

MAINE STATE LEGISLATURE

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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
Thursday
July 1, 1993

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:

An Act Establishing University of Maine System
License Plates

H.P. 415 L.D. 534
(S "A" S-352 to C
"A" H-378)

Which 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:

RECALLED FROM LEGISLATIVE FILES

Bill "An Act to Increase the County Share of the
Real Estate Transfer Tax"

H.P. 464 L.D. 601

(In Senate, May 28, 1993, Placed in the
Legislative Files Pursuant to Joint Rule 15, in
concurrence.)

(**RECALLED** from the Legislative Files, pursuant
to Joint Order S.P. 542.)

Which was **RECOMMENDED** to the Committee on
TAXATION in **NON-CONCURRENCE**.

Sent down for concurrence.

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

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

ORDERS

Joint Order

On motion by Senator **ESTY** of Cumberland the
following Joint Order:

S.P. 543

ORDERED, the House concurring, that Bill "An Act
to Impose Term Limitations on Legislators,
Constitutional Officers and the State Auditor" I.B.
1, L.D. 751, and all its accompanying papers, be
recalled from the Legislative Files to the Senate.

Which was **READ**.

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

Senator **PEARSON:** Thank you Mr. President,
Ladies and Gentlemen of the Senate. Why are we doing
this?

THE PRESIDENT: The Senator from Penobscot,
Senator Pearson, has posed a question through the
Chair to any Senator who may care to respond. The
Chair recognizes the Senator from Cumberland, Senator
Esty.

Senator **ESTY:** Thank you Mr. President, Ladies
and Gentlemen of the Senate. I proposed that this
item be recalled from the Legislative Files because I
think that this initiated referendum is a referendum
that is definitely going to pass. When it should go
to referendum it is an opportunity for us to show the
people that we have listened and continue to show
that they should have faith in their government, that
it is something that we can put behind us at this
point in time and I think it is important for us to
do and to take a stand on. Thank you.

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

Senator **PEARSON:** Thank you Mr. President,
Ladies and Gentlemen of the Senate. I am very
sorry. I should have known that. I just picked up
the paper and looked at it very quickly because it
was coming up and all I saw was the State Auditor
being on here and I didn't see the rest of it. I
just didn't understand why, if we did anything else,
why we would limit the term of a State Auditor
because it is kind of like a specialized field and
you might want to hang onto somebody for just a
little while. Anyway, I made a mistake. 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. I support the motion of the good Senator from Cumberland, Senator Esty. He and I have talked about this, as we have talked to individual members and it is our feeling that if we can leave later today on a very positive note, I think that this would be that positive note, that legislators have heard the message from the public and that we would like to do something positive toward election reform. I think this is it.

Pursuant to Joint Rule 15, this Joint Order requires the affirmative vote of two-thirds of the members present and voting. 27 Senators having voted in the affirmative and No Senators having voted in the negative, and 27 being more than two-thirds of the membership present and voting, the Joint Order was **PASSED**.

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

Off Record Remarks

Senate at Ease

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:

An Act Establishing the Maine Community Reinvestment Program

H.P. 590 L.D. 794
(CC "A" H-687)

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

An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation

H.P. 250 L.D. 329
(C "A" H-389)

On motion by Senator **PEARSON** of Penobscot, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Sent down for concurrence.

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; H "C"
H-676 to C "A"
H-367)

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

Emergency

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

S.P. 540 L.D. 1562
(S "B" S-351)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with 1 Senator having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

(See action later today)

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,150,000 for Construction of Water Pollution Control Facilities

H.P. 588 L.D. 792
(C "A" H-702)

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

Bond Issue

An Act to Authorize a General Fund bond Issue in the Amount of \$5,000,000 for Landfill Closure and Remediation

H.P. 908 L.D. 1223
(C "A" H-701)

This being a Bond Authorization Act and having received the affirmative vote of 22 Members of the Senate, with 6 Senators having voted in the negative, and 22 being more than two-thirds of the Membership present and voting 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 a Constitutional Amendment 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 Membership present and voting was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Senator **PEARSON**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I think that I am negligent in talking about the Bond issues and it just sneaked up on me and I should have done that while we were going through it. I would like to tell the members of the Senate that with regard to Bond issues, we have had all kinds of proposals for Bond issues and those proposals came from various and sundry places. Many of the proposals for bond issues came to us from many angles, but a big block of the ideas came from the Governor's office. We were cognizant, and I think Senator Foster would agree with me, we were cognizant to the umpteenth degree of the history of Bond issues in the State in the last several years. That is, that people don't want them unless they are absolutely necessary. To that end, the majority of the Committee, and almost always unanimous as I recall, limited it to things that we thought absolutely had to be done. Water issues, sewer issues, dump closures, and I think that was it. There was also another one, which we will see later on today, that we did not vote for but nevertheless is in Bill form here because the Governor's Office didn't agree with us, that was on Armories. That had been defeated very recently and there was a majority opinion that we didn't want to put that one out again after the people had just said no to us recently. We did limit it, we brought them way down, from somewhere around \$100 million to considerably less than that. Even the titles which you will see which calls for a certain amount of money isn't necessarily the amount of money we are putting out on the Bond issue. For example it may say 15 but it was only 5 that we finally authorized. So keep that in mind if you would. We just wanted to do the things that we were mandated by the federal government to do, dump closures and water. We looked for Federal matches too. Thank you.

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect State Parks
 H.P. 176 L.D. 228
 (CC "A" H-679 to C
 "A" H-92)

Senate at Ease

Senate called to order by the President.

Under suspension of the Rules, all matters thus acted upon, with the exception of those matters being held, were 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 **TAXATION** on Bill "An Act to Authorize an Optional Regional Sales Tax"

H.P. 954 L.D. 1283

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-697).**

Signed:

Senators:

BALDACCI of Penobscot
 CAREY of Kennebec

Representatives:

HOGLUND of Portland
 FARNSWORTH of Hallowell
 RAND of Portland
 DORE of Auburn
 TARDY of Palmyra
 DIPIETRO of South Portland

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

Signed:

Senator:

SUMMERS of Cumberland

Representatives:

SPEAR of Nobleboro
 MURPHY of Berwick
 SIMONEAU of Thomaston

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

Which Reports were **READ**.

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

Senate at Ease

Senate called to order by the President.

Off Record Remarks

On motion by Senator **CAHILL** of Sagadahoc, **RECESSED** until 4:00 this afternoon.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

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

S.P. 541 L.D. 1564

In Senate, June 30, 1993, referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in **NON-CONCURRENCE**.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. We are on supplement 6, item 1-1, An Act to Authorize a General Fund Bond Issue in the Amount of \$1,922,575 to Improve National Guard Armories. It comes from the other body having been read twice and Passed to be

Engrossed without reference to a Committee. However, the Appropriations Committee did consider this bond issue, along with a number of other conceptual ideas that were advanced by the Governor's Office over a month ago. We have talked about it a couple of times since. We were told by the Governor's Office that if we weren't interested in the Bond issues they weren't going to do the Bill, because it took too much time and energy and all the rest of it. There were a number of Bond issues that were duplicative of other ideas and a number of items that we said we didn't want to do. We think that was a good policy to have. The one that you have before you right now on National Guard Armories, because we knew it was a topic that the Governor was interested in, considered it, and by a majority, I think it was 7 - 6, we said it ought not to pass. The reason we said it ought not to pass was two fold. One, the issue had been put out the time before last it had been rejected by the people of Maine. Number two, we are cognizant of the fact that people are not wanting to bond very much money, we are trying to keep our limit down. Number three, we looked at all we had for proposals and we came to the conclusion that we had reached our max on asking the people of Maine to consider Bond issues. The majority of the Committee felt that water and sewer and dumps were the number one priorities. We also had another Bond issue dealing with economic development which was \$20 million and that was thought to be better considered at some other time. That one was delayed for another time to be considered later. This one we felt even though most of us on the Committee believe that the Armories are in poor shape, that it wasn't a timely thing to do with reference to this Bond issue, taking into account that it had just been rejected a while ago and that we had bonded somewhere around \$30 million in the General Fund, \$30 million in the Highway Fund, and we felt that that was enough. It certainly would not hurt my feelings one way or another but I wanted to tell you why we came to the conclusion that it ought not to pass. 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 would encourage adopting this L.D. In my experience it seems like most times when there is a significant federal match for state dollars, the people of Maine are prudent enough to understand that and have generally supported those bond issues. I would think that this is an opportunity that we should not pass up and I would urge you to vote for this L.D. Thank you.

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

Senator **CLEVELAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question to the members of the Senate. I'm not familiar with this Bond issue. Is this bond issue intended to cover maintenance and repair sorts of items in the armories or is it intended to cover long term capital improvements to the armories and is the length of the improvement equivalent to the term of the Bond or will the bond outlast the improvements that are going to be made with them?

THE PRESIDENT: The Senator from Androscoggin, Senator Cleveland, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. These Bond issues, as the good Senator from Somerset indicated, do draw down a lot of federal money. In response to the question that was just posed, it is more than general repairs, it is considerably more. I don't remember the terminology that was used with us but it is going to be refurbishing and redesign of the armories. As to the life of them, I would imagine that, first of all I don't know the answer to the question, but I would imagine that they are going to try to design them so that they will last more than the life of the Bond. 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. Maybe I can add something to the answer. These are upgrading two armories, one in Norway, and one here in Augusta. The federal share of the Norway Community Armory is \$1,275,000 and the federal share for improving the Augusta Community Armory is \$3,852,000. Those funds have been approved and programmed by the federal government already and if we don't meet the match, obviously those funds will go somewhere else. I understand that much of the expenditure on these buildings will be upgrading energy efficiency, new windows, new heating systems, new insulation, and reduce the maintenance cost that we are spending now. I just think that it is a heck of a trade for the State and we shouldn't pass it up. Thank you.

The Chair moved that the Senate **RECEDE** and **CONCUR**.

THE PRESIDENT: The pending question before the Senate is 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.

14 Senators having voted in the affirmative, and 14 Senators in the negative, the motion to **RECEDE** and **CONCUR**, **FAILED**.

(See action later today)

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. 1168

JOINT RESOLUTION RECOGNIZING JOSHUA L. CHAMBERLAIN AND THE 20TH MAINE VOLUNTEER REGIMENT ON THE OCCASION OF THE 130TH ANNIVERSARY OF THE BATTLE OF GETTYSBURG

WHEREAS, the State of Maine contributed 73,000 soldiers and sailors to the defense of the Union during the Civil War; and

WHEREAS, July 1st to July 3rd is the 130th anniversary of the pivotal engagement of that horrible conflict, the Battle of Gettysburg; and

WHEREAS, on July 2nd, the 2nd day of that battle, the 20th Maine Volunteer Regiment under the command of Colonel Joshua L. Chamberlain held its position on the extreme left of the Army of the Potomac on a rocky hill called Little Round Top with great heroism, sacrifice and resourcefulness against repeated Confederate assault, thereby preventing an enemy flanking of the Union line and contributing greatly to the eventual Union victory at Gettysburg; and

WHEREAS, the courage and achievement of the 20th Maine Volunteer Regiment is one shining example of the contributions of Maine regiments at Gettysburg and at other battles of the Civil War, citizen soldiers from farms and villages across Maine whose names are now largely forgotten but whose deeds will live forever in the annals of the free nation they fought to preserve; and

WHEREAS, Colonel Joshua L. Chamberlain, born in Brewer, Maine in 1828; scholar at Bowdoin College; soldier, wounded 6 times, cited 4 times for heroism and awarded the Congressional Medal of Honor for his actions at Little Round Top; promoted to Brigadier General in the field at Petersburg by General Ulysses S. Grant and promoted to Major General after Five Forks; Union officer who received the surrender of the defeated Army of Northern Virginia at Appomattox and led the last Grand Review in Washington, D.C.; Governor of Maine, who was elected 4 times by unprecedented popular margins and who served with vision, independence and character; who advocated academic innovation as President of Bowdoin College; Major General of the State Militia who defended the public peace without use of force during the 1880 state electoral crisis known as The 12 Days; speaker on Maine: Her Place in History at the 1876 Philadelphia Centennial Exposition; representative of Maine and the United States at national and international expositions; commissioner to the 1878 Universal Exposition in Paris; and author of the memoir The Passing of the Armies, published after his death in 1914, was during his 85 years a man of courage as he had been on the bloody slopes of Little Round Top; and

WHEREAS, Joshua L. Chamberlain and the 20th Maine Volunteer Regiment contributed significantly to their State and their nation; now, therefore, be it

RESOLVED: That We, the members of the One Hundred and Sixteenth Legislature now assembled in the First Regular Session, salute the memory of Joshua L. Chamberlain and the 20th Maine Volunteer Regiment on the 130th anniversary of the Battle of Gettysburg; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to schools and libraries throughout the State of Maine.

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

Bill "An Act to Provide Property Tax Relief for
Maine Citizens"

H.P. 1172 L.D. 1565

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

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

Under suspension of the Rules, all matters thus acted upon, with the exception of those items being held, were ordered sent down forthwith for concurrence.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

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

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I guess I would like to know a little bit about this Bill. I notice that there are 25 new positions created in the Bureau of Taxation, there are already 330 positions in that Department. Could someone tell us why these positions are being created. I read that each position would generate \$150,000 in revenue. From which area would they derive the revenue, because as I read the Bill, it seems to deal with rental companies. I may be totally misunderstanding this. Where would they generate the monies from please? Thank you.

THE PRESIDENT: The Senator from Androscoggin, Senator Berube, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACC:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Androscoggin, Senator Berube, has posed a question with regards to the revenue agents and also an issue in regards to car rentals. The issue on the revenue agents is a proposal that was submitted at a request by the State Tax Assessor in regards to trying to raise additional resources without raising taxes. One of the charges in developing this package was trying not to raise taxes. Because we only review and audit less than 2% of the income tax filings in the State of Maine, and also because there is a concern about nonfilers of income tax, he submitted a proposal first to the Appropriations Committee and then to the Taxation Committee in regards to having additional agents in order to make sure that people are paying their fair share. In regards to the car rental issue, that is also a part of this Bill, that issue was brought to the Committee by the car rental agencies because presently, with Maine's high excise tax, their companies are not allowing more cars to come into the State of Maine, so that they can rent those cars to the tourists and people who come into the State of Maine. They are keeping those cars out of the State of Maine and people who call in for car reservations, when they are making plane reservations, are told that there aren't any available and that Maine is losing a sizable chunk of tourist dollars from coming in through the car rental agencies. The Committee had worked out language so that we would be able to help them with a higher sales tax on the car rentals and a reimbursing mechanism. The original Bill had been sponsored by Senators in this chamber in regards to that particular issue. So the charge basically to the Senate is that we are trying to raise additional dollars without raising taxes. There is a tax that is in this Bill on cigarettes at 2 cents a pack, but that is the only one. Because of what the budget was

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 between the two branches of the Legislature, on Resolve, Directing Release of Investigative Records Related to Ballot Tampering (Emergency)
H.P. 1003 L.D. 1349

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

Signed on the part of the Senate:

Senator BUSTIN of Kennebec
Senator O'DEA of Penobscot
Senator HANLEY of Oxford

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

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

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

PAPERS FROM THE HOUSE

House Papers

doing to property taxes and the concern as to what this budget did to the circuit breaker program, because it basically eliminated almost 30,000 households in the State of Maine from qualifying for the circuit breaker program, that we thought that it was very important to help people. When you are cutting back in general assistance aid and you are flat funding education and property taxes are going up, that we thought that the people in the communities should have a tool to be able to take some of the sting out of that. The proposal before you is going to be able to help 52,000 households in the State of Maine. It is a much more reasonable, conservative program as it pertains to circuit breakers and helping people in households with their property tax bills. I hope that answers your question. Thank you.

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

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I thank the gentleman from Penobscot for explaining it. I notice that on the cigarette tax that it expires in July of 1994 I think, no I read that incorrectly, I apologize. Will this be a permanent tax and will the 100% increase on the rental sales tax be a permanent tax and will that affect those who might sometimes need to rent a car for a week or a day who are not tourist, but are like us who need a car to commute to work. Will we have to pay the doubling of that rental tax? Thank you.

THE PRESIDENT: The Chair would inform the membership that pursuant to Joint Rule 14, a majority vote is needed to suspend the Rules to give this bill its first reading without reference to a committee.

Senator **WEBSTER** of Franklin requested a Division.

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

THE PRESIDENT: The pending question before the Senate is **SUSPENSION OF JOINT RULE 14.**

A vote of Yes will be in favor of **SUSPENDING THE RULE.**

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, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, ESTY, HANDY, LAWRENCE, LUTHER, MCCORMICK, O'DEA, PEARSON, PINGREE, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE**

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

ABSENT: Senators **BUSTIN, CONLEY, PARADIS, SUMMERS, TITCOMB**

17 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 5 Senators being absent, **JOINT RULE 14 WAS SUSPENDED.**

The Bill **READ ONCE**, without reference to a Committee.

Senator **WEBSTER** of Franklin moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE.**

Senator **BALDACCI** of Penobscot requested a Division.

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

THE PRESIDENT: The pending question before the Senate is the motion of Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE.**

A vote of Yes will be in favor of **INDEFINITE POSTPONEMENT.**

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

NAYS: Senators **BALDACCI, BERUBE, BRANNIGAN, CAREY, CIANCHETTE, CLEVELAND, ESTY, HANDY, LAWRENCE, LUTHER, MCCORMICK, O'DEA, PEARSON, PINGREE, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE**

ABSENT: Senators **BUSTIN, CONLEY, PARADIS, SUMMERS, TITCOMB**

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 5 Senators being absent, the motion of Senator **WEBSTER** of Franklin, to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE, FAILED.**

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

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed, without reference to a Committee, in concurrence.

Senator **WEBSTER** of Franklin requested a Division.

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

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I have no intention of debating this issue. I find it offensive that it is here because we all know that it is not going to become law. Through the whole process at this point some people have tried to work together. I find it particularly irritating, I feel like I ought to stand up here and argue for hours about what a bad idea this is, I'm not going to do that. It seems to me that if we were going to do this we surely wouldn't spend the money this way. I would put this money into education or something that was a higher priority for me than this program. It is unfortunate that here we are, several hours from adjournment, and this kind of process is happening and I personally find it offensive. Thank you.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. In order to put together enough money for the budget we pretty much emasculated the circuit breaker program. It wasn't a happy occasion on my part or, I think, most of the people on the Committee. Many many people in Maine rely on the circuit breaker program in order to keep their homes. In the English language there is no other word that is more precious than the word home. It's where I would like to be right now. There is nothing wrong with trying to keep Maine people in their own homes. This is an effort to put this issue out on a single Bill, it has nothing to do with whether you are a Democrat or a Republican. There are Democrats and Republicans in danger of losing their homes all over this State and this is an effort to keep them there. I support it and I hope that you will too. It is not playing politics, its trying to do something to keep people sitting by their firesides. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I want to take a moment to tell you about someone in my district who I met many years ago, going door to door. Her name is Elizabeth Marconi and she lives on a little island between the Memorial Bridge that travels between Portsmouth and Kittery. She lives on the very southern most part of Kittery on Badgers Island. She lives in a house where she lived with her husband, who was a lobsterman, and ran a restaurant there called Hugo's. Her husband died in 1950 of a heart attack while out lobstering. The restaurant has closed down and she has continued to live in the family home since that time. Her property taxes in Kittery in the early '80's were \$800. Her property taxes today, as we sit here, are \$4000. She receives only Social Security. Many constituents throughout my district need this program to survive. For those of us who represent people along the coast this was the only program that prevented a crises within our towns and within our school systems in the past four years. Some people have said they would rather see this money go to education, this money does go to education. It goes to relieve the property tax burden on the people in the local communities because of their skyrocketing education costs in those communities, because what we have done to the funding formula is shifting the burden back onto municipalities. I hope you will support engrossment of this Bill because it is an important statement to the people of the State of Maine, despite the fact that we had to do many bad things in this budget, we

are still interested in doing something for those family owned homes, for those people who have owned their homes throughout their lifetimes, who are in danger of losing their homes. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Foster.

Senator **FOSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think that I have been placed in a very difficult situation today. I extended my hand to a budget that said one cent and no more, and during the negotiations looked at circuit breaker as if maybe if we wanted more money for circuit breaker then maybe we should make more cuts in other programs. I am beginning to get a little nervous today when I see a Bill like this, and I have heard of another one that might be coming, that extends what I thought the temporary one cent tax would take care of. This looks like another \$18 million over the one cent, I just got this but isn't is \$6 million in the first year and \$11 million in the second? I also understand there is another Bill that might be coming that is going to then fund something else that we didn't fund with the penny. I've been sitting here for six months, trying to get a budget together that would do that, I'm looking at this Bill and I would like to have had more money in circuit breaker and tree growth, but I wanted to do it within the penny in the budget. I don't know how many more of these are going to come and I must say I am a little nervous. Thank you.

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

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I had to respond to what the good Senator from York County, Senator Lawrence said. He said this sends a message. I think it sends a very clear message, it's the same message I hear every day from real people who are frustrated with the process. The message is we can't cut spending, we can't do what everybody else does. What did this legislature do? We passed a budget and guess what, it's not enough. Let's have more programs, let's tax, tax, spend, spend. That's what the message is. That's what this Bill does. It says we still want to do everything we can't set priorities, we have to do more things for more people. The circuit breaker program is, I'm sure, a good program. We've sent this message today, if we pass this Bill, well we think its a good program and we think it needs more than education because we decided we didn't take the money and use it for education, we didn't use it for other things that are probably just as important. I remember the days of having \$80 and \$90 million surpluses and this legislature still decided we couldn't live within our means. There is a message here, you're darned right there's a message, and I hope the people who are watching and listening, listen to the message. The message is we don't get it here. We passed this Bill because we can't live within our means, despite the fact that everybody else out there is making tough decisions like do they drive their clunker for another year because they can't afford to buy a new or used automobile, do they heat or do they eat. We're going to decide that we are still going to be everything to everybody. The message is, for those of you who are listening, the message is the legislature can't live within its means and this is another way. I look forward to future amendments and future Bills in the next six hours that are going to take more money out of the pockets of working people so we can do more government programs. Thank you.

THE PRESIDENT: The Chair would caution members of the legislature to tone down. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It's very difficult sometimes to address the issue in a rational way when you are being presented with irrational opinions, it's very difficult and I apologize if my tone does raise up a bit above normal. The fact of the matter is the message that is sent out if nothing is done, and the program is left the way it is in the budget, if nothing is done all we have done is saddled the people with higher property taxes. That's the message. Less in Augusta is more back home, that's the message. You have to give people the tools. The other message that is being sent out is it is better to preserve the bureaucracy than it is to help individuals stay in their homes. That's the other message. This money goes directly to people's homes, directly, no agents or administrative structure in between. The largest hit in this budget was the circuit breaker program and the tree growth program, the largest hits in millions of dollars. Not percentages but millions of dollars. 60,000 families have been helped by the circuit breaker program a year. 60,000 households, that's what this program does. We were confronted with a situation where we should not raise taxes and I totally agree with the good Senator from Hancock, Senator Foster, I don't want to raise taxes. What taxes did you raise in this Bill? What taxes? \$10 million comes from adequate enforcement of our present tax laws. \$4.1 million comes from a proposal that was sponsored by a Senator of the other party to help the car rental industry be able to get more car rentals into the State of Maine so that we would have cars for the tourists who are calling and there are no cars so they don't come. You talk about helping tourism, \$4.1 million comes from that proposal. That's \$14.1 million. 2 cents a pack on cigarettes, which people are having a difficult time with I guess. I guess it's probably more of a health policy issue too. 2 cents a pack on cigarettes at \$3.2 million. That's where the money comes from in this particular proposal. We are taking money from people who are tax cheaters and tax frauds and nonfilers of taxes, and people who are coming in from out of state to help relieve the property tax payers in the homes. That's what this proposal does. This proposal does not tax, tax, tax, this proposal tries to gain revenues from existing taxes, existing sources, or from generating more in tourism because we were told that we could possibly have 6000 more tourists in the State of Maine booking hotels, renting cars, and generating traffic. The proposal here was not developed by myself, as it pertained to car rentals, but was developed by the good Senator from Cumberland, Senator Summers, as a member of this Committee, to help the car rental agencies here, because it's going to reimburse them on high excise tax so they can bring in more cars. It was very acceptable to them. I don't know what the message is other than trying to help property tax payers, relieving them somewhat from higher property tax bills that are being created by what we are doing here in Augusta. That's the message. 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. I rise today to ask you to reject this particular piece of

legislation for many of the reasons that have already been stated. I think we are being misled somewhat because the budget does not eliminate the circuit breaker program, it does make some changes in the circuit breaker program but it doesn't eliminate the circuit breaker program. I need to say that I have been an advocate for reducing property tax ever since I have served in the legislature. I was an advocate in opposition to unfunded state mandates before it was politically correct. I come from a coastal area that has been hit, and continues to be hit, very hard through property taxes. This is not a new issue for me, it is one that I have debated for a long time. I would like to be able to put more money into the circuit breaker program as well, but I think we had an agreement here when we passed this budget, that we would support one penny on the sales tax. This is a tax if we vote for this Bill, a number of taxes I might add, if we vote for this Bill today. It says right in the statement of fact it is 25 revenue agents plus two cents on the cigarette tax, plus the rental car tax, which incidentally, was my piece of legislation. I'm the one who sponsored that, not to send the money back in property tax relief but to hopefully provide some of the tourists who pay the bill more of a variety of automobiles to drive when they come to the State of Maine. Getting back to the legislation, what the legislation in the budget does is say that people with incomes of \$25,000 or less who pay 7% or more in taxes are entitled to a property tax break through the circuit breaker program. Currently that is \$40,000, under current law. Under the law prior to the budget the circuit breaker program was for incomes up to \$40,000. What we have done is say that because times are tough we need to cut back on some of these programs, not because they are bad ideas, no one is going to argue that the circuit breaker program is a bad idea, it's a good idea. Simply because we cannot afford this program at this time with this State's economy and the demands on this budget. We have had to do that a lot to programs that all of us like in this legislature in this last year and I commend people for being able to make the very tough decisions. I think this has been, this debate has been, sort of skewed because this does not eliminate the program, it scales down the program, it puts a \$500 cap on the amount of money that the State will send back to people. I think that we have to be honest and say it is not because it is not a good idea, it is because we simply can't afford it. Maybe I'm the only one, maybe Senator Foster, from Hancock, and I are the only ones in the Senate today but we had a commitment to keep the tax at 1% above what it is currently. Thank you.

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

Senator **ESTY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Sagadahoc, Senator Cahill, is certainly correct in saying that the circuit breaker program was part of the budget. There were many items that were part of the budget, most of the items that were part of the budget were the kinds of items that protected low income people. Many parts of the tax package that were eliminated from the temporary taxes were those kinds of taxes that protected high income people. Those were eliminated. In fact, what we have done in this legislature in great part, is deal with high income people and low income people. We have done very little for the middle class of this state. The circuit breaker program, as suggested in this Bill, is one of the very few programs in this State, one of the very few things we do to help the middle class.

I think that is an important message that we can send, that we are concerned about the middle class of this State and this is a package that addresses that. Unfortunately many of the items in the budget, as changed, did not do that. I support this program because I think it is a fundamental program for the middle class of our state which deserves support. 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 think the message is one of betrayal. I'm not the brightest, I'm sometimes slow, but I can see the strategy that is being used here and I feel bad for those members of my caucus who supported the budget, thinking that that would be the only tax increase that the people of the State of Maine would be subjected to. I feel bad for my good friend from Hancock, Senator Foster, who pointed out that yes, in fact the circuit breaker was a topic of a lot of deliberations during the budget process, and that yes, programs could have been cut. MICFIC could have been cut, Maine Waste Management could have been cut to fund the circuit breaker. Something that I'm wondering, as far as these 25 revenue agents, why they were not in the budget. Why weren't they incorporated into the budget, if these figures are accurate and trustworthy, that each agent would generate \$150,000 the first year and \$250,000 the second year, my calculations put that to \$10 million. Why wasn't that in the budget? Why is that in a separate Bill before us?

I don't like the way this process runs as far as after those people who have voted for the budget, thinking that's it, the concessions I made, we have a budget, we're going forward, and then in this eleventh and a half hour we have this Bill coming before us and the rumors of even more, with additional taxes. What is going on? If this is a legitimate plan as far as revenue agents why weren't they in the budget? Why wasn't that money then used to supplant the circuit breaker? I think it is interesting that in years past this legislature dealt with exactly what the limits would be for the circuit breaker program. I stand to be corrected but I was under the impression that it was \$65,000 or \$70,000 as far as income who would be eligible to participate. Now I see that it has been ratcheted down to \$25,000 and this Bill would ratchet it up to \$40,000. What exactly is the role of state government. Is it to redistribute wealth, redistribute tax dollars from this person and send them over there to that person. I guess, honestly to a certain extent, yes. But when you cross that line are we no better off than our counterparts in Europe that have turned to a redistribution theory. I think we have to be very cognizant as far as what we are doing and if we are going to have a budget and if we are going to put taxes into the budget to fund State government and to fund the programs that we want then we ought to be open and honest and do it then and not after the fact, after people have been assured that that is why they signed onto it. To all of a sudden change the game and put it into a nice package, it sounds very nice, An Act to Provide Property Tax Relief for Maine's Citizens, I would like to vote for it. I would like to vote for the revenue agents, I think if those are actual figures, I think that is a smart idea. I think it should have been in the budget, I think that money should have then been used

for the circuit breaker. I don't think this is the way to go, I don't think this serves this legislature well. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Carpenter.

Senator **CARPENTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair. If I had \$800,000 in cash in the bank, owned my home free and clear, and had a large enough tax bill, if that \$800,000 was invested at 5% which is \$40,000 income per year, and I have no other job, would I be eligible for this credit? Thank you.

THE PRESIDENT: The Senator from York, Senator Carpenter, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACC:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I apologize but I didn't understand the question that was posed through the Chair. If you wouldn't mind repeating it. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Carpenter.

Senator **CARPENTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. If I had \$800,000 cash in the bank, I'm earning 5% interest on that \$800,000, I have no other job, I receive \$40,000 in interest per year, my house is paid for, my tax bill is quite high, am I eligible for a tax rebate? Thank you.

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

Senator **BALDACC:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'm going to respond to the good Senator from York, Senator Carpenter, and apologize for not getting it the first time. Based on what you told me there is an important factor that is missing. There is a percentage of income. If the property tax bill is 4.5% or greater than the income then you would qualify for the program. So it would depend on what the property tax bill was in relationship to your income. Your income level will qualify you for the program but you won't get a reimbursement unless it is greater than that factor. If it were greater than that factor you could, and again it is a sliding scale as to how much you would get. You need to have more information than what was proposed. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Carpenter.

Senator **CARPENTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think I indicated enough information. I said that I have a very large tax bill. If anybody really thinks that this person is me, it is not me, if they are qualified I think there is something wrong in the Maine State Senate. This bill should be voted down immediately. Thank you.

Off Record Remarks

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

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would tell the good Senator from York, Senator Carpenter, that there is nothing wrong with the Maine Senate today and that this program is a property tax relief program and it only is based on a percentage of your income to the property tax bill. You would not qualify unless your property tax bill was so high in relationship to the \$40,000, if was greater than 4.5%. This program presently serves 60,000 households in the State of Maine. Under the Appropriations Committee recommendations in the budget to date, it would only serve half of that. It was cut in half. Presently it is \$46 million for the biennium and under the proposal as it stands it is \$19.1 million. I told the Appropriations Committee, when they asked about this program at \$19.1 million, that they were better off not even having the program because the level of assistance was so miniscule that it didn't make sense to have the program. If you are not going to take care of the program then you should get rid of it. Don't walk around saying that you have a circuit breaker program if you're not going to have a circuit breaker program. That was the point of the Committee to the Appropriations Committee. My advice would be to either eliminate the program and put the money into General Assistance or some other area, or at least take care of it so it will be taking care of people's households that are having problems paying their property taxes. I think that is fairly reasonable. We were trying not to jeopardize the budget proposal and have a separate Bill so that it could be addressed separately, not as part of the budget proposal. We have tried to live within constraints that people have developed for us by not raising taxes. Outside of the cigarette tax this is something that does not increase the Maine income tax payers or the Maine sales tax payers, or the Maine resident property tax payers. This helps them. So, Mr. President, I would hope that people would support it. 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. If I may, I would like to pose a question through the Chair to the gentlelady from Sagadahoc. Currently the program takes care of some 60,000 or 61,000 households, under this new proposal how many households would it take care of?

THE PRESIDENT: The Senator from Kennebec, Senator Carey, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Cumberland, Senator Butland.

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'm always amazed at the regularity with which we march out a new platoon of revenue agents anytime somebody needs a little cache of money for one of their programs. I remember in 1989 or 1990 we had a tax amnesty program in the State of Maine, we needed some money. We said come to us before we get you. We passed a tax

program that was very stiff and we told the people that they would be much better off to step forward because if they didn't step forward and volunteer then we were going to get them. We had the program and it was moderately successful and a couple of years later we were in here watering down the taxpayer bill of rights, which simply gives people an incentive not to voluntarily comply with the taxation laws. We like to throw back worse case scenarios in this chamber, because they resonate with the public. The good Senator from York, Senator Lawrence, has given us one today. Two years ago, when I was on the Taxation Committee, one day we were debating something to do with the circuit breaker program, it wasn't increasing the benefits or raising or lowering the threshold, but a gentleman from Peaks Island, Maine came to testify and he said what I have to say really isn't pertinent to the Bill but I think it is important that you listen to me because I'm in a bind. He was a retired military person in his fifties, appeared to be able bodied, he had bought a piece of property out on Peaks Island, and had constructed a retirement home for he and his wife. He was hoping to see more money put into the circuit breaker program because he was going to get the max very soon. His reimbursement from the State that year had been \$1800 and with the increase in taxation in the City of Portland, his rebate from the State was going to be at the max of \$3000. I listened to him and I said this is not what I had in mind for the circuit breaker program. I had people on fixed incomes who had lived in a house all of their life and through no fault of their own were now finding it impossible to maintain the family farm, the family estate, the family house or whatever. This wasn't the case. The circuit breaker program, to a point, is a very good program. I think as this gentleman indicated from Peaks Island, it does have its limits. I hope that you would vote not to engross this. Thank you.

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

Senator **MCCORMICK:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I just thought I would put out some facts here on one portion of this Bill, and that is the cigarette tax. I am taking this from the package that the American Heart Association gave us, and the American Cancer Society. For every 10% increase in the price of tobacco products, there is a 4% decrease in the use and consumption of those products. In Maine, there is a direct health care cost in the smoking of \$88 million a year, that's direct, that's not all the ancillary costs, that is absolute direct cost. So we do need to reduce our consumption of tobacco. Over the past decade there hasn't been any decrease in teen smoking rates in the United States, but higher tobacco taxes in California and in Canada have reduced cigarette smoking there amongst teens. Three times the national average in California and reduced it two-thirds in Canada, where as we all know, they have high tobacco prices. Lest you think this is political suicide to vote for a tobacco tax, the Harris poll has showed that 76% of voters would support higher liquor and cigarette taxes to fund both a national health insurance program and to reduce the federal deficit and that twice as many people would vote for a state legislator, that's us, who advocates increasing the tobacco tax, then would vote for one who votes for decreasing it. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Foster.

Senator **FOSTER**: Thank you Mr. President, Ladies and Gentlemen of the Senate. As far as tobacco and tobacco taxes, I was a victim of cancer of the throat, of one salivary gland, and I wish no one would smoke. To say it is political suicide to vote against it, so be it. I am a woman of principle, and my principle was with the majority and minority of this Senate to have a Bill for a budget of X number of dollars. I would love to cut a couple of programs out of that budget to fund circuit breaker and tree growth. I would have spent more money on mental health, but I couldn't get the money. We compromised. Men and women of the Senate, we compromised, and now you are saying to me, change. What a spot you have put me in. What an unusual, what an unfair position to put me, of all people, in. As we went through this budget I would say cut this program and fund circuit breaker. I want more money for mental health. I was told no, we need it here. Then the programs that are near and dear to me appear after the fact, after the fact. We should have been home by noon. We should have done the Table as we always do and I am sitting here being a victim of something that I tried so hard not to have happen. The joining of us in unison, the Governor, the President, and you know something, I haven't heard about this unsung heroine, that has been lugging pails back and forth for one caucus or the other to get a budget. Now, for the things I couldn't get in the budget, to be put through this, I think this is a mind boggling situation and frankly, I think I resent it. To think, as the good Senator said, everyone that votes for a cigarette tax is a hero or a heroine, think of me, probably a victim of second hand cigarette smoke, since I have never smoked in my life, and I vote against it because I am a woman of principle, and that should have been in the budget. Thank you.

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

Senator **PEARSON**: Thank you Mr. President, Ladies and Gentlemen of the Senate. It is my hope that this debate that we are having here will not deteriorate any further than it already has. I am a man of principle too. Throughout the discussions on the budget I was made aware, on many occasions, by members of the Taxation Committee, how unhappy they were with two items, tree growth and circuit breaker. It was always my understanding, and we all knew, that they were going to put in a Bill if that were not corrected. This is not a surprise. I did deal with honor on the budget, I always have. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Vose.

Senator **VOSE**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I had known that this Bill would be coming along and I had a friend of mine call and say no matter what time you get out of session, be sure to call me, I have to know which way you are going to go. So at 2:00 in the morning I called him. When he answered the phone he said, wait a minute until I get a cigarette, so I waited for a few minutes and he said don't you dare vote for that 2 cent cigarette tax, it will kill me. So I'm going to have to think very carefully about voting on this Bill. 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. We have come a long way. Sometimes sorrow, sometimes gay. Mutual trust, respect have made great gains. We've made a lot of headway without a lot of pain. Let's keep it that way so we can adjourn sine die and make my day. Thank you.

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

Senator **HARRIMAN**: Thank you Mr. President, Ladies and Gentlemen of the Senate. This looks like a supplemental budget to me. Here we are, in the eleventh hour, trying to find revenues to keep a program that everybody would like to keep. Who doesn't want to help people who have high property taxes? We all do. I feel for my colleague from Hancock, Senator Foster, and I think it is important that we put on the record that there are three ways that we can help lessen the property taxes for people. One, we have an abatement process, where people can go to their town council and ask for an abatement of their property taxes. Second, the Maine State Housing Authority, which we created, has just the program to meet these needs. They have a program designed for this very situation. Third, perhaps most important of all, we can begin in January to start looking at all the mandates that we have imposed on municipalities over the last several sessions of the legislature and begin to remove some of those mandates and perhaps the property taxes will come down by themselves. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Kieffer.

Senator **KIEFFER**: Thank you Mr. President, Ladies and Gentlemen of the Senate. Being a new Senator here I am aghast at what I see here in what I see to be a back door approach to circumvent all of the work that has gone into this budget. Are we going to spend the next six or seven hours here running up and down the hall, having another twenty bills, similar to this, printed to negate the efforts that have gone into the budgetary process? These items were carefully considered in the budget process. Now we are sitting here with, call it what you will, a back door approach or whatever, to circumvent the process by itself within two days of when the whole process took place. How far can we go with this? In the case of an individual with \$800,000 cash in the bank, to give some specifics, it wouldn't be out of line to understand that a person like that might have a home worth \$100,000. Certainly a mill rate of 25 mills is not out of line, which would create a tax bill of some \$2500. In limiting that amount of money by your 4.5% of your estimated earnings of \$40,000, if my math is correct that comes to \$1800. Under those simple sets of circumstances that individual would be eligible for the maximum amount of reimbursement under this proposal. Is that what we are trying to go back to? Certainly, some of these people have been helped by this program, I don't deny that. I guess my quarrel is with the fact that this was thoroughly analyzed and discussed and debated in the budgetary process and I would like to see that process maintained to uphold the integrity of this body. Thank you.

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

THE PRESIDENT: The pending question before the Senate is **PASSAGE TO BE ENGROSSED**, without reference to a Committee, in concurrence.

A vote of Yes will be in favor of **PASSAGE TO BE ENGROSSED**, without reference to a Committee.

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, BRANNIGAN, BUSTIN, CAREY, CIANCHETTE, CLEVELAND, ESTY, HANDY, LAWRENCE, LUTHER, MCCORMICK, O'DEA, PEARSON, PINGREE, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE

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

ABSENT: Senators BERUBE, CONLEY, PARADIS, SUMMERS, TITCOMB

16 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 5 Senators being absent, the Bill was **PASSSED TO BE ENGROSSED**, without Reference to a Committee, 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:

PAPERS FROM THE HOUSE

Non-concurrent Matter

An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation
H.P. 250 L.D. 329
(C "A" H-389)

In House, July 1, 1993, **PASSSED TO BE ENACTED**.

In Senate, July 1, 1993, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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

Non-concurrent Matter

Bill "An Act to Implement the Recommendations of the Special Commission on Electoral Practices"
S.P. 478 L.D. 1477
(CC "A" S-343)

In Senate, June 29, 1993, **PASSSED TO BE ENGROSSED AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (S-343)** in **NON-CONCURRENCE**.

Comes from the House **PASSSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-707)** in **NON-CONCURRENCE**.

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

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 Set Voluntary Limits for Campaign Spending"
H.P. 1149 L.D. 1549
(H "A" H-666 to S "D" S-329; S "E" S-332)

In Senate, June 30, 1993, **PASSSED 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 concurrence.

Comes from the House **PASSSED 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) AND HOUSE AMENDMENT "B" (H-706)** in **NON-CONCURRENCE**.

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

HELD BILL

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

Senator **BALDACCI:** Thank you Mr. President, is the Senate in possession of L.D. 1562?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the Senators request.

On motion by Senator **BALDACCI** of Penobscot, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENACTED**, in concurrence:

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

S.P. 540 L.D. 1562
(S "B" S-351)

(In Senate, July 1, 1993, **PASSED TO BE ENACTED**, in concurrence.)

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

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Senate Amendment "B" (S-351).

On further motion by same Senator, Senate Amendment "A" (S-375) to 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. Very briefly this amendment has been drafted because the original Bill had made reference to a Bill that was dead. It can't be in that fashion and the legislative analyst's office drafted this amendment because it was incorrect in the original Bill. That's why this language is being proposed. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-375) to Senate Amendment "B" (S-351) **ADOPTED**.

Senate Amendment "B" (S-351) As Amended by Senate Amendment "A" (S-375) 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.

Off Record Remarks

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

On motion by Senator **CAHILL** of Sagadahoc, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. We are going to begin the process of, for those of you who have never been here before, clearing the Table. These are all of the Bills that have been sent down to Appropriations that, for one reason or another, had some fiscal impact or was believed to be at the time. What I would like to do, and what we have always done in the past, is to take up those Bills that need amendments so that we can get them into the process first and send them over to the other body, because that will take longer, and then do the other ones that don't require amendments later, because they won't be as lengthy in our deliberations. Thank you.

ORDERS OF THE DAY

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

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

Pending - **ENACTMENT**

(In Senate, June 30, 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 House, June 30, 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**.

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-582) As Amended by House Amendment "A" (H-660) thereto, 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-660) to Committee Amendment "A" (H-582), in concurrence.

On further motion by same Senator, House Amendment "A" (H-660) to Committee Amendment "A" (H-582) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Committee Amendment "A" (H-582) **INDEFINITELY POSTPONED** in **NON-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.**

On further motion by same Senator, Senate Amendment "E" (S-377) **READ** and **ADOPTED.**

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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Continue the Franklin County Budget Committee

H.P. 244 L.D. 323
(C "A" H-47)

Tabled - March 29, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 18, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47)**, in concurrence.)

(In House, March 25, 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-47), in concurrence.

On further motion by same Senator, Committee Amendment "A" (H-47) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "A" (S-354) **READ** and **ADOPTED.**

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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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

S.P. 120 L.D. 358
(C "A" S-122; S "A" S-142)

Tabled - May 21, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 13, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-122) AND SENATE AMENDMENT "A" (S-142).**)

(In House, May 20, 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.**

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-142).

On further motion by same Senator, Senate Amendment "A" (S-142) **INDEFINITELY POSTPONED** in **NON-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" (S-122).

On further motion by same Senator, Senate Amendment "A" (S-355) to Committee Amendment "A" (S-122) **READ** and **ADOPTED**.

Committee Amendment "A" (S-122) As Amended by Senate Amendment "A" (S-355) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, Creating the Kennebec County Law Enforcement Examination Commission
H.P. 365 L.D. 468
(C "A" H-68)

Tabled - April 26, 1993, by Senator **PEARSON** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, April 5, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-68)**, in concurrence.)

(In House, April 15, 1993, **FINALLY PASSED**.)

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-68), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-356) to Committee Amendment "A" (H-68) **READ** and **ADOPTED**.

Committee Amendment "A" (H-68) As Amended by Senate Amendment "A" (S-356) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act Regarding Missing Children
H.P. 425 L.D. 544
(S "A" S-167 to C
"A" H-262)

Tabled - May 26, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262) AS AMENDED BY SENATE AMENDMENT "A" (S-167)** thereto.)

(In House, May 25, 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**.

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-262) As Amended by Senate Amendment "A" (S-167) thereto.

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-167) to Committee Amendment "A" (H-262)

On further motion by same Senator, Senate Amendment "A" (S-167) to Committee Amendment "A" (H-262) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "B" (S-357) to Committee Amendment "A" (H-262) **READ** and **ADOPTED**.

Committee Amendment "A" (H-262) As Amended by Senate Amendment "B" (S-357) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish a Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals

H.P. 513 L.D. 671
(C "A" H-355)

Tabled - May 28, 1993, by Senator ESTY of Cumberland.

Pending - **FINAL PASSAGE**

(In Senate, May 24, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-355)**, in concurrence.)

(In House, May 27, 1993, **FINALLY PASSED.**)

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-355), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-376) to Committee Amendment "A" (H-355) **READ** and **ADOPTED**.

Committee Amendment "A" (H-355) As Amended by Senate Amendment "A" (S-376) 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 PEARSON of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Update and Clarify Certain Provisions of Fish and Wildlife Laws

S.P. 243 L.D. 736
(C "A" S-239)

Tabled - June 2, 1993, by Senator PEARSON of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENACTED**, Subsequently, **RECONSIDERED**.)

(In House, June 1, 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**.

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" (S-239).

On further motion by same Senator, Senate Amendment "A" (S-380) to Committee Amendment "A" (S-239) **READ** and **ADOPTED**.

Committee Amendment "A" (S-239) As Amended by Senate Amendment "A" (S-380) 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 PEARSON of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Establish a Commission to Study Nonregulatory and Market Solutions to Environmental Issues

H.P. 572 L.D. 777
(H "A" H-477 to C
"A" H-301; H "A"
328)

Tabled - June 3, 1993, by Senator PEARSON of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-301) AS AMENDED BY HOUSE AMENDMENT "A" (H-477)** thereto, and **HOUSE AMENDMENT "A" (H-328)**, in concurrence.)

(In House, June 2, 1993, **FINALLY PASSED**.)

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-301) As Amended by House Amendment "A" (H-477) thereto, 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-477) to Committee Amendment "A" (H-301), in concurrence.

On further motion by same Senator, House Amendment "A" (H-477) to Committee Amendment "A" (H-301) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-372) to Committee Amendment "A" (H-301) **READ** and **ADOPTED**.

Committee Amendment "A" (H-301) As Amended by Senate Amendment "A" (S-372) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,150,000 for Construction of Water Pollution Control Facilities

H.P. 588 L.D. 792
(C "A" H-702)

Tabled - July 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 30, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-702)**, in concurrence.)

(In House, June 1, 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-702), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-360) to Committee Amendment "A" (H-702) **READ** and **ADOPTED**.

Committee Amendment "A" (H-702) As Amended by Senate Amendment "A" (S-360) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify Maine Election Laws

S.P. 268 L.D. 805
(C "A" S-207)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-207)**.)

(In House, June 2, 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**.

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" (S-207).

On further motion by same Senator, Senate Amendment "A" (S-358) to Committee Amendment "A" (S-207) **READ** and **ADOPTED**.

Committee Amendment "A" (S-207) As Amended by Senate Amendment "A" (S-358) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify Mandatory Waiver Authority Concerning Construction Requirements

S.P. 292 L.D. 862
(C "A" S-217)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-217)**.)

(In House, June 1, 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.**

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" (S-217).

On further motion by same Senator, Senate Amendment "A" (S-361) to Committee Amendment "A" (S-217) **READ** and **ADOPTED.**

Committee Amendment "A" (S-217) As Amended by Senate Amendment "A" (S-361) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify the Definition of Teacher under the Laws of the Maine State Retirement System
H.P. 680 L.D. 922
(C "A" H-369)

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" (H-369)**, 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-369), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-362) to Committee Amendment "A" (H-369) **READ** and **ADOPTED.**

Committee Amendment "A" (H-369) As Amended by Senate Amendment "A" (S-362) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding Law Court Staffing
H.P. 699 L.D. 951
(C "A" H-240)

Tabled - May 19, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 13, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)**, in concurrence.)

(In House, May 18, 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-240), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-370) to Committee Amendment "A" (H-240) **READ** and **ADOPTED.**

Committee Amendment "A" (H-240) As Amended by Senate Amendment "A" (S-370) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Consistency in the Animal Welfare Laws

S.P. 345 L.D. 1040
(S "A" S-309 to C
"A" S-256)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 7, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-256) AS AMENDED BY SENATE AMENDMENT "A" (S-309)** thereto.)

(In House, June 8, 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.**

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" (S-256) As Amended by Senate Amendment "A" (S-309) thereto.

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-309) to Committee Amendment "A" (S-256).

On further motion by same Senator, Senate Amendment "A" (S-309) to Committee Amendment "A" (S-256) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-369) to Committee Amendment "A" (S-256) **READ** and **ADOPTED.**

Committee Amendment "A" (S-256) As Amended by Senate Amendment "B" (S-369) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish a Mechanism for Ensuring Adequate Preservation and Maintenance of the State House

H.P. 779 L.D. 1052
(C "A" H-258)

Tabled - May 21, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 17, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-258)**, in concurrence.)

(In House, May 20, 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-258), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-379) to Committee Amendment "A" (H-258) **READ** and **ADOPTED.**

Committee Amendment "A" (H-258) As Amended by Senate Amendment "A" (S-379) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act to Amend the Child Labor Laws
H.P. 822 L.D. 1108
(C "A" H-484)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484)**, in concurrence.)

(In House, June 2, 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-484), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-366) to Committee Amendment "A" (H-484) **READ** and **ADOPTED**.

Committee Amendment "A" (H-484) As Amended by Senate Amendment "A" (S-366) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend and Improve the Laws Related to Education
 S.P. 405 L.D. 1263
 (C "A" S-262)

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

Pending - **ENACTMENT**

(In Senate, June 2, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)**.)

(In House, June 4, 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**.

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" (S-262).

On further motion by same Senator, Senate Amendment "A" (S-373) to Committee Amendment "A" (S-262) **READ** and **ADOPTED**.

Committee Amendment "A" (S-262) As Amended by Senate Amendment "A" (S-373) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act to Clarify Responsibility for Workers' Compensation Coverage for Town Forest Fire Wardens and Laborers Hired for Forest Fire-fighting Activities

H.P. 976 L.D. 1307
 (C "A" H-285)

Tabled - May 25, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-285)**, in concurrence.)

(In House, May 24, 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 Committee Amendment "A" (H-285) was **ADOPTED**, in concurrence.

On further motion by same Senator, Committee Amendment "A" (H-285) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-364) **READ** and **ADOPTED**.

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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act Related to the State Valuation of the Town of Mexico

S.P. 432 L.D. 1342
 (C "A" S-272)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-272)**.)

(In House, June 8, 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**.

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" (S-272).

On further motion by same Senator, Senate Amendment "A" (S-359) to Committee Amendment "A" (S-272) **READ** and **ADOPTED**.

Committee Amendment "A" (S-272) As Amended by Senate Amendment "A" (S-359) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Promote State Savings through the Efficient Utilization of Funds

H.P. 1018 L.D. 1364
(C "A" H-372)

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" (H-372)**, 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-372), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-378) to Committee Amendment "A" (H-372) **READ** and **ADOPTED**.

Committee Amendment "A" (H-372) As Amended by Senate Amendment "A" (S-378) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Strengthen the Public Disclosure of Lobbying Activities

H.P. 1038 L.D. 1390
(H "A" H-593; H "B" H-668; S "A" S-317 to C "A" H-528)

Tabled - June 23, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 15, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528) AS AMENDED BY HOUSE AMENDMENT "A" (H-593) AND "B" (H-668) AND SENATE AMENDMENT "A" (S-317)** thereto, in concurrence.)

(In House, June 23, 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-528) As Amended by House Amendments "A" (H-593) "B" (H-668) and Senate Amendment "A" (S-317) thereto, in concurrence.

On further motion by same Senator, Tabled until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-528) As Amended by House Amendments "A" (H-593) and "B" (H-668) and Senate Amendment "A" (S-317) thereto, in concurrence.

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

An Act to Ensure Prompt and Equitable Payment for Construction Services

S.P. 457 L.D. 1424
(C "A" S-253)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-253).**)

(In House, June 2, 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.**

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" (S-253).

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, Committee Amendment "A" (S-253) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "A" (S-365) **READ** and **ADOPTED.**

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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend Statutory Provisions Regarding Risk Management Funds

H.P. 1086 L.D. 1465
(C "A" H-553)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-553)**, in concurrence.)

(In House, June 7, 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-553).

On further motion by same Senator, Senate Amendment "A" (S-363) to Committee Amendment "A" (H-553) **READ** and **ADOPTED.**

Committee Amendment "A" (H-553) As Amended by Senate Amendment "A" (S-363) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Require Immediate Income Withholding for All Child Support Orders

H.P. 1098 L.D. 1485
(C "A" H-531)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-531)**, in concurrence.)

(In House, June 7, 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.**

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-531).

On further motion by same Senator, Senate Amendment "A" (S-363) to Committee Amendment "A" (H-531) **READ** and **ADOPTED.**

Committee Amendment "A" (H-531) as Amended by Senate Amendment "A" (S-363) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Mandate

An Act to Establish a Development Authority for Loring Air Force Base

H.P. 1137 L.D. 1537
(C "A" H-579)

Tabled - June 8, 1993, by Senator **TITCOMB** of Cumberland.

Pending - **ENACTMENT**

(In Senate, June 4, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-579)**, in concurrence.)

(In House, June 7, 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.**

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-579).

On further motion by same Senator, Senate Amendment "A" (S-367) to Committee Amendment "A" (H-579) **READ** and **ADOPTED.**

Committee Amendment "A" (H-579) as Amended by Senate Amendment "A" (S-367) 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Laws Regarding Health Insurance and Health Care Services
S.P. 525 L.D. 1548

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED.**)

(In House, June 7, 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.**

On further motion by same Senator, Senate Amendment "A" (S-368) **READ** and **ADOPTED.**

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

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

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I am now entering the section of Bills to be recommitted. Thank you.

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

An Act to Create the Maine Job Growth Fund
S.P. 357 L.D. 1071
(C "A" S-246)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-246).**)

(In House, June 2, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE.**

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

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

An Act to Require that All Interest on Escrowed Assessments on Utilities Be Used for the Benefit of the Public Utilities Commission and the Office of the Public Advocate
S.P. 417 L.D. 1326
(C "A" S-173)

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

Pending - **ENACTMENT**

(In Senate, May 21, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-173).**)

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

On further motion by same Senator, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **UTILITIES** in **NON-CONCURRENCE**.

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

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

An Act to Establish a Capital Access Program
S.P. 469 L.D. 1461
(C "A" S-245)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-245).**)

(In House, June 2, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

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

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

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 to Provide Funds for Assistance to Maine Businesses
H.P. 1148 L.D. 1547

Tabled - June 8, 1993, by Senator **TITCOMB** of Cumberland.

Pending - **ENACTMENT**

(In Senate, June 4, 1993, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, June 8, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

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

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

Act to Expand the Membership of the National Conference of Commissioners on Uniform State Laws
H.P. 74 L.D. 104
(C "A" H-26)

Tabled - March 15, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 4, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**, in concurrence.)

(In House, March 10, 1993, **PASSED TO BE ENACTED.**)

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

Sent down for concurrence.

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

An Act to Increase the County Share and Change the Name of the Government Operations Surcharge Fund
H.P. 97 L.D. 139
(H "A" H-145 to C "A" H-114)

Tabled - May 18, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 10, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-114) AS AMENDED BY HOUSE AMENDMENT "A" (H-145)** thereto, in concurrence.)

(In House, May 17, 1993, **PASSED TO BE ENACTED.**)

Senator **PEARSON** of Penobscot moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. In reference to L.D. 139, An Act to Increase the County Share and Change the Name of the Government Operations Surcharge Fund, that the good Senator just moved the

Indefinite Postponement of, this is a Bill that we debated and actually passed in this body and I would hope that you would oppose the motion to Indefinitely Postpone it and I would request a Division. Thank you.

Senator **CAHILL** of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **PEARSON** of Penobscot to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

A Division has been requested.

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

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

14 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **PEARSON** of Penobscot to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

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

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

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

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

Pending - **ENACTMENT**

(In Senate, April 15, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-124)**, in concurrence.)

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

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

Sent down for concurrence.

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

An Act to Ensure Appropriate Community-based Treatment of Nonviolent Juvenile Offenders

H.P. 146 L.D. 191
(C "A" H-346)

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" (H-346)**, in concurrence.)

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

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

Sent down for concurrence.

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

An Act to Require the State to Pay for Mediation Sessions

S.P. 107 L.D. 310
(C "A" S-39)

Tabled - March 29, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 10, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-39).**)

(In House, March 25, 1993, **PASSED TO BE ENACTED.**)

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

Sent down for concurrence.

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

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

An Act to Amend the Laws Governing the Conversion of Fuel Systems

H.P. 284 L.D. 371
(S "A" S-263 to C "A" H-348)

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

(In House, June 7, 1993, **PASSED TO BE ENACTED.**)

Pending - **ENACTMENT**

(In Senate, June 2, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-348) AS AMENDED BY SENATE AMENDMENT "A" (S-263)** thereto.)

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

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

Sent down for concurrence.

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

Sent down for concurrence.

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

An Act to Amend Maine's Unclaimed Property Act
S.P. 185 L.D. 621
(H "A" H-405 to C
"A" S-132)

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

Tabled - May 28, 1993, by Senator **PEARSON** of Penobscot.

Emergency

Pending - **ENACTMENT**

An Act to Promote Maximum Independence of Older People

H.P. 330 L.D. 418
(C "A" H-559)

(In Senate, May 24, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-132) AS AMENDED BY HOUSE AMENDMENT "A" (H-405)** thereto, in concurrence.)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

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

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-559)**, in concurrence.)

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

(In House, June 7, 1993, **PASSED TO BE ENACTED.**)

Sent down for concurrence.

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

Sent down for concurrence.

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

An Act to Ensure Small Boarding Homes Sufficient Funds to Remain Economically Viable
S.P. 238 L.D. 731
(C "A" S-221)

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

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

An Act Establishing an Indigent Defense Reimbursement Fund

S.P. 174 L.D. 588
(H "A" H-518 to C
"A" S-214)

Pending - **ENACTMENT**

(In Senate, May 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-221).**)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

(In House, June 1, 1993, **PASSED TO BE ENACTED.**)

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-214) AS AMENDED BY HOUSE AMENDMENT "A" (H-518)** thereto, in concurrence.)

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

Sent down for concurrence.

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

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

An Act Regarding Certification Fees for Adult Education Teachers

H.P. 619 L.D. 843
(H "A" H-170)

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

Pending - **ENACTMENT**

(In Senate, April 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-170)**, in concurrence.)

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

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

Sent down for concurrence.

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

An Act to Amend State Tax Increment Financing
H.P. 718 L.D. 969
(C "A" H-570)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-570)**, in concurrence.)

(In House, June 7, 1993, **PASSED TO BE ENACTED.**)

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

Sent down for concurrence.

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

An Act Establishing Weapons License Reciprocity
S.P. 388 L.D. 1183
(C "A" S-209)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-209)**.)

(In House, June 1, 1993, **PASSED TO BE ENACTED.**)

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

Sent down for concurrence.

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

An Act to Promote Long-term Economic Growth
H.P. 1088 L.D. 1467
(C "A" H-494)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-494)**, in concurrence.)

(In House, June 2, 1993, **PASSED TO BE ENACTED.**)

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

Sent down for concurrence.

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

An Act to Consolidate All Substance Abuse Programs within the Office of Substance Abuse
H.P. 1099 L.D. 1486
(H "A" H-631; S "B" S-316; S "D" S-324 to C "A" H-563)

Tabled - June 14, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 9, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-563) AS AMENDED BY HOUSE AMENDMENT "A" (H-631) AND SENATE AMENDMENT "B" (S-316) AND "D" (S-324)** thereto, 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.**

Sent down for concurrence.

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

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

Resolve, to Authorize Bonding by the Maine Court Facilities Authority

S.P. 493 L.D. 1504
(C "A" S-251)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-251).**)

(In House, June 7, 1993, **FINALLY PASSED.**)

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

Sent down for concurrence.

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

Emergency

An Act to Implement Certain Recommendations of the Economic Growth Council

S.P. 530 L.D. 1556

Tabled - June 9, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 8, 1993, **PASSED TO BE ENGROSSED.**)

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

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

Sent down for concurrence.

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

Senate at Ease

Senate called to order by the President.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I am now moving to the section of Bills to be Enacted. Thank you.

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

Emergency

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

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

Tabled - May 11, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, April 29, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-84).**)

(In House, May 10, 1993, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Emergency

An Act to Limit Administrative Costs in Contracted Services

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

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

Pending - **ENACTMENT**

(In Senate, May 6, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-214)**, in concurrence.)

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

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

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

Emergency

An Act Concerning Amendments to the Laws Affecting the Finance Authority of Maine

H.P. 716 L.D. 967
(C "A" H-457)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-457)**, in concurrence.)

(In House, June 1, 1993, **PASSED TO BE ENACTED.**)

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.

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

Emergency

An Act to Support the Natural Areas Program
S.P. 319 L.D. 972
(H "A" H-73)

Tabled - April 6, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 30, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-73)**, without reference to Committee, in concurrence.)

(In House, April 5, 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. Are we on L.D. 972?

THE PRESIDENT: The Chair would answer in the affirmative.

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair. Is this, indeed, an Emergency?

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 Androscoggin, Senator Cleveland.

Senator **CLEVELAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would appreciate it if we could table this until a little bit later today. Thank you.

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

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

Emergency

An Act Concerning Tribal Protection Orders
H.P. 1053 L.D. 1405
(C "A" H-442)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-442)**, in concurrence.)

(In House, June 2, 1993, **PASSED TO BE ENACTED.**)

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

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

Emergency

An Act to Increase Tourism Visits and Tourism Revenues for the State

S.P. 480 L.D. 1478
(S "A" S-247 to C
"A" S-198)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-198) AS AMENDED BY SENATE AMENDMENT "A" (S-247)** thereto.)

(In House, June 7, 1993, **PASSED TO BE ENACTED.**)

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

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

Emergency

An Act to Encourage Implementation of Total Quality Management Procedures in the Executive Branch of State Government

H.P. 1142 L.D. 1542
(C "A" H-581; H "B"
637)

Tabled - June 9, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 8, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-581) AND HOUSE AMENDMENT "B" (H-637)**, in concurrence.)

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

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.

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

Emergency

An Act to Collect Baseline Data to Facilitate Health Care Reform

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

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

Pending - **ENACTMENT**

(In Senate, June 29, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-672)**, in concurrence.)

(In House, June 30, 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. We are now on L.D. 1561, An Act to Collect Baseline Data to Facilitate Health Care Reform. With all due respect to my seatmate once removed, we talked about this Bill a day or two ago. My objections were that this was simply a study of two Committees of the Legislature and is a study that I believe was undertaken in the last session of the legislature and therefore I would ask you to oppose the enactment of this Bill. Thank you.

This being an Emergency Measure and having received the affirmative vote of 16 Members of the Senate, with 15 Senators having voted in the negative, and 16 being less than two-thirds of the entire elected Membership of the Senate, this Bill **FAILED OF ENACTMENT** in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Emergency Resolve

Resolve, to Maximize the Availability of Federal Financing of Services for Families and Children
H.P. 450 L.D. 576
(C "A" H-188)

Tabled - May 11, 1993, by Senator **PEARSON** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-188)**, in concurrence.)

(In House, May 10, 1993, **FINALLY PASSED.**)

Off Record Remarks

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Emergency Resolve

Resolve, to Extend the Commission to Study the Feasibility of a Capital Cultural Center and to Establish an Advisory Committee to the Commission
H.P. 827 L.D. 1113

Tabled - May 18, 1993, by Senator **PEARSON** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 11, 1993, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 17, 1993, **FINALLY PASSED.**)

This being an Emergency Measure and having received the affirmative vote of 22 Members of the Senate, with 9 Senators having voted in the negative, and 22 being less than two-thirds of the entire elected Membership of the Senate, **FAILED OF FINAL PASSAGE** in **NON-CONCURRENCE**.

Sent down for concurrence.

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

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

Bond Issue

An Act to Authorize Department of Transportation Bond Issues in the Amount of \$39,500,000 to Match Available Federal Funds for Improvements to Highways, State and Local Bridges, Airports, Cargo Ports and the Ferry Service

S.P. 505 L.D. 1529
(C "A" S-212)

Tabled - June 2, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-212).**)

(In House, June 1, 1993, **PASSED TO BE ENACTED.**)

This being a Bond Authorization Act and having received the affirmative vote of 29 Members of the Senate, with 2 Senators having voted in the negative, and 29 being more than two-thirds of the Membership present and voting 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 **PEARSON** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Laws Pertaining to the Visitation Rights of Grandparents

S.P. 34 L.D. 40
(C "A" S-259)

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

Pending - **ENACTMENT**

(In Senate, June 2, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-259).**)

(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.

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

An Act to Change the Manner in Which Debt Service on Jail Facility Bonds Is Repaid to Counties
H.P. 43 L.D. 59
(H "A" H-106)

Tabled - April 15, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, April 8, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-106)**, in concurrence.)

(In House, April 13, 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.

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

An Act to Establish Minimum Sentence Enhancements for Repeated Convictions for Gross Sexual Assault
H.P. 48 L.D. 64
(C "A" H-441)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-441)**, in concurrence.)

(In House, June 1, 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.

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

An Act to Amend the Public Works Contractors' Surety Bond Law of 1971
H.P. 51 L.D. 67
(C "A" H-35)

Tabled - March 23, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 15, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-35)**, in concurrence.)

(In House, March 22, 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.

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

Emergency

An Act Concerning the Taking of Sea Urchins
H.P. 98 L.D. 140
(H "A" H-380 to C
"A" H-366)

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" (H-366) AS AMENDED BY HOUSE AMENDMENT "A" (H-380)** thereto, in concurrence.)

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

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.

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

An Act to Change the Scallop Harvesting Season
H.P. 117 L.D. 158
(H "A" H-270 to C
"A" H-146)

Tabled - May 18, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 11, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146) AS AMENDED BY HOUSE AMENDMENT "A" (H-270)** thereto, in concurrence.)

(In House, May 17, 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.

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

An Act to Deter Felons from Carrying Firearms during the Maine Hunting Season

H.P. 150 L.D. 202
(C "A" H-83)

Tabled - April 13, 1993, by Senator **TITCOMB** of Cumberland.

Pending - **ENACTMENT**

(In Senate, April 6, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-83)**, in concurrence.)

(In House, April 12, 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.

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

An Act to Abolish the Board of Licensure of Railroad Personnel

S.P. 98 L.D. 251
(C "A" S-40)

Tabled - March 23, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, March 10, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-40).**)

(In House, March 22, 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.

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

An Act to Provide a Deterrent to Child Sexual Abuse

H.P. 224 L.D. 292
(C "A" H-443)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-443)**, in concurrence.)

(In House, June 1, 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.

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

An Act to Regulate Home Repair by Transient Contractors

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

Tabled - May 11, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, April 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-72).**)

(In House, May 10, 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.

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

An Act to Develop and Expand Markets for Recycled Materials

S.P. 229 L.D. 700
(C "A" S-226)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 27, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-226).**)

(In House, June 1, 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.

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

An Act to Expand the Definition of Escape
S.P. 248 L.D. 767
(C "A" S-197)

Tabled - May 28, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 25, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-197).**)

(In House, May 26, 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.

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

An Act to Encourage Fair Medicare Payments to Hospitals and to Extend the Implementation Date for Certain Outpatient Revenue Limits
H.P. 602 L.D. 817
(C "A" H-514)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-514)**, in concurrence.)

(In House, June 7, 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.

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

An Act to Create a Cause of Action Against the State for Wrongful Imprisonment
H.P. 621 L.D. 845
(C "A" H-280)

Tabled - May 24, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-280)**, 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.

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

An Act to Protect Police Officers from Armor-piercing Ammunition
H.P. 643 L.D. 874
(C "A" H-267)

Tabled - May 21, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 18, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267)**, in concurrence.)

(In House, May 20, 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.

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

An Act to Extend Criminal Sanctions to Certain Child Protective Orders
H.P. 654 L.D. 892
(C "A" H-287)

Tabled - May 24, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-287)**, 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.

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

An Act Regarding Municipal Shellfish Licenses
H.P. 701 L.D. 953
(C "A" H-260)

Tabled - May 21, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 17, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260)**, in concurrence.)

(In House, May 20, 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.

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

An Act to Clarify the Laws Related to State Tax Increment Financing
H.P. 704 L.D. 956
(C "A" H-571)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-571)**, in concurrence.)

(In House, June 7, 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.

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

An Act Concerning Rights and Privileges for Maine Veterans of the Persian Gulf War
H.P. 787 L.D. 1060
(C "A" H-515)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-515)**, in concurrence.)

(In House, June 7, 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.

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

An Act to Amend the Maine Civil Rights Law Regarding Violations of Constitutional Rights
S.P. 355 L.D. 1069
(C "A" S-136;H "A" H-395)

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-136) AND HOUSE AMENDMENT "A" (H-395)**, in concurrence.)

(In House, May 26, 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.

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

An Act to Authorize State Agencies to Accept Funds for an Alternative-fueled Vehicle Demonstration Project
H.P. 819 L.D. 1105
(C "A" H-283)

Tabled - May 24, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-283)**, 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.

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

An Act to Amend the Sexual Assault Laws
H.P. 823 L.D. 1109
(C "A" H-486)

Tabled - June 3, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 1, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-486)**, in concurrence.)

(In House, June 2, 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.

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

An Act Concerning Continuous Emission Monitoring Devices
S.P. 368 L.D. 1125
(C "A" S-154)

Tabled - May 25, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 19, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-154)**.)

(In House, May 24, 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.

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

An Act to Promote Electronic Transfer of Funds and Other Information System Improvements in State Government

H.P. 845 L.D. 1150
(C "A" H-512)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-512)**, in concurrence.)

(In House, June 7, 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.

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

An Act to Amend the Maine Tree Growth Tax Law and the Farm and Open Space Tax Laws
H.P. 907 L.D. 1222
(C "A" H-574)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-574)**, in concurrence.)

(In House, June 7, 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.

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

An Act Related to Medical Treatment Decisions for Psychotic Disorders
H.P. 983 L.D. 1314
(C "A" H-392)

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

Pending - **ENACTMENT**

(In Senate, May 25, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-392)**, in concurrence.)

(In House, May 26, 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.

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

An Act Concerning Reasonable Standards and Procedures for Contracting Services by the State
H.P. 1036 L.D. 1388
(C "A" H-545)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 4, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-545)**, in concurrence.)

(In House, June 7, 1993, **PASSED TO BE ENACTED.**)

Senator **CAHILL** of Sagadahoc requested a Division.

On motion by Senator **BUTLAND** 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 Cumberland, Senator Butland.

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I hope that you would oppose the enactment of this. We have had one other vote on this in the Senate and that was on the acceptance of the Committee report and it was ought not to pass. Unfortunately, when it came back for enactment I was involved in a confirmation hearing for the Workers' Compensation case and I missed it. The standards outlined in L.D. 1388 would make outside contracting for State services virtually impossible. I think if you take out your copy of the L.D. you will see why. On page 1, section 1, paragraph A, it says if services contracted are not currently available within the civil service, given the breadth and the scope of current state services, it would be hard for me to visualize any or many positions which would qualify under this provision. There are few contracts that are so unique that some existing job classification could not be used to provide for that particular service. Any attempts to privatize would be frustrated because of this particular standard. If you would look on page 2, down at the bottom on line 45 of paragraph G, the firm to which the contract is awarded has no more than a total of three occupational safety, health, labor law or environmental violations within the past five years. This paragraph was obviously written by someone with scant knowledge of what it is like to run a business in 1993. The OSHA violations, in particular, in the course of five years is totally unrealistic. An OSHA violation could be anything from a box in the hallway to a mop in the sink, and I suspect that this particular standard would

disqualify almost all of the companies in the State of Maine. It is unreasonable and therefore contrary to the Bill's title. I hope that you would continue to oppose this and vote against the pending motion. Thank you.

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

A vote of Yes will be in favor of **ENACTMENT**.

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, BUSTIN, CLEVELAND, ESTY, HANDY, LAWRENCE, LUTHER, MCCORMICK, O'DEA, PEARSON, PINGREE, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE**

NAYS: Senators **AMERO, BEGLEY, BRANNIGAN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, FOSTER, GOULD, HALL, HANLEY, HARRIMAN, KIEFFER, LUDWIG, WEBSTER**

ABSENT: Senators **CONLEY, MARDEN, PARADIS, SUMMERS, TITCOMB**

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 5 Senators being absent, the Bill **FAILED OF ENACTMENT** in **NON-CONCURRENCE**.

Sent down for concurrence.

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

An Act Concerning the Operation of Aircraft under the Influence of Intoxicating Liquor or Drugs
H.P. 1084 L.D. 1450
(C "A" H-400; S "A" S-222)

Tabled - June 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, May 26, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400) AND SENATE AMENDMENT "A" (S-222.)**)

(In House, June 1, 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.

Off Record Remarks

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

An Act Concerning Stalking

H.P. 1147 L.D. 1546
(H "A" H-633)

Tabled - June 9, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 8, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-633)**, in concurrence.)

(In House, June 9, 1983, **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.

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

Resolve, to Transfer the Responsibilities of the Bureau of Rehabilitation from the Department of Human Services to the Department of Education

S.P. 487 L.D. 1498
(S "A" S-300 to C "A" S-291)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, June 4, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-291) AS AMENDED BY SENATE AMENDMENT "A" (S-300)** thereto.)

(In House, June 8, 1993, **FINALLY PASSED.**)

Which was **FINALLY PASSED**, in concurrence, and having been signed by the President was Presented by the Secretary to the Governor for his approval.

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

On motion by Senator **PEARSON** of Penobscot, **RECESSED** until 8:35 p.m.

After Recess

Senate called to order by the President.

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

Emergency

An Act to Provide Property Tax Adjustments Necessary for the Town of Portage Lake

H.P. 972 L.D. 1303
(C "A" H-569)

Tabled - June 8, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 3, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-569)**, in concurrence.)

(In House, June 7, 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-569), in concurrence.

On further motion by same Senator, Committee Amendment "A" (H-569) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-383) **READ** and **ADOPTED.**

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

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

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 like to pose a question through the Chair. I would like to join in the extension. Will we be finishing up before midnight?

THE PRESIDENT: The Chair would remind the members that matters not acted on before midnight would be dead.

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. 27 Senators having voted in the affirmative, and 2 Senators in the negative, and 27 being more than two-thirds of the membership present and voting, the Rules were suspended and the following proceedings were conducted after 9:00 p.m.

On motion by Senator **PEARSON** of Penobscot, the Senate removed from the Tabled and Later Today Assigned matter:

An Act to Strengthen the Public Disclosure of Lobbying Activities

H.P. 1038 L.D. 1390
(H "A" H-593; H "B" H-668; S "A" S-317 to C "A" H-528)

Tabled - July 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ADOPTION** of Committee Amendment "A" (H-528) As Amended by House Amendments "A" (H-593) "B" (H-668); and Senate Amendment "A" (S-317) thereto, in concurrence.

(In Senate, July 1, 1993, under suspension of the Rules, **RECONSIDERED ADOPTION** of Committee Amendment "A" (H-528) As Amended by House Amendments "A" (H-593); "B" (H-668); and Senate Amendment "A" (S-317) thereto, in concurrence.)

(In House, June 23, 1993, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Senate Amendment "C" (S-384) to Committee Amendment "A" (H-528) **READ** and **ADOPTED.**

Committee Amendment "A" (H-528) as Amended by House Amendments "A" (H-593); "B" (H-668) and Senate Amendments "A" (S-317) and "C" (S-384) thereto, **ADOPTED** in **NON-CONCURRENCE.**

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

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

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

Emergency

An Act to Support the Natural Areas Program
S.P. 319 L.D. 972
(H "A" H-73)

Tabled - July 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **ENACTMENT**

(In Senate, March 30, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-73)**, without Reference to a Committee, in concurrence.)

(In House, April 5, 1993, **PASSED TO BE ENACTED.**)

On motion by Senator **PEARSON** of Penobscot, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **AUDIT & PROGRAM REVIEW** in **NON-CONCURRENCE.**

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

Senator **VOSE** of Washington was granted unanimous consent to address the Senate off the Record.

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

COMMUNICATIONS

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Aging, Retirement & Veterans during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	39
Unanimous reports	28
Ought to Pass	0
Ought Not to Pass	19
Ought to Pass as Amended	9

Divided reports 3
Carried Over 8

Total number of bills received 3
Unanimous reports 2
Ought to Pass 0
Ought Not to Pass 1
Ought to Pass as Amended 1
Divided reports 1

Respectfully submitted,

S/Bonnie L. Titcomb Senate Chair
S/John Jalbert House Chair

Respectfully submitted,

S/John J. Cleveland Senate Chair
S/Phyllis R. Erwin House Chair

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

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Agriculture during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received 23
Unanimous reports 21
Ought to Pass 0
Ought Not to Pass 6
Ought to Pass as Amended 15
Divided reports 1
Carried Over 1

Respectfully submitted,

S/Judy A. Paradis Senate Chair
S/Robert J. Tardy House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Audit during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

The Following Communication:

**COMMITTEE ON BANKING AND INSURANCE
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Banking and Insurance during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received 87
Unanimous reports 68
Ought to Pass 3
Ought Not to Pass 34
Ought to Pass as Amended 28
Re-referred 1
Pursuant to Jt. Order 2
Divided reports 10
Carried Over 9

Respectfully submitted,

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

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Business Legislation during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	69
Unanimous reports	49
Ought to Pass	3
Ought Not to Pass	20
Ought to Pass as Amended	26
Divided reports	11
Carried Over	9

Respectfully submitted,

S/Alton E. Cianchette
Senate Chair

S/Annette M. Hoglund
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Select Committee on Corrections during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	24
Unanimous reports	19
Ought to Pass	2
Ought Not to Pass	9
Ought to Pass as Amended	8
Divided reports	0
Carried Over	5

Respectfully submitted,

S/Beverly Miner Bustin
Senate Chair

S/Anne M. Larrivee
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Education during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	81
Unanimous reports	71
Ought to Pass	8
Ought Not to Pass	40
Ought to Pass as Amended	23
Divided reports	1
Carried Over	9

Respectfully submitted,

S/John J. O'Dea
Senate Chair

S/Elizabeth H. Mitchell
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Energy and Natural Resources during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	131
Unanimous reports	111
Ought to Pass	3
Ought Not to Pass	55
Ought to Pass as Amended	52
Re-referred	1
Divided reports	6
Carried Over	14

Respectfully submitted,

S/Mark W. Lawrence
Senate Chair

S/Paul F. Jacques
House Chair

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

The Following Communication:

**COMMITTEE ON FISHERIES AND WILDLIFE
ONE HUNDRED AND SIXTEENTH LEGISLATURE**

June 14, 1993

The Honorable Dennis L. Dutremble
 President of the Senate
 116th Maine Legislature

June 14, 1993

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Fisheries and Wildlife during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	61
Unanimous reports	54
Ought to Pass	1
Ought Not to Pass	37
Ought to Pass as Amended	16
Divided reports	5
Carried Over	2

Respectfully submitted,

S/M. Ida Luther
 Senate Chair

S/Dorothy A. Rotondi
 House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
 President of the Senate
 116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Housing and Economic Development during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	35
Unanimous reports	31
Ought to Pass	0
Ought Not to Pass	9
Ought to Pass as Amended	20
Pursuant to Jt. Rule	2
Divided reports	0
Carried Over	4

Respectfully submitted,

S/Rochelle M. Pingree
 Senate Chair

S/Ritta B. Melendy
 House Chair

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

The Following Communication:

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

The Honorable Dennis L. Dutremble
 President of the Senate
 116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Human Resources during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	101
Unanimous reports	86
Ought to Pass	6
Ought Not to Pass	39
Ought to Pass as Amended	39
Re-referred	2
Divided reports	9
Carried Over	6

Respectfully submitted,

S/Judy A. Paradis
 Senate Chair

S/Sharon Anglin Treat
 House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
 President of the Senate
 116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Judiciary during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	179
Unanimous reports	139
Ought to Pass	3
Ought Not to Pass	77
Ought to Pass as Amended	57
Re-referred	1
Pursuant to Jt. Order	1
Divided reports	6
Carried Over	34

Respectfully submitted,

S/Gerard P. Conley, Jr.
 Senate Chair

S/Constance D. Cote
 House Chair

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

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Labor during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	57
Unanimous reports	45
Ought to Pass	3
Ought Not to Pass	27
Ought to Pass as Amended	15
Divided reports	12

Respectfully submitted,

S/James R. Handy
Senate Chair

S/Richard P. Ruhlin
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Marine Resources during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	38
Unanimous reports	34
Ought to Pass	1
Ought Not to Pass	22
Ought to Pass as Amended	11
Divided reports	3
Carried Over	1

Respectfully submitted,

S/Harry L. Vose
Senate Chair

S/James Mitchell
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Legal Affairs during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	143
Unanimous reports	112
Ought to Pass	5
Ought Not to Pass	66
Ought to Pass as Amended	35
Re-referred	3
Pursuant to Joint Rule	3
Divided reports	19
Carried Over	12

Respectfully submitted,

S/Richard J. Carey
Senate Chair

S/Beverly C. Daggett
House Chair

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Select Committee on Rules during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	1
Unanimous reports	0
Ought to Pass	0
Ought Not to Pass	0
Ought to Pass as Amended	0
Divided reports	0
Carried Over	1

Respectfully submitted,

S/Beverly Miner Bustin
Senate Chair

S/Charlene B. Rydell
House Chair

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

The Following Communication:

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

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Utilities during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received		72
Unanimous reports		51
Ought to Pass	5	
Ought Not to Pass	16	
Ought to Pass as Amended	30	
Divided reports		7
Carried Over		14

Respectfully submitted,

S/Harry L. Vose
Senate Chair

S/Herbert E. Clark
House Chair

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

Off Record Remarks

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged has 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 Today Assigned matter:

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$1,922,575 to Improve National Guard Armories" (Governor's Bill) S.P. 541 L.D. 1564

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**)

(In Senate, July 1, 1993, **FAILED** to **RECEDE** and **CONCUR**.)

(In House, July 1, 1993, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee in **NON-CONCURRENCE**.)

On motion by the Chair, the Senate **ADHERED**.

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

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

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; H "C" H-676 to C "A"

H-367)

Tabled - July 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 30, 1993, **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 concurrence.)

(In House, July 1, 1993, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (H-367) As Amended by House Amendments "A" (H-408); "C" (H-676) thereto, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** House Amendment "A" (H-408) to Committee Amendment "A" (H-367), in concurrence.

On further motion by same Senator, House Amendment "A" (H-408) to Committee Amendment "A" (H-367) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "D" (S-382) to Committee Amendment "A" (H-367) **READ** and **ADOPTED**.

Committee Amendment "A" (H-367) As Amended by House Amendment "C" (H-676) and Senate Amendment "D" (S-382) thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

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

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

Bond Issue

An Act to Authorize a General Fund bond Issue in the Amount of \$15,150,000 for Construction of Water Pollution Contro. Facilities

H.P. 588 L.D. 792
(C "A" H-702)

Tabled - July 1, 1993, by Senator **PEARSON** of Penobscot.

Pending - **ENACTMENT**

(In Senate, June 30, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-702)**, in concurrence.)

(In House, July 1, 1993, **PASSED TO BE ENACTED**.)

On motion by Senator **PEARSON** of Penobscot, 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-702), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-360) to Committee Amendment "A" (H-702) **READ**.

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Can you explain to me why we need to amend a Bond issue? 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 Penobscot, Senator Pearson.

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This amendment corrects the amount of federally matched funds to be received if the bond issue is approved. Originally the bond issue was for a larger amount of money and we have lowered the amount of money that we wanted to put out to the voters and when we did that meant that it brought in less federal money than before and we have to correct that in the Bill. Now instead of bringing in \$27,500,000 of federal money, it now brings in \$20,000,000 of federal money. Thank you.

On motion by Senator **PEARSON** of Penobscot, Senate Amendment "A" (S-360) to Committee Amendment "A" (H-702) **ADOPTED**.

Committee Amendment "A" (H-702) As Amended by Senate Amendment "A" (S-360) thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

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

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

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

H.P. 1149 L.D. 1549
(H"A" H-666 to S"D"
S-329; S"E" S-332)

Tabled - July 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **FURTHER CONSIDERATION**

(In Senate, June 30, 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 concurrence.)

(In House, July 1, 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) AND HOUSE AMENDMENT "B" (H-706)** in **NON-CONCURRENCE**.)

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

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I have continuing problems with this particular Bill. I would like to ask a question of anybody who would care to answer. Is this Bill a Bill that has been checked out for its constitutionality by the Attorney General's Office? Thank you.

THE PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Not only has this been checked out by the Attorney General's Office, a representative of the Attorney General's Office worked very closely with the Legal Affairs Committee in developing all of the campaign finance reform legislation that has come before this legislature and furthermore, the States of New Hampshire and Vermont have basically this type of voluntary spending limits in place right now. So it is constitutional and meets the constitutional test in terms of free speech and campaign finances as they relate to free speech. Thank you.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It's been a long time and I haven't focused on it real well, but is this the Bill that requires you to have a disclaimer on your political ads that is different from the one that we now have? Thank you.

THE PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The disclaimer that is currently required is not changed. This does also provide for a statement on campaign literature that you are participating in voluntary limits or you have chosen not to. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator O'Dea.

Senator **O'DEA:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question. Would it be appropriate at this time to indefinitely postpone this Bill and all of its accompanying papers?

THE PRESIDENT: The Chair would answer in the negative. The Chair recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The Legal Affairs Committee and other members of this body and the other body has spent a great deal of time, effort, energy, and expertise, and let me just add emphasis on the word expertise, on campaign finance reform and other reform measures with respect to elections. We have killed, at least by last count, over half a dozen Bills dealing with campaign finance reform in some respect. We have killed three major pieces of legislation dealing with spending limits, contribution limits, and also public financing. What you have before you this evening in L.D. 1549 as it has been amended by both bodies, is our last chance to go on Record in support of bringing down the cost of campaigns in the State of Maine. To go in support of putting the public first and not ourselves, and to send a statement to the people of the State of Maine that we believe that campaigns are too costly and to easily held open to the perception at least of an

overemphasis on special interest money. This Bill is voluntary, voluntary, no one, no one in this body who chooses to run for election, no one else who chooses to run for election needs to adopt these limits. No one has to adopt any of these limits, it is purely voluntary. So if you know who your candidate is going to be and you think that candidate is well heeled and is going to be able to put a lot of money into their own campaign, and let me just add as an aside, that is the current practice that can be done, then don't choose voluntary limits. It's your option it is your choice. I hope tonight the choice that you make is for bringing down the cost of campaigns and bringing up the integrity of our electoral process. Thank you.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. If I am wealthy, I wouldn't have to rely on anybody else for my campaign financing, and I would assume that I would not have to, as I understand the Bill, it doesn't affect your own money from your own pocket, if I am wrong I would like to be corrected. If I am poor, or average, and I have to raise money from other sources, how do I go about that, what is the limit on that? Thank you.

THE PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I guess I need some more information as to the scenario that the good Senator from Penobscot, Senator Pearson, has laid out, but let me try to expand upon that and if it doesn't address your concerns or your issues I'll be happy to attempt to respond again. Under current practice, the current statutes that we have, because of the constitution of this great state and country in which we live, one cannot have any limitations on the amount of their own money that they can spend on a campaign. Under the current law or under this proposal. If one decides to adopt the voluntary limits as set forth in L.D. 1549, in a Primary election, the State Senator would adopt a \$10,000 limit, on a General election a State Senatorial candidate would adopt a \$20,000 limit. If the opponent chooses not to adopt any limit then they adopt no limit. Then I think the court of public opinion then comes into play here. I hope that addresses the Senator's question. If I can elaborate I would be happy to. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Indeed a lot of work has been done on campaign reform this year. It is very disappointing that we have not accomplished the final enactment of a lot of that work, but that is the way the procedure runs and we will try again next time. This particular L.D., like many L.D.'s after they leave Committee and then end up here, you have to read them pretty carefully to recognize them. I started out supporting this legislation and there is a part of an amendment on here that I no longer can support, and that is the disclaimer. To me, if you have to put a disclaimer onto all of your advertising materials then that is not very voluntary, even if

you don't sign onto the program. I will not go along with that. If we keep this up we will have more disclaimers on our political advertising then message, the message will be a disclaimer. I would urge you to vote against this piece of legislation. Thank you.

The Chair ordered a Division.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator O'Dea.

Senator **O'DEA:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I wish to pose a question to anyone who may wish to answer. Under this Bill would monies that were expended, or resources that were expended, on behalf of the candidate but not expressly authorized by the candidate be counted towards the limit? Thank you.

THE PRESIDENT: The Senator from Penobscot, Senator O'Dea, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I will attempt to answer the question. As I remember, if the candidate was aware of the expenditure beforehand then that would be included in the total. Thank you.

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

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I think this is a much more serious issue than we are treating it as tonight. A little over a year ago I had a very important decision to make and that was whether to abandon a very safe House seat and run for an open seat in the Senate, or stay there. I will tell you that the biggest stumbling block in making my decision was whether I could raise sufficient funds to finance a credible campaign. In my district in 1986 the combined expenditures were right around \$24,000, in 1988 it was over \$50,000, in 1990 it was over \$70,000 and there was over \$80,000 spent in that district amongst the three candidates in 1992. The record that was set was over \$43,000 by a single candidate in the 1990 election, and that was the person who I would be facing for the open seat in 1992 and I determined whether I was capable of raising between \$30,000 and \$35,000, I can tell you that that is a real serious decision for people to make. Frankly, with the escalating prices, we are pricing people like myself right out of the legislature. I think that is a serious threat to the integrity of this institution and I would hope that we would be very careful when we cast our vote tonight. Thank you.

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

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair. As I understand the answer to the previous question that was asked, if the candidate was aware of the expenditure, if somebody wanted to send letters for you, and you didn't want them to but they did it anyway, would you then still have to count that expense in your account? 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 recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Independent expenditures are not included in any of these totals. Anyone who attempts to influence the outcome of an election in that fashion must make the report to the Commission on Governmental Ethics. Thank you.

Senator **PEARSON** of Penobscot moved that the Senate **RECEDE**.

On further motion by same Senator, 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 would like to pose a question through the Chair to the good Senator from Penobscot, Senator Pearson, what would be the purpose of this body Receding? What would be the net effect of that? Thank you.

THE PRESIDENT: The Senator from Androscoggin, Senator Handy, has posed a question through the Chair to any Senator who may care to respond. Is it now the pleasure of the Senate to Recede? The Chair recognizes the Senator from Androscoggin, Senator Handy.

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It is my understanding that a motion to Recede would put this in the posture of being amended?

THE PRESIDENT: The Chair would answer in the affirmative.

Senator **HANDY:** Thank you Mr. President. Further, I don't see any amendments having been distributed. If there is an amendment to be offered I would be happy if someone would Table this until later in today's session. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **PEARSON** of Penobscot that the Senate **RECEDE**.

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 12 Senators having voted in the negative, the motion by Senator **PEARSON** of Penobscot to **RECEDE**, **PREVAILED**.

Senator **PEARSON** of Penobscot moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

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

Senator **PEARSON**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I am convinced that the Legal Affairs Committee, that did this work, did a good job. I simply believe that it could be a better job and that we should not leave this session of the 116th without campaign finance reform law. I simply don't believe that this particular Bill is a good one, in as much as I agree with the remarks of the Senator from Piscataquis, Senator Hall. I don't mind telling people who the advertising was paid for by, I don't like going beyond that. I don't think that we ought to put artificial limits on a campaign and then have the big barn door open that says, however if you don't know that someone else is spending money on your campaign that's okay. That has got to be fixed so that the playing field, if you want it to be even really ought to be even. I'm convinced of that. I mean absolutely to make no disparaging remarks about the work that went into this because I know something about the work that goes into producing a document. I just don't think this is right, I think it needs some time, I think it can be done next year, I don't think that anybody would ever refuse to remove from the files next year, a Bill on campaign spending reform so the Committee could consider it and do some more work on it. I'm not trying to pull any fast ones, I don't think anybody else is, but I think those kinds of little quirks have to be worked out of it before I would be satisfied with it. I may lose, but that's the way I feel. Thank you.

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

THE PRESIDENT: The pending question before the Senate is the motion by Senator **PEARSON** of Penobscot to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

A vote of Yes will be in favor of **INDEFINITE POSTPONEMENT**.

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**, **BEGLEY**, **BERUBE**, **BRANNIGAN**, **BUSTIN**, **CAREY**, **CIANCHETTE**, **CLEVELAND**, **ESTY**, **HALL**, **LUDWIG**, **LUTHER**, **MCCORMICK**, **O'DEA**, **PEARSON**, **VOSE**, **THE PRESIDENT - DENNIS L. DUTREMBLE**

NAYS: Senators **AMERO**, **BUTLAND**, **CAHILL**, **CARPENTER**, **FOSTER**, **GOULD**, **HANDY**, **HANLEY**, **HARRIMAN**, **KIEFFER**, **LAWRENCE**, **MARDEN**, **PINGREE**, **WEBSTER**

ABSENT: Senators **CONLEY**, **PARADIS**, **SUMMERS**, **TITCOMB**

17 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 4 Senators being absent, the motion by Senator **PEARSON** of Penobscot, to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

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

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

An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation
H.P. 250 L.D. 329
(C "A" H-389)

Tabled - July 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **FURTHER CONSIDERATION**

(In House, July 1, 1993, **PASSED TO BE ENACTED**.)

(In Senate, July 1, 1993, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.)

(In House, July 1, 1993, that Body **INSISTED**.)

Senator **ESTY** of Cumberland moved that the Senate **RECEDE** and **CONCUR**.

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 Recede and Concur. I put my notes away because this Bill had been Indefinitely Postponed earlier in this body. It is my recollection that what this Bill does is any property that is sold from the Department of Mental Health and Retardation, the proceeds from that Department has to go back into community development, mental health community development, that is my understanding. While that might be a good use for that money, I believe that that really is not something the legislature should have a hand in doing. Therefore I would ask you to oppose the motion to Recede and Concur. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **ESTY** of Cumberland 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.

14 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion of Senator **ESTY** of Cumberland, to **RECEDE** and **CONCUR**, **FAILED**.

The Senate **ADHERED**.

The Secretary has so informed the Speaker of the House.

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

Off Record Remarks

Off Record Remarks

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

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

After Recess

Senate called to order by the President.

Off Record Remarks

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Funds for Community Mental Health Services" (Governor's Bill) (Emergency) H.P. 1174 L.D. 1566

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

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

On motion by Senator **CAHILL** of Sagadahoc, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

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

Senator **WEBSTER** of Franklin was granted unanimous consent to address the Senate off the Record.

ENACTORS

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

Pursuant to Joint Rule 14, a Division was had. 15 Senators having voted in the affirmative, and 11 Senators in the negative, and 15 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.

An Act to Promote State Savings through the Efficient Utilization of Funds
H.P. 1018 L.D. 1364
(S "A" S-378 to C "A" H-372)

Which was, under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

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

Which 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:

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

ENACTORS

ENACTORS

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

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

An Act to Amend Statutory Provisions Regarding Risk Management Funds (Governor's Bill)
H.P. 1086 L.D. 1465
(S "A" S-374 to C "A" H-553)

An Act Regarding Law Court Staffing
H.P. 699 L.D. 951
(S "A" S-370 to C "A" H-240)

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

Which 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:

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

ENACTORS

ENACTORS

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

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

An Act to Amend the Laws Regarding Health Insurance and Health Care Services
S.P. 525 L.D. 1548
(S "A" S-368)

An Act to Require Immediate Income Withholding for All Child Support Orders (Governor's Bill)
H.P. 1098 L.D. 1485
(S "A" S-363 to C "A" H-531)

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

Which 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:

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

ENACTORS

ENACTORS

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

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

An Act to Clarify Mandatory Waiver Authority Concerning Construction Requirements
S.P. 292 L.D. 862
(S "A" S-361 to C "A" S-217)

An Act to Amend the Liquor Laws Pertaining to the Retail Sale of Wine
S.P. 120 L.D. 358
(S "A" S-355 to C "A" S-122)

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

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

ENACTORS

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

Emergency Mandate

An Act to Establish a Development Authority for Loring Air Force Base (Governor's Bill)

H.P. 1137 L.D. 1537
(S "A" S-367 to C
"A" H-579)

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 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.

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

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

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

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:

An Act to Provide Property Tax Adjustments Necessary for the Town of Portage Lake, also Known as Portage

H.P. 972 L.D. 1303
(S "B" S-383)

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I am not going to oppose this Bill today because it is too late and I think everyone is too tired to have a big discussion about it, but I think what we are doing in L.D. 1303 sets a very bad precedence for the State of Maine and I will give you an example why. Apparently there was a tax adjustment because of a paper machine that was bought in Portage Lake by one of the paper companies and the paper machine evidently at some point in time wasn't used and the property value was high. The paper machine was taken out and they came back in for an adjustment through the State because the personal property value had become so high. Currently, the city of Bath has an appeal pending before the State Tax Assessor for \$1.25 million. I guess I would like to ask the question that if we should lose that appeal, if the city of Bath should lose that appeal, is the State going to also pay the \$1.25 million to the city of Bath? Thank you.

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

Senator **BALDACCI:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It is my understanding that these are two different issues. The issue, as it pertains to Bath Iron Works, is an appeal with the town of Bath over the assessor's valuation of personal property in particular. What happened in Portage Lake is the relocation of paper equipment machinery out of that area and then depreciated land values. The assessment of that had not yet occurred under the cycle but it had in fact already left and it should not have been reflected in the rates that had been established. So it is two different types of things. There is also a study going on, that has been approved by the legislature, dealing with the property tax abatement process and incorporating these issues because the biggest problem on personal property, usually where these paper machines are, and paper companies are located, whether it is Old Town, Westbrook, Millinocket or where ever, it seems personal property valuation seems to be a problem and it is going to be studied in the next session. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Kieffer.

Senator **KIEFFER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. In this particular case, I was asked early on in this session, to sign onto this Bill. I wished a month later I had an eraser on my pencil. I think it sets a very bad precedent for that entire area up there. I know specifically the case of how this equipment was removed. The same thing is going to apply in all of the municipalities surrounding Loring Air Force Base. For example, in Caribou, in this immediate year we have lost two of the largest automobile agencies there and we also have lost the largest five

star restaurant we had there. These properties are being closed and moved under the same conditions that exist in Portage Lake and I think we are opening a real Pandora's box in this particular case. Thank you.

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

An Act to Provide Property Tax Relief for Maine Citizens

H.P. 1172 L.D. 1565

Senator **WEBSTER** of Franklin requested a Division.

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

A Division has been requested.

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

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

17 Senators having voted in the affirmative and 12 Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Mandate

An Act to Clarify the Definition of Teacher under the Laws of the Maine State Retirement System

H.P. 680 L.D. 922
(S "A" S-362 to C "A" H-369)

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 ask that you oppose this Bill today. I'm reading from the Statement of Fact on the amendment. The amendment says this amendment provides that the retirement costs related to release time from teaching duties to perform the function of President of a collective bargaining agent must be paid by the bargaining agent or the School Administrative Unit. It's a mandated cost to the municipalities and I would request a Division. Thank you.

Senator **CAHILL** of Sagadahoc requested a Division.

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

Senator **WEBSTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Just to clarify this issue, it relates basically to the City of Portland and a problem that resulted there. Unless I am wrong what happened there was the retirement system decided that with a strict adherence to Maine law they could not reimburse a retiring teacher who was President of the local union there in Portland. From what I remember this only pertains to the City of Portland. The Senate may do what it wishes but it seems to me it was a compromise in the Committee. We felt that it was reasonable. Thank you.

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 19 Members of the Senate, with 10 Senators having voted in the negative, and 19 being less than two-thirds of the entire elected Membership of the Senate, this Bill **FAILED OF ENACTMENT** in **NON-CONCURRENCE**.

Sent down for concurrence.

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

ENACTORS

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

Mandate

An Act to Provide Consistency in the Animal Welfare Laws

S.P. 345 L.D. 1040
(S "B" S-369 to C "A" S-256)

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

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill, "An Act to Collect Baseline Data to Facilitate Health Care Reform"

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

In Senate July 1, 1993, **FAILED OF ENACTMENT** in **NON-CONCURRENCE**.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-672) AS AMENDED BY HOUSE AMENDMENT "A" (H-709)** thereto, in **NON-CONCURRENCE**.

The Chair moved that the Senate **RECEDE** and **CONCUR**.

Senator **HANLEY** of Oxford requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by the Chair that the Senate **RECEDE** and **CONCUR**.

A Division has been requested.

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

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

14 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by the Chair to **RECEDE** and **CONCUR**, **PREVAILED**.

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

Senate at Ease

Senate called to order by the President.

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

ENACTORS

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

Mandate

An Act to Ensure Prompt and Equitable Payment for Construction Services

S.P. 457 L.D. 1424
(S "A" S-365)

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 25 Members of the Senate, with No Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Mandate

An Act to Clarify Maine Election Laws
S.P. 268 L.D. 805
(S "A" S-358 to C
"A" S-207)

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 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.

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

ENACTORS

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

Mandate

An Act to Continue the Franklin County Budget Committee

H.P. 244 L.D. 323
(S "A" S-354)

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

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

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

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

ENACTORS

ENACTORS

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

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

Emergency Mandate

Emergency Mandate

An Act Regarding Missing Children
 H.P. 425 L.D. 544
 (S "B" S-357 to C
 "A" H-262)

An Act to Clarify Responsibility for Workers' Compensation Coverage for Town Forest Fire Wardens and Laborers Hired for Forest Fire-fighting Activities
 H.P. 976 L.D. 1307
 (S "A" S-364)

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

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

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

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

ENACTORS

ENACTORS

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

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

Emergency Mandate

Emergency Resolve Mandate

An Act to Amend the Child Labor Laws
 H.P. 822 L.D. 1108
 (S "A" S-366 to C
 "A" H-484)

Resolve, Creating the Kennebec County Law Enforcement Examination Commission
 H.P. 365 L.D. 468
 (S "A" S-356 to C
 "A" H-68)

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

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish a Commission to Study Nonregulatory and Market Solutions to Environmental Issues

H.P. 572 L.D. 777
(S "A" S-372 to C
"A" H-301; H "A"
H-328)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish a Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals

H.P. 513 L.D. 671
(S "A" S-376 to C
"A" H-355)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 2 Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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:

An Act to Establish a Mechanism for Ensuring Adequate Preservation and Maintenance of the State House

H.P. 779 L.D. 1052
(S "A" S-379 to C
"A" H-258)

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

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

ENACTORS

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

An Act to Remove the Repeal Date from the Laws Governing Equitable Insurance Coverage for Mental Illness

H.P. 138 L.D. 183
(S "E" S-377)

Senator **CAHILL** requested a Division.

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

A Division has been requested.

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

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

17 Senators having voted in the affirmative and 9 Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

An Act to Strengthen the Public Disclosure of Lobbying Activities

H.P. 1038 L.D. 1390
(H "A" H-593;H "B"
H-668;S "A" S-317 to
C "A" H-528)

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

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

ENACTORS

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

Mandate

An Act to Amend and Improve the Laws Related to Education

S.P. 405 L.D. 1263
(S "A" S-373 to C
"A" S-262)

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 Mandate

An Act Related to the State Valuation of the Town of Mexico

S.P. 432 L.D. 1342
(S "A" S-359 to C
"A" S-272)

This being a Mandate and in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

This being a Mandate and in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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:

An Act to Update and Clarify Certain Provisions of Fish and Wildlife Laws

S.P. 243 L.D. 736
(S "A" S-380 to C
"A" S-239)

Off Record Remarks

Senate at Ease

Senate called to order by the President.

Which 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:

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

ENACTORS

ENACTORS

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

An Act to Implement the Recommendations of the Special Commission on Electoral Practices
 S.P. 478 L.D. 1477
 (H "A" H-707)

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 Clarify Tax on Intangible Income (Governor's Bill)
 S.P. 540 L.D. 1562
 (S "A" S-375 to S "B" S-351)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No 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.

Senator **BUTLAND** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **BUTLAND**: Thank you Mr. President, Ladies and Gentlemen of the Senate. The three Senate conferees of L.D. 696 just had the opportunity to sign the jacket in disagreement. I'm sure there are a few of you who aren't aware of exactly what L.D. 696 was so I want to take a moment to speak to you about it on the Record. It was a very modest proposal, I hate to use the term good government but it was a modest proposal. It received a unanimous report from the Committee on State and Local Government. The proposal would have replaced the current 9 member Ethics Commission that we have with a 3 member board. The board would have been appointed by the courts. The Chief Justice of the Supreme Court and the Superior Court and the Chief Judge of the District Court would have had the authority to appoint one member each. It was my desire to remove the appointment process for this board from the political arena and to ensure a more independent and impartial board. Maine is only one of three States where the Ethics Commission is appointed by the same body that it is created to oversee. L.D. 696 would have made the appointed process an arm's length transaction, Court appointees with legislative confirmation.

When I was doing the research for this piece of legislation I found that most of the States have substantial gubernatorial involvement in this and I gave it some long hard thought and realized that that probably wouldn't pass in Augusta so I settled for the courts. The Committee worked hard, improved it significantly and passed it out unanimously and

unfortunately we have agreed not to agree tonight. I believe that the clamor for governmental reform in the State of Maine has never been greater and unfortunately it appears that the will to implement that reform has never been more questionable. Thank you.

Senator **HARRIMAN** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **HARRIMAN**: Thank you Mr. President, Ladies and Gentlemen of the Senate. Before the actions that we have taken go onto the other body I did want to take just a moment to pass along my appreciation and comments to the Senator from Aroostook, Senator Kieffer, for the work that he did on L.D. 183, Laws Governing Equitable Insurance Coverage for Mental Illness. During the rancorous debate that was held when the Bill first came in, thanks to his work and many others I am sure, all sorts of bipartisan cooperation between this body and the other and the Governor's Office has resulted in the Bill that I was glad to support. I commend Senator Kieffer for his work. Thank you.

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

Off Record Remarks

Senator **WEBSTER** of Franklin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

Off Record Remarks

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

COMMITTEE REPORTS

Senate

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

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 HANLEY of Oxford
 Senator CAREY of Kennebec
 Senator BUTLAND of Cumberland

Signed on the part of the House:

Representative RAND of Portland
 Representative MORRISON of Bangor

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

Sent down for concurrence.

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:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,150,000 for Construction of Water Pollution Control Facilities

H.P. 588 L.D. 792
 (S "A" S-360 to C
 "A" H-702)

This being a Bond Authorization Act and having received the affirmative vote of 21 Members of the Senate, with 6 Senators having voted in the negative, and 21 being more than two-thirds of the Membership present and voting was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

THE CHAIR was granted unanimous consent to address the Senate on the Record.

THE PRESIDENT: I would like to make some comments about this present session. When we came into this session on December 2, we all had some pretty good ideas of where we wanted to go, we were all aware of what had happened in the previous two years in this legislature and we all came in with a great deal of hope and the goals we wanted to achieve. We talked of cooperation, consensus, and compromise, and I think we are here today, looking back over the last six months, knowing that we have accomplished all of these. I think it is important that, as legislators, when we worked on issues, more than at any other time that I can remember, each member here respected the thinking and philosophies of the other members, whether they were Democrats or Republicans. I think it is important to realize that whether you are conservative or liberal or moderate, that you are all here representing a constituency and that we should all respect the constituency that others represent. I think it is also important to remember that throughout the year, throughout this particular legislative year, that there were still philosophical differences, that we do all represent different parties and different constituencies, but that is all that means, that we see things differently and there really, in the process of legislative work and in the process of democracy, there really are no heroes, there are no villains, and there are no enemies or allies. We are all here for the best of the State.

I want to tell you that when we came in, the State and the legislature had suffered a black eye. We had a huge task to accomplish, and you Senators gave me the support that a leader needs to change things. I know that you have all stood here today, and in the past, and thanked me for that leadership, but I want to tell you that it would not even have been close to possible if I had not had the cooperation from all the members of this body. We set out to change things this year and we did. We had a new process and all of you were involved. You have worked harder and longer hours than any legislature that I have ever been involved in. You have spent more time away from your families, and that is a tremendous sacrifice. The people of Maine should be aware of the sacrifices that you make when you serve in this legislature. As a result of all that work, again, I think the State of Maine has been better off because of it.

I am really proud to have worked with the Chairs of the Committees this year and the support that you have given me and the leadership that you have provided in the Committees of jurisdiction that you chaired.

To the Republicans who also served as leads on those Chairs, your work was equally important. We have come out this year, especially on the budget, with more unanimous reports that helped resolve the budget in a much more accommodating fashion than we have seen in the past. Again, I and the people of the State of Maine, want to thank you for that.

I want to thank the Governor on behalf of the Senate. I think this would not have been possible if Governor McKernan hadn't gotten involved the way he did. He showed his leadership qualities to all of us. We worked in a cooperative fashion that allowed both the Senate and the other body, working in

conjunction with the Governor, to iron out our differences in the budget and in many other matters. I think the State of Maine, again, is better off as a result of it.

There are some people that need to be thanked and I think our leaders, those of the Republican party and those of the Democratic party, have to be thanked for the work that they have done this year. Pam and Dave, the leadership that you showed, as heads of the minority party, the Republican party, was more than anyone could expect. You worked in tandem, not only with your members, but also with ours and I think we are all better off for it and we, on the Democratic side, thank you both dearly for the work that you have done. You should be proud of what you have accomplished. We thank you.

For Don and Bev, I thank you for the support that you have shown me and the support you have shown our Democratic caucus. Your leadership has been exemplary and, without question, together we formed a very strong team, all five of us. It could not have been done if the four of you had not taken the leadership to make sure that we did work in a spirit of cooperation, knowing how important it was for the State of Maine to move forward this year. I have become particularly close to my friend Don. Maybe two years ago people would not have thought that was possible. Don, I really appreciate the support you have given me.

Those of you who served on the Appropriations Committee, Michael and Ruth and Bonnie, I think we owe you a debt of gratitude for the amount of work that you put into the budget. Michael, I know that more than once I have pushed you, probably beyond the limits, wanting to get this budget out by June 1, and we all thank you for the work that you have done.

Joy and Pam, I want to thank you and your staff, for making sure that we got all of the work prepared for us. Joy, I really want to thank you for guiding me in my first few months, and since then correcting the mistakes that I have made, maybe sometimes more than I wish you would.

Finally, I hope these people are listening, that is John Wakefield, Jim Clair, Martha Freeman, Dave Kennedy, and Sally Tubbesing, and all their staffs. We all work up here and sometimes we get caught in this building and we forget that there are other lives going on out there. When you start looking at the amount of time that the people on our staffs put in, and they never complain. We have had to force people to leave in the last few days because they were putting in forty and fifty hours without sleep. We were having to force these people to go home because they are very dedicated, I think we owe them a great deal of gratitude.

In closing, I do want to thank you sincerely for the support that you have given me. I could not have done it if it had not been for each individual in this body and I thank you all.

Thank you.

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

ORDERS

On motion by Senator **BUSTIN** of Kennebec the following Order: S.P. 544

ORDERED, the House concurring, that when the House and Senate adjourn, they both adjourn to ten in the morning on Wednesday, July 14, 1993, at which time the Senate and House of Representatives shall meet for one legislative day for the purpose of considering possible objections of the Governor to any Bill or Resolve presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2.

Which was **READ** and **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:

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Emergency Resolve

Resolve, to Extend the Commission to Study the Feasibility of a Capital Cultural Center and to Establish an Advisory Committee to the Commission
H.P. 827 L.D. 1113

In House, May 17, 1993, **FINALLY PASSED**.

In Senate, July 1, 1993, **FAILED OF FINAL PASSAGE** in **NON-CONCURRENCE**.

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

Senator **ESTY** moved that the Senate **RECEDE** and **CONCUR**.

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 2 Senators having voted in the negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Non-Concurrent Matter

An Act Concerning Reasonable Standards and Procedures for Contracting Services by the State
H.P. 1036 L.D. 1388
(C "A" H-545)

In House, June 7, 1993, **PASSED TO BE ENACTED**.

In Senate, July 1, 1993, **FAILED OF ENACTMENT** in **NON-CONCURRENCE**.

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

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

On motion by Senator **CAHILL** of Sagadahoc, the Senate **RECONSIDERED** its action whereby it **RECEDED** and **CONCURRED**.

Senator **CAHILL** of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **ESTY** of Cumberland that the Senate **RECEDE** and **CONCUR**.

A Division has been requested.

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

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

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion of Senator **ESTY** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **WEBSTER** of Franklin, the Senate **ADHERED**.

The Secretary has so informed the Speaker of the House.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Provide Funds for Community Mental Health Services" (Governor's Bill) (Emergency) H.P. 1174 L.D. 1566

In Senate, July 1, 1993, Under suspension of the Rules, **PASSED TO BE ENGROSSED**, without reference to a Committee.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-710)** in **NON-CONCURRENCE**.

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

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

Senate at Ease

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:

ENACTORS

An Act to Provide Funds for Community Mental Health Services (Governor's Bill) H.P. 1174 L.D. 1566 (H "A" H-710)

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

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.

15 Senators having voted in the affirmative and 11 Senators having voted in the negative, the Bill 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

Non-concurrent Matter

JOINT ORDER - regarding recalling Bill "An Act to Impose Term Limitations on Legislators, Constitutional Officers and the State Auditor" I.B. 1, L.D. 751, and all its accompanying papers from the Legislative Files H.P. 543

In Senate, July 1, 1993, **READ** and **PASSED**

Comes from the House **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion by Senator **ESTY** of Cumberland, the Senate **ADHERED**.

Sent down for concurrence.

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

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

ENACTORS

ENACTORS

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

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

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 "C" H-676; S "D"
S-382 to C "A" H-367)

An Act to Collect Baseline Data to Facilitate Health Care Reform

S.P. 535 L.D. 1561
(H "A" H-709 to H
"B" H-672)

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

Which 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:

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1175

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

ORDERED, the Senate concurring, that the following specified matters be held over to any special or regular session of the 116th Legislature:

ORDERS

Committee: Appropriations and Financial Affairs

On motion by Senator **ESTY** of Cumberland the following Order:

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) (Governor's Bill)

ORDERED, that a message be sent to Governor John R. McKernan, Jr., inviting him to make such communication as he may be pleased to make.

Committee: Audit and Program Review

An Act to Support the Natural Areas Program (EMERGENCY) (S.P. 319) (L.D. 972)

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

Committee: Housing and Economic Development

The President appointed the Senator from Cumberland, Senator **ESTY** to deliver the message to the Governor.

An Act to Create the Maine Job Growth Fund (S.P. 357) (L.D. 1071)

Subsequently, the Senator from Cumberland, Senator **ESTY**, reported that he had delivered the message with which he was charged.

An Act to Establish a Capital Access Program (S.P. 469) (L.D. 1461)

An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 to Provide Funds for Assistance to Maine Businesses (H.P. 1148) (L.D. 1547)

Senate at Ease

Senate called to order by the President.

Committee: State and Local Government
An Act to Impose Limits on the Terms of Legislators, Constitutional Officers, Members of the Judiciary and Members of Congress and to Limit Lobbying in Successive Years (H.P. 1128) (L.D. 1527)

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

Off Record Remarks

Committee: Taxation

An Act to Reduce the Number of Sales Tax Exemptions (H.P. 429) (L.D. 548)

An Act to Increase the County Share of the Real Estate Transfer Tax (H.P. 464) (L.D. 601)

An Act to Increase the Stability of the Maine State Income Tax (H.P. 600) (L.D. 815)

At this time, the **HONORABLE JOHN R. MCKERNAN, JR., GOVERNOR** of the State of Maine, entered the Senate Chamber and was escorted by the Sergeant-At-Arms to the Rostrum. (Amid applause, the Members rising.)

Committee: Utilities

An Act to Require that All Interest on Escrowed Assessments on Utilities Be Used for the Benefit of the Public Utilities Commission and the Office of the Public Advocate (S.P. 417) (L.D. 1326)

GOVERNOR JOHN R. MCKERNAN, JR.: Mr. President and members of the 116th Maine Senate. I know the hour is late but I think that your accomplishments this Session have been such that it was important for me to have a chance to have a few words before you break for awhile. I want to start with the words of Winston Churchill who once said that "history would be kind to his administration because he intended to write it". I don't know who is going to write the history of Maine during the 1990's, but I can tell you that whoever does, I think will point to the year 1993 as the year in this decade that Maine turned the corner. It will be due in large part to the decisions that all of you have made during this last six months. I think that they will point to the \$100 million tax cut that we were able to give the people of this State. I just told the House that I hope they will put a footnote in there that some of us wanted it to be \$268 million. I think that they will point to those decisions as having been the decisions that turned this State in the right direction. I think it will point to the budget decision which, I think, will be instrumental in improving the economic climate in Maine and they will point to the fact that we have a budget that is balanced, not just for this next two years in the next biennium, but the biennium after that. They will point to the structural changes that were made in the cost centers of State Government that will, I hope, once and for all get back within the legislative purview, the spending decisions in State Government, rather than the cost driven formulas that you and I have had to deal with over the last few years.

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

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

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

Off Record Remarks

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

Off Record Remarks

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

I hope that we will also have historians write that this was the year that we began to once again improve working conditions for State employees. That they will say that the contract that we have agreed to was a fair one and that the Total Quality Management activities have begun the process of truly involving State employees in the improvement of delivery of services in State Government. I also believe that historians will say that this was the session when we finally started to grapple with the business climate issues in this State, which has interfered with our ability to provide jobs for Maine people. Most importantly perhaps, for our system of government, I think the historians will write that this was the session that we finally began to restore the people's confidence in their government. That is due in no small part to the leadership in this body. I want to say to the Democratic leadership, especially, that I have appreciated the new tone during this session of the legislature, I have appreciated the improved working relationship that I think we have had over this last six months. I think that that is due, in no small part, to your new

Senate President. You have probably all seen the remarks that I have made in the press and I wanted to say them all to you, that I think Duke has set a tone that has been, not only beneficial to all of us, but I think helpful to the people that we represent as well. Without that tone, I think with these difficult decisions that we have had to make, we would not have been able to come together. To Republican leadership I want to say thank you to all the long hours and guidance and council that you have provided to us, both Pam and Dave have been there both before session and after, since before the beginning of this legislature as well as during these last six months. They have been incredibly important to our decision making and we thank you. I know it is not always easy and that there is a natural tension between the legislative and executive branches of government, but you have been there when we have needed you.

To the Appropriations Committee, I congratulate you on unbelievable dedication and energy and making, what I think, are probably the most difficult decisions that any Appropriations Committee has had to make. To the Senate Chairman of the Committee, Senator Pearson, and the ranking Republican, Senator Foster, I want to just say to both of you that this budget would not have come about without your untiring efforts to make sure the people ultimately came together for the good of the State. You are both veterans of the process, it was not a surprise to me that you were able to do this, but I think it is important that we point that out.

I want to also say that I have been listening to all of you congratulating each other during the evening and I would feel that I was remiss if I didn't, in front of all of you as well as I have in the House, also mention our own staff that has worked so hard to be there to answer your questions and to let you know our position on issues. Sawin Millet, our Commissioner of Administrative and Financial Services; Sharon Miller, my Chief of Staff; Abbie Holman, our Legislative Council; John Divine, our Legal Council; Andy McLain, our Legislative Council; and Kim Russell, another one of our Legislative liaisons. They have put in all the long hours that you have and then some, worrying about some of the activities that you might become engaged in and I just wanted to publicly make sure they know how much I appreciate their efforts.

Finally, to all of you, as members of the 116th Maine Senate. I just congratulate you on the civility with which you have conducted the debate. You have truly lived up to what I think is expected of members of the Maine State Senate. You have demonstrated the leadership that I think the people of Maine deserve and frankly, I think you have demonstrated that we can disagree on policy, but that we can disagree, as I said to the House, for the most part agreeably. That is what this process was designed to achieve.

Let me just conclude by saying to all of you that you can leave here tonight feeling that you have truly done the people's business. You should be proud of what you have accomplished this session. The people of Maine are truly better off for your activities over the last six months. Thank you very much.

The Sergeant-At-Arms escorted Governor **JOHN R. MCKERNAN, JR.** from the Senate Chamber.

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**

July 1, 1993

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

Dear Madam Secretary:

The House voted today to adhere to its former action whereby it indefinitely postponed Joint Order (S.P. 543) recalling L.D. 751 from the Legislative Files to the Senate.

Sincerely,

S/Joseph W. Mayo
Clerk of the House

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

Off Record Remarks

The following Communications were received by the Secretary of the Senate and Place on File.:

**ADMINISTRATIVE SUPPLEMENT
COMMUNICATIONS**

The Following Communication:

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

June 30, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Committee on Appropriations and Financial Affairs during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	56
Unanimous reports	44
Ought to Pass	2
Ought Not to Pass	27
Ought to Pass as Amended	10
Re-referred	2
Pursuant to It. Order	3
Divided reports	8
(Pursuant to It. Order	1)
Carried over	4

Respectfully submitted,

S/Michael D. Pearson
Senate Chair

S/Lorraine N. Chonko
House Chair

The Following Communication:

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

REVISED

July 1, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Audit during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	4
Unanimous reports	2
Ought to Pass	0
Ought Not to Pass	1
Ought to Pass as Amended	1
Divided reports	1
Carried Over	1

Respectfully submitted,

S/John J. Cleveland
Senate Chair

S/Phyllis R. Erwin
House Chair

The Following Communication:

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

June 30, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on State and Local Government during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	156
Unanimous reports	109
Ought to Pass	18
Ought Not to Pass	52
Ought to Pass as Amended	29
Re-referred	3
Pursuant to It. Order	7
Divided reports	31
Carried Over	16

Respectfully submitted,

S/Georgette B. Berube
Senate Chair

S/Ruth Joseph
House Chair

The Following Communication:

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

June 30, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Taxation during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received	128
Unanimous reports	112
Ought to Pass	1
Ought Not to Pass	88
Ought to Pass as Amended	22
Re-referred	1
Divided reports	5
Carried Over	11

Respectfully submitted,

S/John E. Baldacci
Senate Chair

S/Susan E. Dore
House Chair

The Following Communication:

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

June 30, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Transportation during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received		77
Unanimous reports		69
Ought to Pass	4	
Ought Not to Pass	44	
Ought to Pass as Amended	21	
Divided reports		5
Carried Over		3

Respectfully submitted,

S/Joseph C. Brannigan
Senate Chair

S/William B. O'Gara
House Chair

COMMUNICATIONS

The Following Communication:

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

CORRECTED COPY

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Committee on Housing and Economic Development during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received		37
Unanimous reports		30
Ought to Pass	0	
Ought Not to Pass	8	
Ought to Pass as Amended	20	
Pursuant to It. Order	2	
Divided reports		0
Carried over		7

Respectfully submitted,

S/Rochelle M. Pingree
Senate Chair

S/Rita B. Melendy
House Chair

The Following Communication:

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

CORRECTED COPY

June 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature

Dear President Dutremble:

We are pleased to report that all business which was placed before the Joint Standing Committee on Utilities during the First Regular Session of the 116th Legislature has been completed. The breakdown of bills referred to our Joint Standing Committee follows:

Total number of bills received		73
Unanimous reports		51
Ought to Pass	5	
Ought Not to Pass	16	
Ought to Pass as Amended	30	
Divided reports		7
Carried Over		15

Respectfully submitted,

S/Harry L. Vose
Senate Chair

S/Hebert E. Clark
House Chair

At this point, a message was received from the House of Representatives through Representative GWADOSKY of Fairfield, the Majority Floor Leader of the House, informing the Senate that the House had transacted all business before it and was ready to Adjourn pursuant to the Adjournment Order.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, and on motion by Senator **ESTY** of Cumberland, **ADJOURNED**, in memory of Robert E. Baldacci of Bangor, until Wednesday, July 14, 1993, at 10:00 in the morning.