports **READ** and the Bill and Accompanying Papers **INDEFINITELY POSTPONED.**)

On motion by Senator **ESTY** of Cumberland, Tabled Unassigned, pending **ACCEPTANCE** of Either Report.

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

HOUSE REPORTS - from the Committee on **LEGAL AFFAIRS** on Bill "An Act to Prohibit Public Housing Authorities from Regulating Firearm Possession by Residents"
H.P. 259 L.D. 337

Majority - **Ought to Pass**

Minority - **Ought Not to Pass**

Tabled - May 13, 1993, by Senator **ESTY** of Cumberland.

Pending - **ACCEPTANCE** of Either Report

(In Senate, May 13, 1993, Reports **READ**.)

(In House, May 11, 1993, Reports **READ** and the Bill and Accompanying Papers **INDEFINITELY POSTPONED**.)

Senator **HANDY** of Androscoggin moved that Bill and Accompanying Papers be **RECOMMITTED** to the Committee on **LEGAL AFFAIRS** in **NON-CONCURRENCE**.

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending the motion by Senator **HANDY** of Androscoggin that Bill and Accompanying Papers be **RECOMMITTED** to the Committee on **LEGAL AFFAIRS** in **NON-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 Enable the Creation of the Volunteer Social Workers' Project" H.P. 1106 L.D. 1493

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

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

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

An Act to Protect the Future of the United States Naval Shipyard at Kittery (Emergency)

S.P. 114 L.D. 315
(C "A" S-90)

Tabled - May 13, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED**.)

(In House, May 11, 1993, **PASSED TO BE ENACTED**.)

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, to Expand the Scope of the Maine Committee for Global Education H.P. 1111 L.D. 1507

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Encourage More Efficient Spending of State Tax Dollars"

H.P. 1109 L.D. 1505

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend Certain Laws Pertaining to the Department of Environmental Protection's Bureau of Hazardous Materials and Solid Waste Control" (Emergency)

H.P. 1113 L.D. 1509

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 Amend the Laws Governing Municipal Elections" H.P. 1110 L.D. 1506

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

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

PAPERS FROM THE HOUSE

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

House Papers

Resolve, to Establish the Health and Social Services Transition Team to Develop the Governor's Restructuring Proposal to Combine the Departments of Human Services and Mental Health and Mental Retardation and the Office of Substance Abuse in a New Department of Health and Family Services (Governor's Bill) (Emergency) H.P. 1112 L.D. 1508

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

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

COMMITTEE REPORTS

Senate

Divided Report

The Majority of the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Amend the Laws Concerning Requirements for Licensure of Counseling Professionals" S.P. 349 L.D. 1063

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

Signed:

Senators:

CIANCHETTE of Somerset
MARDEN of Kennebec

Representatives:

THOMPSON of Lincoln
REED of Dexter
WINN of Glenburn
CLEMENT of Clinton
VIGUE of Winslow
HILLOCK of Gorham
CAMERON of Rumford

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

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-137)**.

Signed:

Senator:

BUSTIN of Kennebec

Representatives:

HOGLUND of Portland
ST. ONGE of Greene

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require the Utilization of an Owner's Representative on State Government Construction Contracts" H.P. 1107 L.D. 1494

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.

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down 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 Amend the Laws Governing Inspection of Ballots" H.P. 1108 L.D. 1495

ORDERS OF THE DAY

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

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

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

Pending - **FURTHER CONSIDERATION**

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

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

(In House, May 10, 1993, that Body **INSISTED**.)

Senator **HANDY** of Androscoggin moved that the Senate **RECEDE** and **CONCUR**.

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

Senator **CLEVELAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I will not be voting to support this motion. As I said to you earlier in the session it is important that we focus our time and energies on matters which we have an effect on. Memorializing Congress on this issue will have little to no effect. I don't mean in any way to diminish or degrade the importance of this institution but we must recognize that there is a division and distinction between national Congressional actions and State actions. We have an enormous budget problem before us. It seems to me to be inappropriate to be dealing with items that I believe have to do more with politics than policy. I understand as well that individuals would be reluctant to be taken on Record of not supporting this measure because it is obviously a popular issue with the public. However, I am not voting on the merits of the Bill, nor does my position in any way reflect whether I support or don't support this issue. What I wish to do is continue to direct the attention of this body on the business before this State. We begin to choose the ones we like or dislike for political reasons, therefore we will then have to vote on a series of these as they come before us. I made a commitment to this body that regardless of who sponsors them, what political affiliation they have, I would not support them because I think it is more important that we focus on the business of this Senate, and that we take control of our own agenda, that we're not managed by outside influences and that we rise above this kind of activity. This body is better than that. It's got to show that we're better than that. We voted to Indefinitely Postpone, I think we ought to maintain that position and I will continue to do that because I have made a commitment to do it and I think it's what we ought to do. I hope that you would not support the motion of the Senator. Thank you.

The Chair ordered a Division.

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

Senator **ESTY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I rise to concur with the good Senator from Androscoggin, Senator Cleveland, and also say that while there may very well be times when memorialization of Congress is appropriate because it affects Maine businesses or Maine people in a very direct way, I see this as a political issue and not a substantive issue that affects Maine people in a direct way. So I would urge supporting the Division that would not allow us to Recede and Concur. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **HANDY** of Androscoggin, to **RECEDE** and **CONCUR**.

The Chair ordered a Division.

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

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **HANDY** of Androscoggin, to **RECEDE** and **CONCUR**, **PREVAILED**.

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

Bill "An Act Regarding the Credentialing of School Psychological Service Providers"
S.P. 262 L.D. 800
(C "A" S-125)

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**).

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

On motion by Senator **HANDY** of Androscoggin, the Senate **RECONSIDERED** its action whereby this Bill was **PASSED TO BE ENGROSSED AS AMENDED**:

The same Senator moved to Table 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED**.

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

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 11, 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:

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 11, 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 **CAHILL** of Sagadahoc, 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 11, 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 **PINGREE** of Knox, 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 **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** House Amendment "A" (H-171), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-143) to House Amendment "A" (H-171) **READ** and **ADOPTED.**

House Amendment "A" (H-171) As Amended by Senate Amendment "A" (S-143) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED** in **NON-CONCURRENCE.**

Sent down for concurrence.

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 11, 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).**)

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-176) **READ.**

On motion by Senator **BUSTIN** of Kennebec, Senate Amendment "A" (S-140) to Committee Amendment "A" (H-176) **READ.**

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This amendment is to require that six inspectors be hired by the Board of Electricians and it is my understanding that the commitment is to raise the permit fees if you need to raise money to pay for that and not raise license fees because they have just been raised. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-140) to Committee Amendment "A" (H-176) **ADOPTED.**

Committee Amendment "A" (H-176) As Amended by Senate Amendment "A" (S-140) thereto, **ADOPTED** in **NON-CONCURRENCE.**

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

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)

Tabled - May 11, 1993, by Senator CAREY of Kennebec.

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

(In Senate, May 11, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-122)**. Subsequently, **RECONSIDERED**.)

On motion by Senator CAREY of Kennebec, Senate Amendment "A" (S-142) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator CAREY: Thank you Mr. President, Ladies and Gentlemen of the Senate. The Legal Affairs Committee takes great exception to the fiscal note that has been provided. The figures were provided to the Policy and Fiscal people by the Department and both the Liquor Commission and the Bureau of Alcoholic Beverages are death against losing the sales of these particular wines. The Committee has been assured time and time again by many people who are in the business and in the business to know, that in fact the fiscal note is really fictitious. In fact the State will, in the long run, make money with this. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-142) **ADOPTED**.

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

Sent down for concurrence.

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

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

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

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

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

(In Senate, May 13, 1993, **PASSED TO BE ENGROSSED AS AMENDED**. Subsequently, **RECONSIDERED**.)

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

Off Record Remarks

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

On motion by Senator CLEVELAND of Androscoggin, **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:

Emergency

An Act to Clarify the Financial Authority of the Workers' Compensation Board (Governor's Bill)
H.P. 1034 L.D. 1386
(C "A" H-289)

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.

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

On motion by Senator SUMMERS of Cumberland, **ADJOURNED** until Monday, May 17, 1993, at 4:00 in the afternoon.