

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Sixteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME VI**

**SECOND REGULAR SESSION**

**Senate**  
January 5, 1994 to April 6, 1994

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

In Senate Chamber  
Thursday  
January 27, 1994

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

Prayer by Reverend John William Zehring of the South Parish Congregational Church in Augusta.

**REVEREND JOHN WILLIAM ZEHRING:** Let us pray. God, our creator and our shepherd, grant to the members and officers of this body a sacred moment of quiet before they take up the duties of the day. Turn their thoughts to you and open their hearts to your spirit that they may have wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgements. We pray that you would bless these women and men who are entrusted with the care and governance of our great State of Maine. Grant them courage to choose that which is right rather than that which is expedient, put your arm around them to give them strength and speak to them to give them wisdom greater than their own. Instill in their hearts the desire to give their highest and their best. Grant them vision to imagine a future where truth and goodness prevail and where there is opportunity, help and hope for all of the people whom they serve. Guide the members and officers of this body to place good relationships with one another above differences about issues, to forgive quickly and easily, to seek the best interest of all of the people and to see themselves as stewards and trustees of that which belongs to another. As the psalmist writes, "I will lift up mine eyes unto the hills from whence cometh my help." May we too lift up our eyes to the hills and the mountains of Maine, to the seas and the lakes, the valleys and the forests, and know that this is your world and that you have created it and that you are present among us to love us, to forgive us, and to guide us. Amen.

Reading of the Journal of Tuesday, January 25, 1994.

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

S.P. 648

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 1, 1994, at ten o'clock in the morning.

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:

The Following Communication:

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

January 20, 1994

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 116th Maine Legislature, the Joint Standing Committee on Aging, Retirement and Veterans has had under consideration the nomination of David S. Wakelin of Cape Elizabeth, for reappointment to the Maine State Retirement System Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Sen. 2	Titcomb of Cumberland, Webster of Franklin
	Rep. 9	Jalbert of Lisbon, Cathcart of Orono, Wentworth of Arundel, Vigue of Winslow, Hatch of Skowhegan, Barth of Bethel, Clukey of Houlton, Joy of Island Falls, Tufts of Stockton Springs

NAYS: 0

ABSENT: 2 Sen. McCormick of Kennebec,  
Rep. Birney of Paris

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of David S. Wakelin of Cape Elizabeth, for reappointment to the Maine State Retirement System Board of Trustees be confirmed.

Signed:

S/Bonnie L. Titcomb  
Senate Chair

S/John Jalbert  
House Chair

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

**THE PRESIDENT:** The Joint Standing Committee on Aging, Retirement and Veterans has recommended the nomination of David S. Wakelin of Cape Elizabeth be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Aging, Retirement and Veterans be overridden?"

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

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

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

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

**ROLL CALL**

YEAS: Senators None

NAYS: Senators AMERO, BEGLEY, BERUBE, BUSTIN, BUTLAND, CAHILL, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, GOULD, HALL, HANDY, HANLEY, HARRIMAN, LAWRENCE, LUTHER, MARDEN, MCCORMICK, O'DEA, PEARSON, PINGREE, SUMMERS, TITCOMB, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators BALDACCI, BRANNIGAN, CAREY, FOSTER, KIEFFER, LUDWIG, PARADIS

No Senators having voted in the affirmative and 28 Senators having voted in the negative, with 7 Senators being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of David S. Wakelin, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Clarify the Application of Nursing Facility Admissions Criteria" (Emergency)  
H.P. 1230 L.D. 1650

In House, January 6, 1994, referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

In Senate, January 11, 1994, referred to the Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

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

Senator **ESTY** of Cumberland 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. It was my motion a week ago that this be placed in the Appropriations and Financial Affairs Committee. As you can see, it came from the House with that body having Adhered to placing it in Human Resources. I did not know that the Majority Leader was going to make the motion that he just did, it is fine with me but I would like to explain to you something about this, just so I will feel good about it. There was some difficulty here just a little while ago with regard to people in nursing homes who had gone out of the nursing homes, maybe temporarily, say to a hospital, and then were making an attempt to go back to a nursing home and there was, as I understand the issue anyway, there are some people who are being told they may not be able to go back to the nursing homes. An attempt was made to make sure that that was clarified so that these people wouldn't feel threatened if they went into the hospital. Senator Foster from Hancock, in our Committee, lead the way in trying to clarify that particular issue. We had first thought that we would have to generate a Bill from our Committee to deal with that. We have been given some assurances from the Department that that will not be necessary and that they will try to clarify that with the nursing homes. Frankly, the jury is out and we will see what happens. That was contained in this Bill which has been the subject of some difficulty with reference. That was a small part of it, that was the immediate reason for dealing with it, however attached to this Bill, and the reason why it was of some concern to us, is \$15 million more in this particular account. The Bill will be headed for Human Resources but eventually it will be coming back for \$15 million, give or take a few million dollars. In our view it was mostly a financial matter because where is the \$15 million? The issue will be discussed as we get closer, probably at the very end of the session. It was our view that the Committee on Appropriations, given the money situation that we had, probably ought to look at this. I guess the way the cards are being dealt here we will be looking at it later. Thank you.

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:

**COMMITTEE REPORTS**

House

Ought to Pass

The Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** on Bill "An Act to Provide Supplemental Appropriations in Fiscal Year 1993-94 for the Maine Residents Property Tax Program" (Emergency)  
H.P. 1340 L.D. 1807

Reported that the same **Ought to Pass**, pursuant to Joint Order (H.P. 1326).

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

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

Which was, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

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**House Papers**

Bill "An Act to Provide Enhanced Enforcement Powers in the Maine Banking Laws" (Emergency)  
H.P. 1308 L.D. 1763

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

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

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Bill "An Act to Prevent Overcharging on Merchandise"  
H.P. 1324 L.D. 1786

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

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

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Bill "An Act to Create a Single School Administrative District for Aroostook County"  
H.P. 1307 L.D. 1762

Bill "An Act to Establish a Technical College in York County"  
H.P. 1313 L.D. 1775

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

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

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Bill "An Act to Preserve Productive Forests" (Emergency)  
H.P. 1309 L.D. 1764

Bill "An Act to Acquire Lake and Ocean Frontage to be Preserved for the Public"  
H.P. 1312 L.D. 1767

Bill "An Act to Refund Money Collected from the Disposal Fee on Major Appliances and Tires to Municipalities"  
H.P. 1314 L.D. 1776

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

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

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Bill "An Act to Make Economic Development Funds More Readily Available for Improving Existing Equipment and Facilities"  
H.P. 1315 L.D. 1777

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

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

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Bill "An Act to Require That Medical Personnel Report Suspected Domestic Abuse"  
H.P. 1318 L.D. 1780

Bill "An Act Relating to Access for People with Disabilities"  
H.P. 1321 L.D. 1783

Bill "An Act to Amend the Laws Regarding Protective Custody"  
H.P. 1322 L.D. 1784

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

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

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

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

Bill "An Act to Ensure Appropriate and Equitable Penalties for Violation of Electoral Laws"  
H.P. 1311 L.D. 1766

Bill "An Act to Increase Safety in Highway Construction and Maintenance Work Areas"  
H.P. 1316 L.D. 1778

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

Resolve, to Designate Route 196 through Lisbon in Memory of Staff Sergeant Thomas Field  
H.P. 1317 L.D. 1779

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

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

Bill "An Act to Amend the Sea Urchin Harvesting and Licensing Laws and to Establish the Sea Urchin Fund" (Emergency)  
H.P. 1319 L.D. 1781

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

Bill "An Act Concerning Alewives"  
H.P. 1323 L.D. 1785

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

Bill "An Act to Protect Ratepayer Investments"  
H.P. 1310 L.D. 1765

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

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

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

Bill "An Act to Promote Fairness in Investigation of Employee Misconduct"  
H.P. 1325 L.D. 1787

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

**COMMUNICATIONS**

The Following Communication: S.P. 643

**116TH MAINE LEGISLATURE**

January 25, 1994

On motion by Senator **ESTY** of Cumberland, referred to the Committee on **JUDICIARY** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Sent down for concurrence.

Senator Judy A. Paradis  
Rep. Robert J. Tardy  
Chairpersons  
Joint Standing Committee on Agriculture  
116th Legislature  
Augusta, Maine 04333

Dear Chairs:

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

Please be advised that Governor John R. McKernan, Jr. has nominated Gwynne F. Briggs of Kennebunk for appointment, Andrew B. Berry of North Whitefield and Alan J. Lewis of Machias for reappointments to the Board of Pesticides Control.

Bill "An Act to Clarify the Tax-exempt Status of Nonprofit Rental Housing" (Emergency)  
H.P. 1320 L.D. 1782

Pursuant to Title 22, MRSA Section 1471-B, these nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

January 25, 1994

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/John L. Martin  
Speaker of the House

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

Dear President Dutremble and Speaker Martin:

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

L.D. 1181 An Act to Establish a Demonstration Project Transferring County Jail Operations to the State

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

Sincerely,

S/Sen. Beverly M. Bustin  
Senate Chair

S/Rep. Anne M. Larrivee  
House Chair

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

Which was **READ** and referred to the Committee on **AGRICULTURE.**

Sent down for concurrence.

The Following Communication:

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

January 25, 1994

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

Dear President Dutremble and Speaker Martin:

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

L.D. 1379 An Act to Grant Conditional Licensure to Social Work Graduates from Schools That Are Awaiting Accreditation

L.D. 1471 An Act to Amend the Licensure Requirements for Nurses

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

Sincerely,

S/Sen. Alton E. Cianchette  
Senate Chair

S/Rep. Annette M. Hogleund  
House Chair

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

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

January 25, 1994

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

Dear President Dutremble and Speaker Martin:

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

L.D. 1646 An Act to Redefine the Maine State Cultural Affairs Council

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

The Following Communication:

Sincerely,

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

S/Rep. Elizabeth H. Mitchell  
House Chair

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

January 25, 1994

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

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

The Following Communication:

Dear President Dutremble and Speaker Martin:

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

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

January 25, 1994

L.D. 1198 An Act to Amend the Laws Governing Elections and Nominations by Political Parties

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

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

Dear President Dutremble and Speaker Martin:

Sincerely,

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

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

L.D. 600 An Act to Authorize the Experimental Use of Video Telecommunication for Arraignment

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

L.D. 763 An Act to Provide a Remedy for a Violation of the Lead Poisoning Control Act

L.D. 840 An Act to Protect Maine Businesses and Consumers from Unfair and Deceptive Trade Practices

L.D. 1194 RESOLUTION, Proposing an Amendment to the Constitution of Maine Repealing the Requirement of Grand Jury Review for Noncapital Crimes

L.D. 1420 An Act Concerning the Terminally Ill

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

The Following Communication:

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

January 25, 1994

Sincerely,

Sen. Gerard P. Conley, Jr.  
Senate Chair

Rep. Constance D. Cote  
House Chair

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

Dear President Dutremble and Speaker Martin:

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

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

L.D. 698 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That Certain Officers Be Appointed by the Governor

L.D. 952 An Act to Increase the Number of Cumberland County Commissioners

The Following Communication:



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

Sincerely,

S/Sen. Georgette B. Berube  
Senate Chair

S/Rep. Ruth C. Joseph  
House Chair

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

The Following Communication:

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

January 25, 1994

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

Dear President Dutremble and Speaker Martin:

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

L.D. 963 An Act to Promote the Use of Reusable Bags in the Purchase of Groceries

L.D. 1061 An Act to Clarify Various Tax Procedures and to Protect Taxpayer Rights

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

Sincerely,

S/Sen. John E. Baldacci  
Senate Chair

S/Rep. Susan E. Dore  
House Chair

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

The Following Communication:

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

January 25, 1994

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

Dear President Dutremble and Speaker Martin:

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

L.D. 1594 An Act to Provide an Option for a Two-year Vehicle Registration Program

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

Sincerely,

S/Sen. Joseph C. Brannigan  
Senate Chair

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

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

The Following Communication:

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

January 25, 1994

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

Dear President Dutremble and Speaker Martin:

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

L.D. 305 An Act to Require the Public Utilities Commission to Include Externalities in Least-cost Planning Procedures

L.D. 1502 An Act to Identify Potential Costs of Utility Projects to Municipalities and Corporations That Provide Services to Municipalities

L.D. 1538 An Act to Establish Curtailable Load Retention Service

L.D. 1580 An Act Concerning Municipal Appointments

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

Sincerely,

S/Sen. Harry L. Vose  
Senate Chair

S/Rep. Herbert E. Clark  
House Chair

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

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#### SENATE PAPERS

Bill "An Act to Allow the Dissolution of the  
Maine Capital Corporation"  
S.P. 644 L.D. 1803

Presented by President **DUTREMBLE** of York  
Cosponsored by Senator: **PINGREE** of Knox,  
Representative: **MELENDY** of Rockland  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.

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

Sent down for concurrence.

---

Bill "An Act to Make Certain Revisions to the  
Maine Emergency Medical Services Act of 1982"  
S.P. 646 L.D. 1805

Presented by Senator **HARDEN** of Kennebec  
Cosponsored by Representatives: **LINDAHL** of  
Northport, **VIGUE** of Winslow  
Submitted by the Department of Public Safety  
pursuant to Joint Rule 24.

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

Sent down for concurrence.

---

Bill "An Act to Encourage Municipal Investment in  
Local Economic Development Projects" (Emergency)  
S.P. 647 L.D. 1806

Presented by President **DUTREMBLE** of York  
Cosponsored by Senators: **BALDACCI** of Penobscot,  
**SUMMERS** of Cumberland, Representatives: **KERR** of  
Old Orchard Beach, **NADEAU** of Saco  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.

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

Sent down for concurrence.

---

Bill "An Act to Permit Scrutiny of Books and  
Records of Nonutility Generators"  
S.P. 645 L.D. 1804

Presented by President **DUTREMBLE** of York  
Cosponsored by Senator **VOSE** of Washington,  
Representative **CLARK** of Millinocket and  
Representatives: **DONNELLY** of Presque Isle, **TAYLOR**  
of Cumberland  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.

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

Sent down for concurrence.

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

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#### COMMITTEE REPORTS

##### Senate

##### Ought to Pass

Senator **O'DEA** for the Committee on **EDUCATION**  
on Bill "An Act to Enhance and Improve the Special  
Education Complaint Management Process"  
S.P. 578 L.D. 1622

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

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

The Bill **READ ONCE.**

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

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

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act to Prohibit the Location of New  
Groundwater Drinking Water Supply Wells in Close  
Proximity to Potential Contamination Sources"  
H.P. 1328 L.D. 1791

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

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

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Bill "An Act to Revise Certain Fish and Wildlife Laws" (Governor's Bill) (Emergency)  
H.P. 1338 L.D. 1801

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Authorize Use of Civil Administrative Penalty Authority and Administrative Order Authority Against Violation of Federal and State Drinking Water Laws, Regulations and Rules" (Emergency)  
H.P. 1329 L.D. 1792

Bill "An Act to Rename Boarding Care Facilities and Expand Their Definitions" (Emergency)  
H.P. 1337 L.D. 1800

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

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

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Bill "An Act to Adopt the Uniform Interstate Family Support Act"  
H.P. 1339 L.D. 1802

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Remove the Distance Requirement Relating to Replacement Agency Stores"  
H.P. 1327 L.D. 1790

Bill "An Act to Clarify the Laws Relating to Permits to Carry Concealed Firearms" (Emergency)  
H.P. 1335 L.D. 1798

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

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

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Bill "An Act Imposing Real Estate Transfer Tax on Nongovernmental Entities in Transactions Involving Governmental Entities"  
H.P. 1333 L.D. 1796

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Amend the Charter of the Madison Water District"  
H.P. 1334 L.D. 1797

Bill "An Act to Create the Great Salt Bay Utility District"  
H.P. 1336 L.D. 1799

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

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

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

**PAPERS FROM THE HOUSE**

**Pursuant to Statutes  
BOARD OF TRUSTEES OF  
THE MAINE STATE RETIREMENT SYSTEM**

The **BOARD OF TRUSTEES OF THE MAINE STATE RETIREMENT SYSTEM**, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13, ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1995" (Emergency)

H.P. 1332 L.D. 1795

Be referred to the Committee on **AGING, RETIREMENT & VETERANS** for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Bill referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

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

**PAPERS FROM THE HOUSE**

**Pursuant to Statutes  
COMMITTEE ON AUDIT AND PROGRAM REVIEW**

The Committee on **AUDIT AND PROGRAM REVIEW**, pursuant to the Maine Revised Statutes, Title 3, chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide Adequate Staffing for the Board of Osteopathic Examination and Registration"

H.P. 1331 L.D. 1794

Be referred to the Committee on **AUDIT & PROGRAM REVIEW** for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **AUDIT & PROGRAM REVIEW** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Bill referred to the Committee on **AUDIT & PROGRAM REVIEW** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

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Senate at Ease

Senate called to order by the President.

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Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**Pursuant to Resolves  
HEALTH AND SOCIAL SERVICES TRANSITION TEAM**

The **HEALTH AND SOCIAL SERVICES TRANSITION TEAM**, pursuant to Resolve 1993, chapter 36, ask leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Health and Social Services Transition Team"

H.P. 1330 L.D. 1793

Be referred to the Committee on **HUMAN RESOURCES** for Public Hearing and printed pursuant to Joint Rule 20.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 20.

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

The Bill referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 20, in concurrence.

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On motion by Senator **VOSE** of Washington, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**ENACTORS**

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

**Emergency**

An Act to Provide Supplemental Appropriations in Fiscal Year 1993-94 for the Maine Residents Property Tax Program

H.P. 1340 L.D. 1807

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being 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.

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Off Record Remarks

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The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **VOSE** of Washington, **ADJOURNED** until Tuesday, February 1, 1994, at 10:00 in the morning.