

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 19, 1993 to July 14, 1993

FIRST CONFIRMATION SESSION

October 14, 1993

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

In Senate Chamber
Wednesday
June 30, 1993

After Recess

Senate called to order by the President

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, Directing Release of Investigative
Records Related to Ballot Tampering (Emergency)
H.P. 1003 L.D. 1349
(C "A" H-657; S "A"
S-336)

In House, June 15, 1993, **FAILED OF FINAL
PASSAGE.**

In Senate, June 23, 1993, **PASSED TO BE ENGROSSED
AS AMENDED BY COMMITTEE AMENDMENT "A" (H-657) AND
SENATE AMENDMENT "A" (S-336) in NON-CONCURRENCE.**

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

On motion by Senator **ESTY** of Cumberland, the
Senate **INSISTED** and **JOINED IN A COMMITTEE OF
CONFERENCE.**

The President appointed the following Conferees
on the part of the Senate:

Senator Bustin of Kennebec
Senator O'Dea of Penobscot
Senator Hanley of Oxford

The Secretary has so informed the Speaker of the
House.

Joint Orders

The following Joint Order: H.P. 1165

ORDERED, the Senate concurring, that Bill, "An
Act to Centralize Licensing for Retail Businesses,"
H.P. 399, L.D. 512, and all its accompanying papers,
be recalled from the Governor's desk to the House.

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

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

COMMUNICATIONS

The Following Communication:

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

June 29, 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. 1528 An Act to Establish the Maine
Education and Training Export
Partnership within the Department of
Economic and Community Development

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

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

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

ENACTORS

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

An Act to Reenact the Laws Governing Equitable Insurance Coverage for Mental Illness

H.P. 138 L.D. 183
(H "A" H-660 to C
"A" H-582; S "A"
S-302)

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

Emergency

An Act Making Changes in the Financial Order Process

H.P. 372 L.D. 475
(C "A" H-674)

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

Off Record Remarks

On further motion by same Senator, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act Making Changes in the Financial Order Process

H.P. 372 L.D. 475
(C "A" H-674)

Tabled - June 30, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 23, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-674)**, in concurrence.)

(In House, June 29, 1993, **PASSED TO BE ENACTED**.)

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This is an Emergency measure and I am sorry that I have not had an opportunity to look at this particular piece of legislation to find out what it does. Can someone on the Appropriations Committee perhaps explain it to me very briefly? Thank you.

THE PRESIDENT: The Senator from Sagadahoc, Senator Cahill, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Hancock, Senator Foster.

Senator **FOSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This Bill allows the Appropriations Committee to meet and look over some financial orders. I think it sends a very good message to all of the Committees who are going to be working. This Bill does not have an appropriation on it because we are going to work for free. We are not going to charge mileage, we are not going to charge per diem, but we will come in and look at financial orders and we will be doing that during the summer. Thank you.

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 Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995 (Governor's Bill)

H.P. 409 L.D. 522
(C "A" H-678)

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.

ORDERS OF THE DAY

On motion by Senator **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Additional Funding for the Department of Inland Fisheries and Wildlife and the Atlantic Sea-Run Salmon Commission Through Increased License Fees

S.P. 369 L.D. 1126
(C "A" S-248)

Tabled - June 4, 1993, by Senator **PEARSON** of Penobscot.

Pending **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-248).**)

(In House, June 4, 1993, **PASSED TO BE ENACTED.**)

Which 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 Make Allocations for the Necessary Administration of the Workers' Compensation Laws for the State for the Fiscal Years Ending June 30, 1994 and June 30, 1995 (Governor's Bill)

H.P. 1120 L.D. 1519
(C "A" H-675)

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.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the Tabled and Later Assigned (6/29/93) matter:

Bill "An Act to Clarify Tax on Intangible Income" (Governor's Bill) (Emergency)

S.P. 540 L.D. 1562

Tabled - June 29, 1993 by Senator **BALDACCI** of Penobscot.

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and **ORDERED PRINTED.**)

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

Senator **CAHILL**: Thank you Mr. President, Ladies and Gentlemen of the Senate. Before we get too tired today to listen to other speeches I just want to take a moment on the Record to say a few words. Back on December 2, 1992, it seems like more than six or seven months ago, I was privileged to second the nomination of Senator Dennis Dutremble as President of the Senate. In that seconding speech I said that we, as the Republican members of the Senate, ask a good deal by in return of giving Senator Dutremble our votes. We ask for fairness and honesty, we asked for patience and understanding, we asked for input in scheduling and Committee assignments and staffing, and we asked that Senator Dutremble be the person who makes each and every one of us rise above partisan bickering, rhetoric, and personal attacks, and we asked that each and every member, no matter how tough the debate becomes, no matter how partisan the moment seems, we asked that each and every member respect each one of us as individuals. Through the leadership of Senator Dutremble, I believe each and every member of the Senate today can take a lot of pride in realizing that we did rise to that occasion. I have never been prouder to serve in the Maine State Senate than I have been in the last seven months. We don't have the strife and acrimony and partisanship that we have had in past years and I am proud of that. I think ultimately the people of the State of Maine gain from that lack of personal attacks.

When we arrived in the Senate chamber on December 2, to be sworn in, the Republicans had their bright shining faces and red carnations and the Democrats had their bright shiny faces and white carnations, and I had a thought. I said to myself if we are able to do all these things that I laid out in my seconding speech for Senator Dutremble, then the appropriate thing to do would be on adjournment day, which I hope today will be, is to have red and white carnations. To kind of signify a mixing of Democrats and Republicans, not because we have changed political ideology and not because our geographies have changed although I guess some of our geographies are going to change, but because we were able to work as individuals, setting aside partisan differences and geographies and working together for a common goal. This budget that we passed earlier today was not an easy vote for many people, and some chose not to vote for it, and I respect each and every one of those members even more than I did on December 2. I think the debate that we had over the budget, and that we have had all year, indicates that we can disagree and still go on to do the business of the people of the State of Maine. I think each and every one of us, under the guidance of Senator Dutremble, certainly under the leadership of Senator Esty, Senator Bustin, and Senator Carpenter, can take a lot of pride in being a Senator in the Maine Senate. Thank you.

Off Record Remarks

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

On motion by Senator **BALDACCI** of Penobscot, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Maintain the Integrity of Commodity Tax Accounts

H.P. 92 L.D. 122
(C "A" H-371)

Tabled - May 27, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 24, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-371)**, in concurrence.)

(In House, May 26, 1993, **PASSED TO BE ENACTED.**)

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I see looks of misunderstanding around the chamber and I would like to tell you that this is a Bill of which I am not terribly familiar, but it has to do with commodity tax accounts and it is an agricultural Bill as I understand it. It needs to be signed by the Governor by midnight tonight and Representative Tardy made the pitch to our Committee this afternoon that this one had to be out ahead of anything else because if it wasn't out today, it had something to do with tax credits in 1993, and it had to be out before the end of the fiscal year. So we have moved this ahead of everything else so it can get out and get signed by the Governor. Thank you.

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 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.

Under suspension of the Rules, ordered sent forthwith to the Governor.

On motion by Senator **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act to Ensure Uniformity in Gasoline Octane Levels

S.P. 151 L.D. 483
(C "A" S-145)

Tabled - May 25, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, May 18, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-145).**)

(In House, April 24, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

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

On motion by Senator **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act Establishing University of Maine System License Plates

H.P. 415 L.D. 534
(C "A" H-378)

Tabled - May 27, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, May 24, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)**, in concurrence.)

(In House, May 26, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, 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** Committee Amendment "A" (H-378).

On further motion by same Senator, Senate Amendment "A" (S-352) to Committee Amendment "A" (H-378) **READ** and **ADOPTED.**

Committee Amendment "A" (H-378) As Amended by Senate Amendment "A" (S-352) thereto, **ADOPTED** in **NON-CONCURRENCE.**

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

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

On motion by Senator **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act to Amend the Motor Vehicle Laws
 H.P. 482 L.D. 619
 (S "A" S-127 to C
 "A" H-183)

Tabled - May 19, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, May 11, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-183) AS AMENDED BY SENATE AMENDMENT "A" (S-127)**, thereto.)

(In House, May 18, 1993, **PASSED TO BE ENACTED.**)

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

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Could I ask that as we proceed with this process that if the Bill, whatever it might be, is a Bill that came out of Committee divided, if the Clerk could bring that to our attention. I know this Bill is not the case but it is very difficult to follow this and I have no idea when we are going to do the Table next. I'd like to think that if a Bill came out of Committee divided that we would at least have a chance to know that it was something other than just a unanimous report. Are we going to do the Appropriations Table after this?

THE PRESIDENT: The Chair would answer that the Appropriations Table will be done tomorrow.

Senator **WEBSTER:** Thank you. I would just request that if it is possible as we proceed with these things, many of these Bills were put on the Table and were not unanimous by all of us here. It would seem to me that if it was a Bill that came out of the Committee divided then perhaps the Clerk could bring that to our attention.

THE PRESIDENT: The Chair would inform the members of the Senate that the amount of work involved in putting together the information necessary to do the Appropriations Table requires an inordinate amount of time and that all members of this body have the same opportunity to get that information, just as the Secretary would have to do it. It is not something that is readily available unless we look it up in the computers. The Chair recognizes the Senator from Oxford, Senator Hanley.

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair. I guess I share some of the same concerns as my good friend from Franklin, Senator Webster. I guess I would like to have maybe not the Secretary, but the good Senator from Cumberland, share with us whether or not it was a Divided report. Those people on the Committee

would like to have the same idea. Maybe just a brief description before we go through this. This is my first time having dealt with the Table and instead of me standing up every time and asking what it is about maybe we could speed up the process by just having him say this is a unanimous report out of the Committee and having the person who is moving it off the Table and moving for its adoption to make that motion.

THE PRESIDENT: The Chair would inform the membership that leadership usually has that information and that it is important that anything that comes up before the body should be discussed in caucus if anyone has any concerns. Otherwise the process will take a lot longer than whatever time we have available. The Chair recognizes the Senator from Franklin, Senator Webster.

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I just want to make it clear to the membership that I have no intention, I am aware of most of the Bills on the Transportation Committee Table, and I am not concerned about that at all. I am only concerned that if we are going to do the Appropriations Table that if there was an easy way, I assumed it was printed on the Bill and I guess I misunderstood. I thought that was how it worked. That was all I was trying to do, I wasn't trying to inrun anything, I just thought maybe if the Secretary could tell us. Obviously, now I know otherwise and will do some research on the Table for when the Appropriations Table comes. Thank you.

THE PRESIDENT: The Chair would inform the membership that I am sure that the membership understands that Bills that have made it this far, have gone to the Enactment stage, and any Bills that are debated because of Division are usually well known. All Bills will be read by title before we go through this.

Which 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 **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act to Establish the Maine Environmental Trust Fund Commemorative Motor Vehicle Plate
 S.P. 222 L.D. 693
 (H "D" H-640 to C
 "A" S-274)

Tabled - June 9, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, June 9, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-274) AND HOUSE AMENDMENT "D" (H-640)**, in concurrence.)

(In House, June 9, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act Repealing Advisory Boards on Transportation Matters

H.P. 811 L.D. 1097
(H "A" H-324 to C
"A" H-248)

Tabled - May 24, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248) AS AMENDED BY HOUSE AMENDMENT "A" (H-324)**, thereto, in concurrence.)

(In House, May 21, 1993, **PASSED TO BE ENACTED**.)

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

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

Senator **MCCORMICK:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Since none of us have a copy of this Table could at least you read, alone by yourself, the Title of the Bill? Without anyone else reading it. Thank you.

THE PRESIDENT: The Chair would answer in the affirmative. We will have this sheet available for everyone tomorrow for the Appropriations Table. It will be in numerical order so you will have to look it up as we go through it.

On motion by Senator **BRANNIGAN** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act to Amend the Motor Vehicle Emission Inspection Program

H.P. 1005 L.D. 1351
(H "B" H-583; S "A"
S-301; S "B" S-318
to C"A" H-537)

Tabled - June 14, 1993, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, June 9, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-537) AS AMENDED BY HOUSE AMENDMENT "B" (H-583) AND SENATE AMENDMENTS "A" (S-301) AND "B" (S-318)**.)

(In House, June 14, 1993, **PASSED TO BE ENACTED**.)

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

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Point of order please. Pursuant to Joint Rule 12, are we not required to take a vote to extend past 9:00?

THE PRESIDENT: The Chair would answer in the affirmative and thank the Senator for his reminder.

Pursuant to Joint Rule 12, the affirmative vote of two-thirds of the members present and voting is necessary to transact business after 9:00 p.m. 24 Senators having voted in the affirmative, and 4 Senators in the negative, and 24 being two-thirds of the membership present and voting, the Rules were suspended and the following proceedings were conducted after 9:00 p.m.

ORDERS OF THE DAY

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

An Act to Reenact the Laws Governing Equitable Insurance Coverage for Mental Illness

H.P. 138 L.D. 183
(H "A" H-660 to C
"A" H-582; S"A"
S-302)

Tabled - June 30, 1993, by Senator **ESTY** of Cumberland.

Pending - **ENACTMENT**

(In Senate, June 14, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-582) AS AMENDED BY HOUSE AMENDMENT "A" (H-660) thereto, and SENATE AMENDMENT "A" (S-302)**, in concurrence.)

(In House, June 29, 1993, **PASSED TO BE ENACTED**.)

On motion by Senator **SUMMERS** 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 **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Senate Amendment "A" (S-302).

On further motion by same Senator, Senate Amendment "A" (S-302) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Senate at Ease

Senate called to order by the President.

On motion by Senator **SUMMERS** of Cumberland, the Senate **RECONSIDERED** its action whereby Senate Amendment "A" (S-302) was **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-302) **ADOPTED**, in concurrence.

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

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

Off Record Remarks

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

COMMITTEE REPORTS

House

Committee of Conference

The **Committee of Conference** on the disagreeing action of the two branches of the Legislature on: **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Protect State Parks

H.P. 176 L.D. 228
(S "A" S-185 to C
"A" H-92)

Have had the same under consideration and ask leave to report:

That the House **Recede** from **Passage to be Engrossed As Amended by Committee Amendment "A" (H-92) As Amended by House Amendment "C" (H-454)** thereto; **Recede** from **Adoption** of Committee Amendment "A" (H-92) As Amended by House Amendment "C" (H-454) thereto; **Recede** from **Adoption** of House Amendment "C" (H-454) to Committee Amendment "A" and **Indefinitely Postpone** same; **Read** and **Adopt** Conference Committee Amendment "A" (H-679) to Committee Amendment "A" (H-92); **Adopt** Committee Amendment "A" (H-92) As Amended by Conference Committee Amendment "A" (H-679) thereto; and **Pass** the Bill **to be Engrossed As Amended by Committee Amendment "A" (H-92) As Amended by Conference Committee Amendment "A" (H-679)** thereto in **Non-Concurrence**.

That the Senate **Recede** and **Concur** with the House.

Signed on the part of the House:

Representative MITCHELL of Freeport
Speaker MARTIN of Eagle Lake
Representative BENNETT of Norway

Signed on the part of the Senate:

Senator BERUBE of Androscoggin
Senator CAREY of Kennebec
Senator BUTLAND of Cumberland

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-92) AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (H-679)** thereto.

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

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

Committee of Conference

The **Committee of Conference** on the disagreeing action of the two branches of the Legislature on: Bill "An Act Establishing the Maine Community Reinvestment Program"

H.P. 590 L.D. 794
(C "A" H-540)

Have had the same under consideration and ask leave to report:

That the House **Recede** from its action whereby it **Accepted** the Majority **Ought Not to Pass** Report of the Committee on **Banking and Insurance**; **Accept** the Minority **Ought to Pass As Amended** Report; **Read** the Bill once; **Read** Committee Amendment "A" (H-540) and **Indefinitely Postpone** same; under suspension of the rules, **Read** the Bill a **Second Time**; **Read** and **Adopt** Conference Committee Amendment "A" (H-687) and **Pass** the Bill **to be Engrossed As Amended by Conference Committee Amendment "A" (H-687)** in **Non-Concurrence**.

That the Senate **Recede** and **Concur** with the House.

Signed on the part of the House:

Representative PINEAU of Jay
Representative ERWIN of Rumford
Representative CAMPBELL of Holden

Signed on the part of the Senate:

Senator McCORMICK of Kennebec
Senator CAREY of Kennebec
Senator KIEFFER of Aroostook

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (H-687)**.

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

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

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

COMMITTEE REPORTS

House

Committee of Conference

The **Committee of Conference** on the disagreeing action of the two branches of the Legislature on: Bill "An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation" H.P. 250 L.D. 329 (\$ "A" S-257 to C "A" H-389)

Have had the same under consideration and ask leave to report:

That the House **Read** and **Accept** the Committee of Conference Report.

That the Senate **Recede** from **Passage to be Engrossed As Amended by Committee Amendment "A" (H-389) As Amended by Senate Amendment "A" (S-257)** thereto; that the Senate **Recede** from **Adoption** of Committee Amendment "A" (H-389) As Amended by Senate Amendment "A" (S-257) thereto; that the Senate **Recede** from **Adoption** of Senate Amendment "A" (S-257) to Committee Amendment "A" (H-389) and **Indefinitely Postpone** the same. That the Senate **Adopt** Committee Amendment "A" (H-389), in concurrence and **Concur** to **Passage to be Engrossed As Amended**, in concurrence.

Signed on the part of the House:

Representative TREAT of Gardiner
Representative FITZPATRICK of Durham
Representative BRUNO of Raymond

Signed on the part of the Senate:

Senator PARADIS of Aroostook
Senator HARRIMAN of Cumberland

Comes from the House with the Report **READ** and **ACCEPTED**.

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

The Senate **RECEDED** from **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-389) AS AMENDED BY SENATE AMENDMENT "A" (S-257)** thereto.

The Senate **RECEDED** from **ADOPTION** of Committee Amendment "A" (H-389) As Amended by Senate Amendment "A" (S-257) thereto.

The Senate **RECEDED** from **ADOPTION** of Senate Amendment "A" (S-257) to Committee Amendment "A" (H-389).

Senate Amendment "A" (S-257) to Committee Amendment "A" (H-389) **INDEFINITELY POSTPONED**.

Committee Amendment "A" (H-389) **ADOPTED**, in concurrence.

Which was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Committee of Conference

The **Committee of Conference** on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Reform and Reestablish the Commission on Governmental Ethics and Election Practices"

S.P. 225 L.D. 696
(C "A" S-164)

Have had the same under consideration and ask leave to report:

That they are **Unable to Agree**.

Signed on the part of the House:

Representative JACQUES of Waterville
Representative RAND of Portland
Representative MORRISON of Bangor

Signed on the part of the Senate:

Senator HANLEY of Oxford
Senator CAREY of Kennebec
Senator BUTLAND of Cumberland

Comes from the House with the Report **READ** and **ACCEPTED**.

Which Report was **READ**.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would move that we reject the Committee of Conference Report and ask for a second Committee of Conference.

Senator **HANLEY** of Oxford, moved that the Senate **REJECT** the Report and **ASK FOR A SECOND COMMITTEE OF CONFERENCE**.

Senator **BUSTIN** of Kennebec requested a Division.

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I hope that you would go along with the motion of the Senator from Oxford, Senator Hanley, to reject the Committee of Conference report. I have been a little disillusioned by a number of Committee of Conference reports that have come back disagreeing. I think, in particular I am most disappointed with L.D. 696 and the reason is because the members of the other body refused to meet and discuss the Committee of Conference. Not only did they refuse to meet, they told various members of this body that they would be meeting at a specific time and then did not meet that time and later went on to say that they never intended to meet. I think it was the good Senator from Cumberland, Senator Brannigan, that said a couple of weeks ago that he had never seen as many Committee of Conference reports as we have had this year and I guess I tend to agree with him. Unfortunately I think we are using this as just a step to delay the process. What we are delaying the process on is some very important legislation which has been ultimately killed by disagreeing actions of the legislature. So far nearly every piece of election reform legislation that has been before the legislature this session, has been defeated by disagreeing actions in the legislature and I find that a real tragedy. To think that this Senate has worked in good faith to see that we have some very good election reform legislation passed. We have set aside our partisan differences on many occasions and made some agreements within the Senate that we will restructure and reform our election practices. I think it is a shame if we give up, even if it is the eleventh hour. I think we should try again. I think the citizens of the State of Maine deserve no less. Thank you..

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It would be one thing if we had had an opportunity to sit down with the other members of the other chamber and discuss the differences. They would not even grant us the courtesy to even meet on an issue of this much import. Now I would ask that if a second Committee of Conference was put forward that maybe we would have other actors from both chambers who could get together and would meet. I realize that sometimes both chambers are not going to be able to agree but if we don't even get together, if we don't even take that first step, how much good faith is being offered here. How much sincerity is there as far as to act in the best interest of the people of the State of Maine. I hope that you would go along with the second Committee of Conference, as we have already decided that we will be here another day. Thank you.

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

Senator **CIANCHETTE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'd like to offer a suggestion relative to this. I served on a

Committee of Conference earlier and we didn't seem to have time to meet and the other two Senators and I just didn't sign the Committee of Conference report, because we didn't meet. That forced the meeting and we had our Committee of Conference meeting. I don't know why, if you didn't meet, why you would want to sign the Committee of Conference report. I would suggest in the future, if you run into this, that the Senator, if they are not pleased that they can't meet, then why would they sign and say that they are unable to agree? I just would not sign it. Thank you.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I thank my good friend from Somerset County for bringing that to my attention. I would just ask the Secretary if she has that report, to read the signature. I, in fact, did not know that I could not sign it, but I did say in my signature that it was under protest because of the fact that they did not even meet. To me, I think that meets the good Senator from Somerset's criteria as far as not signing. It was signed under protest of the fact that they would not even meet. I would hope that the good Senator would vote along with asking for a second Committee of Conference. Thank you.

Senator **BUSTIN** of Kennebec requested and received Leave of the Senate to withdraw her request for a Division.

On motion by Senator **HANLEY** of Oxford, the Senate **REJECTED** the Report and **ASKED FOR A SECOND COMMITTEE OF CONFERENCE** in **NON-CONCURRENCE**.

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

Committee of Conference

The **Committee of Conference** on the disagreeing action of the two branches of the Legislature on: Bill "An Act to Reduce the Influence of Money in Elective Politics"

H.P. 1150 L.D. 1550

Have had the same under consideration and ask leave to report:

That they are **Unable to Agree**.

Signed on the part of the House:

Representative **DAGGETT** of Augusta
Representative **ERWIN** of Rumford
Representative **LIPMAN** of Augusta

Signed on the part of the Senate:

Senator **HANDY** of Androscoggin
Senator **BUSTIN** of Kennebec
Senator **SUMMERS** of Cumberland

Comes from the House with the Report **READ** and **ACCEPTED**.

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

ENACTORS

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

An Act to Improve the Assessment and Collection of Municipal Property Taxes

S.P. 385 L.D. 1166
(H "A" H-695 to C
"A" S-342)

Which 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 Collect Baseline Data to Facilitate Health Care Reform

S.P. 535 L.D. 1561
(H "B" H-672)

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

Emergency

An Act to Clarify that Incineration is a Form of Disposal under the State's Solid Waste Laws

H.P. 1169 L.D. 1563

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

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. What is this Bill? I have never seen it before and suddenly we are voting on it.

THE PRESIDENT: The Chair would inform the membership that we are in the middle of a vote. If anybody wishes to request a Roll Call, they may do so.

On motion by Senator **LUTHER** of Oxford, 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 Oxford, Senator Luther.

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Would someone like to explain what this Bill is and whether it went to public hearing and what this Bill is about? Thank you.

THE PRESIDENT: The Senator from Oxford, Senator Luther, has posed a question through the Chair to any Senator who may care to respond. The Chair would inform the Senator that this Bill was not sent to public hearing. It was given its first and second reading under suspension of the Rules this morning. The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. To answer the question, a Bill we passed recently to amend the hazardous waste law, a request was put in by DEP to change some language in the Bill. In doing so we, in effect, repealed language in another section which was not intended and this corrects that. Thank you.

Senator **LUTHER** of Oxford requested and received Leave of the Senate to withdraw her motion for a Roll Call.

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Mandate

An Act Requiring Public Schools to Purchase Insurance through a Competitive Bidding Process

H.P. 1162 L.D. 1560
(S "C" S-340)

This being a Mandate and in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 26 Members of the Senate, with 4 Senators having voted in the negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1170

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

**JOINT RESOLUTION MEMORIALIZING THE
SECRETARY OF TRANSPORTATION OF THE UNITED STATES
TO TAKE APPROPRIATE ACTION TO ENSURE CONTINUED
AIR SERVICE TO AROOSTOOK COUNTY IN MAINE**

WE, your Memorialists, the Members of the One Hundred and Sixteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the Secretary of Transportation of the United States, as follows:

WHEREAS, air service has been provided to Aroostook County, Maine for a period of years by Business Express, a subsidiary of Delta Air Lines; and

WHEREAS, Delta Air Lines and Business Express have announced the intention to discontinue the daily Business Express service to Aroostook County and the intention to seek administrative approvals for that discontinuation; and

WHEREAS, the daily airline service provided to Northern Maine Regional Airport by Business Express constitutes one of Aroostook County's important economic and cultural links to the rest of the State; and

WHEREAS, Aroostook County is in the midst of a significant economic realignment occasioned by the pending closure of Loring Air Force Base and the discontinuation of daily air service will serve as a disincentive to the relocation of potential employers to the county; and

WHEREAS, the termination of this air service means that the nearest scheduled daily air service available to residents of Aroostook County is 200 miles away; and

WHEREAS, Delta Air Lines and its Business Express subsidiary have been responsible corporate citizens in Maine and in Aroostook County and the residents of the county and the State wish to preserve this valued relationship; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully recommend and urge the Secretary of Transportation of the United States to disapprove the proposed termination of this service and to take all appropriate regulatory actions to ensure that this service is retained; and be it further

RESOLVED: That We request that the President of Delta Air Lines and the President of Business Express reevaluate this proposal in consideration of the economic dislocation the suspension of service would cause and in consideration of the strong community and government support for continued service; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Secretary of Transportation of the United States, to the President of Delta Air Lines and the President of Business Express and to each Member of the Maine Congressional Delegation.

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

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

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1171

**JOINT RESOLUTION RECOGNIZING LORRAINE M. FLEURY
ON THE OCCASION OF HER RETIREMENT AS DIRECTOR,
DIVISION OF ELECTIONS, OFFICE OF SECRETARY OF STATE**

WHEREAS, Lorraine M. Fleury is in her 30th year of state service, having labored with great distinction and unceasing dedication; and

WHEREAS, during those years of state service, she has served under 5 Secretaries of State, developing singular ability in all aspects of the electoral process in Maine; and

WHEREAS, Legislators, state officials, municipal officials, members of the press and the citizens of Maine turn to her for accurate, unbiased, nonpartisan and complete information on Maine's elections; and

WHEREAS, the Legislature believes that she is unique in State Government in her knowledge of the Maine electoral process; and

WHEREAS, she has gained the affection and respect of Legislators, co-workers and many others throughout her years of service; and

WHEREAS, her absence will be a tremendous loss to the Secretary of State, the State of Maine and its citizenry; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Sixteenth Legislature of the State of Maine, now assembled in the First Regular Session, pause in our deliberations to recognize Lorraine M. Fleury for a job done so well for so long; and be it further

RESOLVED: That We formally express our great affection, sincere thanks and our heartfelt best wishes for a long, fruitful and happy retirement; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be prepared and transmitted to Lorraine M. Fleury as a lasting token of our friendship, gratitude and respect.

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

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

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

COMMUNICATIONS

The Following Communication:

**COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

June 30, 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. 1258 An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Development and Construction of Municipal Solid Waste Disposal Facilities and to Purchase Equipment and Facilities for Managing Demolition Debris

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.**

ORDERS OF THE DAY

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

Bill "An Act to Clarify Tax on Intangible Income" (Governor's Bill) (Emergency)
S.P. 540 L.D. 1562

Tabled - June 30, 1993, by Senator **ESTY** of Cumberland.

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and **ORDERED PRINTED.**)

Pursuant to Joint Rule 14, a Division was had. 30 Senators having voted in the affirmative, and No Senators in the negative, and 30 being a majority of the Members present and voting, Joint Rule 14 was suspended and the Bill was **READ ONCE**, without reference to a committee and **ORDERED PRINTED.**

Which was, under suspension of the rules, **READ A SECOND TIME.**

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "B" (S-351) **READ.**

On further motion by same Senator, Tabled until Later in Today's Session, pending motion by same Senator to **ADOPT** Senate Amendment "B" (S-351).

The Chair laid before the Senate, the Tabled and Later Assigned (6/29/93) matter:

Bill "An Act to Set Voluntary Limits for Campaign Spending"

H.P. 1149 L.D. 1549
(S "D" S-329; S "E" S-332; S "F" S-339)

Tabled - June 29, 1993 by Senator **Handy** of Androscoggin.

Pending - Motion by Senator **ESTY** of Cumberland to **ADHERE**

(In House, June 15, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "D" (S-329) AS AMENDED BY HOUSE AMENDMENT "A" (H-666)** thereto, **AND SENATE AMENDMENT "E" (S-332) in NON-CONCURRENCE.**)

(In Senate, June 29, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "D" (S-329); "E" (S-332) AND "F" (S-339) in NON-CONCURRENCE.**)

(In House, June 29, 1993, that Body **ADHERED.**)

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

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

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The issue of campaign finance reform has been on my, and my constituent's, agenda since I first came to the legislature. In this, my first term in the Maine Senate, I have never seen so many pieces of legislation come before us to address the issue of money and politics. Just a short while ago this body accepted a Committee of Conference report on L.D. 1550 and its sibling, L.D. 1551, which was the Bill "An Act to Reduce the Influence of Money in Elected Politics". As yet, several other pieces of legislation that this legislature has chosen to dispose of in a manner that does not address the issue of the influence of money in politics in Maine elections. Let me just say, categorically, this should not in any way be construed as impugning the integrity of any member of this body, the other body, or any other candidate for

public office in the State of Maine. I think that we have been fortunate to have candidates of great quality, high ethical standards and integrity. However, there is one thing that is inescapable, even from the most ethical, upstanding candidate for office, that is the cost of elections are going up. We have engaged ourselves in an arms race, a monetary arms race. We have tried over the last several years to have the equivalent of the SALT talks and the SALT II talks, and the Strategic Arm Reduction talks, to no avail. Today we have simply one option before us. That is to Recede and Concur with the other body on L.D. 1549, which sets voluntary limits for campaign spending. For me, this is the very least that we can do.

Some aspects of this Bill may not be wholly acceptable to all of us, but I submit that we have the opportunity to put this law on the books, refine those early next session and have those voluntary campaign spending limits effective with the next election and effective in such a way that it is manageable and that it does not create disadvantages for one candidate, be they the incumbent or the challenger. The real crux of the division between this body and the other body is the issue of a penalty if someone chooses not to go along with voluntary limits. That, men and women of the Senate, is critical to this legislation. If you go along with our previous action, what we are saying is go ahead rack it up, so if you start at a commitment to spend \$10,000 on your race, you can change your mind and ratchet it up to \$20,000. Changing the rules in the middle of the game is not what we should be all about. Integrity is what we should be all about. Under this bill if you make the commitment to set voluntary limits, live with them. I think this is the least that we can do for the political process with respect to campaign spending. We have made great efforts in strengthening our election laws with respect to the security of the ballots and the sanctity of the ballots. I hope this session we can address the issue of the tenure of the elected membership of the Maine legislature. I submit that we can have term limits, we can have all kinds of election reform, but any election reform has to start with campaign finance reform. After all, that is where all of us get our start. If we have meaningful campaign finance reform, we can begin to ratchet down the amounts of money that is spent in elections. We can begin to emphasize the importance of eye to eye, one on one, contact with our constituents, and de-emphasize media hype and political rhetoric. Men and women of the Senate, voluntary limits, as outlined in L.D. 1549, as it has been amended, sets forth a method whereby we can not let the integrity of our electoral process slip out of our hands and still be, beyond any shadow of a doubt, not beholden to any special interests. We need to do this and I hope you will vote to Recede and Concur. Thank you.

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

Senator **CAREY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. My good friend and fellow Committee member, Senator Handy, from Androscoggin, may have possibly referred to the wrong Bill as a companion to this. He mentioned it was L.D. 1550, the companion to this Bill was really L.D. 1451, which was the public financing Bill. That is the one that is the key to making this particular one work. Unfortunately, that died a gruesome death a little while ago. Therefore, this Bill is not really in a position to work without public funding. Thank you.

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

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. For clarification sakes, my reference to L.D. 1550 and L.D. 1551, those were the Bills that set aggregate limits and I think those were important. Those, by virtue of our process, have met their deaths, albeit untimely I think. The Bill to which the good Chair of the Legal Affairs Committee, Senator Carey of Kennebec, whom I have the utmost respect for. Let me just say I did appreciate and enjoy working with him. I found his approach on the Committee quite sincere in approaching the many issues that came before us, but we do not need to have the public financing component to have voluntary limits. They can stand independent of one another. Certainly, I would have appreciated the support for the public financing legislation that we had considered, although that, too, met its death. So now we are faced with a choice to accept a method of voluntary limits for campaign spending or the status quo. I think the status quo is not what we should desire tonight for the people of Maine. Thank you.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'll be very brief. I will be supporting the good Senator from Androscoggin, Senator Handy, and his motion to Recede and Concur although I think it is important for this body to realize that this does have a very large fiscal note attached to it and it will land on the Appropriations Table. We had put an amendment on to take care of this issue which will be scraped off by Receding and Concurring, it will end up on the Appropriations Table and will probably die there. I think it is important that we at least try and make the effort and then maybe the House will see the error of their ways upon Enactment. 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 find myself in disagreement with the good Senator from Androscoggin, Senator Handy, on this particular piece of legislation. I, in fact, found myself in agreement with the good Senator from Androscoggin, Senator Handy, when House Amendment 666 was off the Bill. The amendment that is S-329, has in it a clause that I can easily support. I supported the public financing Bill, I think that really is the only way to go, but when you put before me a Bill that requires me, as a person who has limited private funds, to go against a person who has unlimited private funds and expect me to agree to a cap and to a spending limit, is something that I cannot agree to support. In fact, under the Constitution of both Federal and State, you cannot limit an individual's right to spend their own money in whatever way they please. So if you can't limit that right, then I do not see why I have to be put under a cap simply because I do not have private funds to be able to finance campaigns. I have to tell you I know whereof I speak, I just came from a campaign last November where \$45,000 of private money was sent out of the State for advertising against me in the campaign. I only raised \$26,000 to be able to defeat that candidate. That is where it's at. The answer I have gotten from some of my good friends at the other end of the hall is but you are here, you got elected.

That's all well and good, but who, sitting in these seats tonight, can really say why you were elected. There are so many different factors. One of which is the ability to purchase advertising at the very last instant when you need it. The reason that I could support the Bill without House Amendment 666, is because in the original Bill, if I agreed to a cap, which I would be happy to do, but I find that I need to have more money because my opponent is spending private money, then if I want to match the advertising that is being done or whatever expenditure is being done, in order to keep up, I have to spend twice as much as my opponent does because I get fined if I go over an agreed cap limit. That is the important point here. The escape clause, if you will, and I will read it, "The penalty provided in this subsection is waived if an opponent of a candidate subject to this subsection exceeds the voluntary expenditure limit of that candidate before that candidate exceeds that limit, regardless of whether the opponent has agreed to limit campaign expenditures." That I can accept because there are some good things in this Bill and it does bring you more toward public financing and that is why I would vote for it without House Amendment 666, but we took it off and it has been put back on again and we have gone back and forth, so I would hope that you would support me in defeating this Bill, as we have not been able to agree with the other body in putting in this escape clause. Thank you.

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

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think the important thing that the good Senator from Kennebec, Senator Bustin, overlooked is the fact that you have to have some disincentive for exceeding that limit. The other thing that is overlooked is the court of public opinion is going to weigh in very heavily in this case. If you, as a candidate, sign off on accepting voluntary contributions, what is going to happen next is your opponent is going to be put in the position of having to make that decision in a very public way. If they do, fine, if they don't and they are a person of great independent wealth, and the good Senator from Kennebec, Senator Bustin, is correct, you can't limit personal contributions from the candidate in any case. If that were to happen the electorate is going to see quite a contrast in candidates. One who is willing to say I will accept the voluntary limit because I believe that the cost of elections is too high, visa vie a candidate who says I have \$60,000 or \$70,000 or \$100,000 of my own money, I'm not going to sink that in. I'm sure there may be residual effect of all that kind of money being spent in the campaign. I have a great deal more faith in the public than others because I think the public is going to be able to discern who is truly the public spirited candidate in that election. Thank you.

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

On motion by Senator **ESTY** of Cumberland, Tabled until Later in Today's Session, pending the motion by Senator **HANDY** of Androscoggin to **RECEDE** and **CONCUR** (Roll Call Ordered.).

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

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

Bill "An Act to Clarify Tax on Intangible Income" (Governor's Bill) (Emergency) S.P. 540 L.D. 1562

Tabled - June 30, 1993, by Senator **BALDACCI** of Penobscot.

Pending - Motion by same Senator to **ADOPT** Senate Amendment "B" (S-351)

(In Senate, June 30, 1993, Senate Amendment "B" (S-351) **READ.**)

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

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The short version of this is the State of Maine had a case called the Goulet case, which was a Maine resident who won the Massachusetts Lottery, and was, according to our people, unfairly taxed by the State of Massachusetts and the Supreme Court ruled that we should have given them a credit against that tax that they paid in Massachusetts. It opened up the State of Maine to a possible \$2 million fiscal note and fiscal impact. The Committee heard the Bill, digested the Bill, and didn't feel comfortable going against the Supreme Court, but it did feel it was important to protect the State of Maine against other states that do this sort of thing. So we asked the State Tax Assessor to draft the language. The language here is reciprocal type language as it pertains to non-residents who win the lottery and the same type of treatment. That is the issue that you have before you here on L.D. 1562. Thank you.

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "B" (S-351) **ADOPTED.**

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

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

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation and to Provide Grants to Municipalities for the Purchase of Recycling Equipment"

H.P. 908 L.D. 1223

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-701)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-701)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-701) **READ** and **ADOPTED**, in concurrence.

Which was, 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.

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 Set Voluntary Limits for Campaign Spending"

H.P. 1149 L.D. 1549
(S "D" S-329; S "E" S-332; S "F" S-339)

Tabled - June 30, 1993, by Senator **ESTY** of Cumberland.

Pending - motion by Senator **HANDY** of Androscoggin to **RECEDE** and **CONCUR** (Roll Call Ordered)

(In House, June 15, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "D" (S-329) AS AMENDED BY HOUSE AMENDMENTS "A" (H-666)** thereto, and Senate Amendment "E" (S-332) in **NON-CONCURRENCE**.)

(In Senate, June 29, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "D" (S-329); "E" (S-332) AND "F" (S-339)** in **NON-CONCURRENCE**.)

(In House, June 29, 1993, that Body **ADHERED**.)

Senator **BUSTIN** of Kennebec requested and received Leave of the Senate to withdraw her motion for a Roll Call.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **HANDY** of Androscoggin that the Senate **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 13 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 Unassigned matter:

Bill "An Act to Continue the 2-cent Gas Tax Increase" (Emergency)

H.P. 1129 L.D. 1530

Tabled - May 27, 1993, by Senator **ESTY** of Cumberland.

Pending - **FURTHER CONSIDERATION**

(Committee on **TAXATION** suggested and **ORDERED PRINTED**.)

(In House, May 24, 1993, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.)

(In Senate, May 24, 1993, referred to the Committee on **TAXATION** and **ORDERED PRINTED** in **NON-CONCURRENCE**.)

(In House, May 26, 1993, that Body **INSISTED**.)

The Chair moved that the Senate **INSIST**.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think it is appropriate at this point to rise. I asked the question yesterday or the day before to the President as far as when we were going to deal with this, thinking that there would be a point in time when we would have an opportunity to vote on this. It has been brought to my attention that this Bill, L.D. 1530, "An Act to Continue the 2-cent Gas Tax Increase" was one of the items on our supplement number 1, item 7-3. It was not my intent to vote for this tax and at this time and after this Bill is Indefinitely Postponed I do want to go on record as being against the continuation of the 2-cent gas tax. Thank you.

The Senate **INSISTED**.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would ask leave of the Senate to change my vote on a matter that we dealt with earlier today on Supplement 1, item 7-3, Emergency Enactment of L.D. 522. I wish to be recorded in the negative.

THE PRESIDENT: The Chair would inform the Senator that there was not a Roll Call taken.

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Point of order please. A Division was requested, was it not?

THE PRESIDENT: The Chair would answer in the affirmative.

Senator **HANLEY:** Thank you Mr. President. Is it not possible to have the Division reflected that there was one more in opposition to that?

THE PRESIDENT: The Chair would answer that the matter is no longer before this body, all matters having been sent forthwith.

Senator **HANLEY:** Thank you Mr. President. Parliamentary procedure inquiry please. Is it not possible for an individual Senator to ask leave of the chamber to change their vote on a particular issue, that having been done before in this chamber?

THE PRESIDENT: The Chair would advise the members that the bill must be before the Senate and the vote not announced when a member requests leave to change his or her vote. The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Point of parliamentary procedure please. To be able to accommodate the Senator from Oxford, could he make a statement on the Record?

THE PRESIDENT: The Chair would answer in the affirmative.

Senator **HANLEY** of Oxford was granted unanimous consent to address the Senate on the Record.

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'll just reiterate very briefly my earlier comments regarding an item that this chamber dealt with earlier this morning on Supplement 1, item 7-3. I was under the assumption that an item that was on the Unassigned Table would be brought off and voted on, I was later to learn that that item had been incorporated into L.D. 522 and I would like to go on Record as being opposed to that. Thank you.

The Chair laid before the Senate the Tabled Unassigned 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, Bill and Accompanying Papers **INDEFINITELY POSTPONED.**)

On motion by Senator **ESTY** of Cumberland, Bill and Accompanying Papers **INDEFINITELY POSTPONED**, in concurrence.

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 Centralize Further the Permitting Process for Retail Businesses and to Allow Some Municipalities to Act as Central Permitting Agents"
H.P. 399 L.D. 512
(H "A" H-408 to C "A" H-367)

RECALLED from the Governor's Desk pursuant to Joint Order H.P. 1165, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-367) AS AMENDED BY HOUSE AMENDMENTS "A" (H-408) AND "C" (H-676)** thereto, in **NON-CONCURRENCE.**

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

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

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

Senator **CAREY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Over the last couple of days we have had a rather unusual occurrence. I was approached today by Representative Ralph Coffman who wanted to express his displeasure with his own actions and to apologize very sincerely for the delay that was caused in the workings of the legislature.

He had met with the President of the Senate and expressed personally his regrets and asked that I extend his apologies to this body as being the only way that he can take care of the problem immediately. Thank you.

Off Record Remarks

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

On motion by Senator **ESTY** of Cumberland, **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:

ORDERS

Joint Order

On motion by Senator **BALDACCI** of Penobscot the following Joint Order:

S.P. 542

ORDERED, the House concurring, that Bill "An Act to Increase the County Share of the Real Estate Transfer Tax" H.P. 464, L.D. 601, and all its accompanying papers, be recalled from the Legislative Files to the Senate.

Which was **READ**.

Pursuant to Joint Rule 15, this Joint Order requires the affirmative vote of two-thirds of the members present and voting. 25 Senators having voted in the affirmative and 2 Senators having voted in the negative, and 25 being more than two-thirds of the members present and voting, the Joint Order was **PASSED**.

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

Divided Report

The Majority of the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995" (Governor's Bill) (Emergency)

H.P. 216 L.D. 284

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-698)**.

Signed:

Senators:

PEARSON of Penobscot
TITCOMB of Cumberland
FOSTER of Hancock

Representatives:

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

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

Signed:

Representatives:

FOSS of Yarmouth
MACBRIDE of Presque Isle
REED of Falmouth

Comes from the House with 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-698) AS AMENDED BY HOUSE AMENDMENTS "B" (H-700) AND "C" (H-703)** thereto.

Which Reports were **READ**.

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

The Bill **READ ONCE**

Committee Amendment "A" (H-698) **READ**.

House Amendment "B" (H-700) to Committee Amendment "A" (H-698) **READ**.

On motion by Senator **PEARSON** of Penobscot, House Amendment "B" (H-700) to Committee Amendment "A" (H-698) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

House Amendment "C" (H-703) to Committee Amendment "A" (H-698) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-698) As Amended by House Amendment "C" (H-703) thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

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

On motion by Senator **CAHILL** of Sagadahoc, **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:

COMMUNICATIONS

The Following Communication:

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

June 30, 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. 521 An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1994 and June 30, 1995

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

Sincerely,

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

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

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

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 for Construction of Water Pollution Control Facilities"

H.P. 588 L.D. 792

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-702)**.

Signed:

Senators:

PEARSON of Penobscot
TITCOMB of Cumberland

Representatives:

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

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

Signed:

Senator:

FOSTER of Hancock

Representatives:

REED of Falmouth
MACBRIDE of Presque Isle
FOSS of Yarmouth

Comes from the House with 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-702)**.

Which Reports were **READ**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-702) **READ** and **ADOPTED**, in concurrence.

Which was, 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.

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

SENATE PAPERS

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$1,922,575 to Improve National Guard Armories"

S.P. 541 L.D. 1564

Presented by Senator **BUSTIN** of Kennebec (GOVERNOR'S BILL)
Cosponsored by Senator: **HANLEY** of Oxford,
Representatives: **BIRNEY** of Paris, **ERWIN** of Rumford, **LIPMAN** of Augusta

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

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

Sent down for concurrence.

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

Off Record Remarks

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

After Recess

Senate called to order by the President.

The following proceedings were conducted after 12:01 a.m., Thursday, July 1, 1993.

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

ENACTORS

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

Emergency

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995 (Governor's Bill)

H.P. 216 L.D. 284
(H "C" H-703 to C
"A" H-698)

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

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

COMMUNICATIONS

The Following Communication:

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

June 30, 1993

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

Dear Madam Secretary:

The House today voted to Join in a Second Committee of Conference on Bill "An Act to Reform and Reestablish the Commission on Governmental Ethics and Election Practices" (S.P. 225) (L.D. 696)

The Speaker appointed the following members of the House to the Committee:

Representative **JACQUES** of Waterville
Representative **RAND** of Portland
Representative **MORRISON** of Bangor

Sincerely,

S/Joseph W. Mayo
Clerk of the House

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

The Following Communication:

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

June 30, 1993

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

Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Directing Release of Investigative Records Related to Ballot Tampering (EMERGENCY) (H.P. 1003) (L.D. 1349):

Representative PINEAU of Jay
Representative CARON of Biddeford
Representative MARSH of West Gardiner

Sincerely,

S/Joseph W. Mayo
Clerk of the House

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

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

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **LUTHER** of Oxford, **RECESSED**, in memory of Russell Costello, until 2:00 p.m., Thursday, July 1, 1993.