

# 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  
February 10, 1994

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

Prayer by Pastor Dan Bowers of Hope Baptist Church in Manchester.

**PASTOR DAN BOWERS:** Please join me in prayer if you would please. Heavenly Father, we acknowledge you as the God of all creation. You made the world and everything in it. You are the Lord of heaven and earth, in you we live and move and have our being. As a Father has compassion on his children so do you have compassion on those who revere you. You know us, you know man, you know that we are but dust. Our days are like the snow that melts away in the Spring but you are everlasting and unchanging. Lord we need your help. As you have said man is born for trouble just as the sparks fly upward, and our world is enmeshed in trouble. We come to you and turn to you for your help. We thank you Lord that you have provided salvation in Jesus Christ who, through the Holy Spirit, was declared with power to be the Son of God by his resurrection from the dead and for this we give you thanks.

God we petition you this morning on behalf of our nation, our President, Mr. Clinton and our Congress in Washington. We petition you Lord on behalf of our State, our Governor, Mr. McKernan and this House of Senators. We pray Lord for each one, we ask that your will be done and that your kingdom come in each life in this house today. Now may the God of peace who, through the blood of the eternal covenant, brought back from the dead, our Lord Jesus Christ, the great shepherd of the sheep, equip you with everything good for doing His will. May He work in us what is pleasing to Him through Jesus Christ to whom be the glory forever and ever. Amen.

Reading of the Journal of Tuesday, February 8, 1994.

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

S.P. 682

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 15, 1994, at four o'clock in the afternoon.

Which was **READ** and **PASSED**.

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

**COMMUNICATIONS**

The Following Communication:

**116TH MAINE LEGISLATURE**

February 3, 1994

Daniel E. Wathen, Chief Justice  
Kennebec County Court  
95 State St.  
Augusta, Maine 04330

Dear Chief Justice Wathen:

We are pleased to invite you to address a Joint Session of the 116th Maine Legislature on Tuesday, February 15, 1994 at 4:15 in the afternoon, on the State of the Judiciary and any other matters which you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/Dan A. Gwadosky  
Speaker of the House

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

The Following Communication:

**STATE OF MAINE  
SUPREME JUDICIAL COURT  
AUGUSTA, ME 04330**

February 9, 1994

Honorable Dennis L. Dutremble, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
116th Maine Legislature  
State House Station 3  
Augusta, ME 04333

Dear President Dutremble and Speaker Gwadosky:

I am pleased to accept your invitation to address a Joint Session of the 116th Maine Legislature on Tuesday, February 15, 1994 at 4:15 p.m. I look forward to having the opportunity to report on the operations of the third branch of government and to acquaint the Legislature with our current plans.

I will see you on the 15th.

Signed:

Sincerely yours,  
S/ Daniel E. Wathen  
Chief Justice

S/James R. Handy  
Senate Chair

S/Richard P. Ruhlin  
House Chair

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

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

**THE PRESIDENT:** The Joint Standing Committee on Labor has recommended the nomination of George W. Lambertson of Readfield be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor 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.

Off Record Remarks

The Following Communication:

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

February 8, 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 Labor has had under consideration the nomination of George W. Lambertson of Readfield, for reappointment to the Maine Labor Relations Board as the Employee Representative.

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    Handy of Androscoggin, Begley of Lincoln
- Rep.   8    Ruhlin of Brewer, St. Onge of Greene, Chase of China, Clement of Clinton, Coffman of Old Town, Aikman of Poland, Carr of Sanford, Lindahl of Northport
- NAYS:       0
- ABSENT:    3    Sen. Luther of Oxford, Rep. Sullivan of Bangor, Rep. Libby of Buxton

Ten 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 George W. Lambertson of Readfield, for reappointment to the Maine Labor Relations Board as the Employee Representative be confirmed.

**ROLL CALL**

YEAS:       Senators None

NAYS:       Senators AMERO, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT:    Senators LAWRENCE, MARDEN, SUMMERS, TITCOMB

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 George W. Lambertson, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

February 8, 1994

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

**ROLL CALL**

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 Labor has had under consideration the nomination of Gwendolyn Gatcomb of Winthrop, for reappointment to the Maine Labor Relations Board as an Alternate Employee Representative.

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 Handy of Androscoggin, Begley of Lincoln  
 Rep. 8 Ruhlin of Brewer, St. Onge of Greene, Chase of China, Clement of Clinton, Coffman of Old Town, Aikman of Poland, Carr of Sanford, Lindahl of Northport

NAYS: 0

ABSENT: 3 Sen. Luther of Oxford, Rep. Sullivan of Bangor, Rep. Libby of Buxton

Ten 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 Gwendolyn Gatcomb of Winthrop, for reappointment to the Maine Labor Relations Board as an Alternate Employee Representative be confirmed.

Signed:

S/James R. Handy  
 Senate Chair

S/Richard P. Ruhlin  
 House Chair

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

**THE PRESIDENT:** The Joint Standing Committee on Labor has recommended the nomination of Gwendolyn Gatcomb of Winthrop be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor 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.

YEAS: Senators None

NAYS: Senators AMERO, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators LAWRENCE, MARDEN, SUMMERS, TITCOMB

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Gwendolyn Gatcomb, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

February 8, 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 Labor has had under consideration the nomination of Wayne W. Whitney of Brunswick, for reappointment to the Maine Labor Relations Board as an Alternate Employee Representative.

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 Handy of Androscoggin, Begley of Lincoln  
 Rep. 8 Ruhlin of Brewer, St. Onge of Greene, Chase of China, Clement of Clinton, Coffman of Old Town, Aikman of Poland, Carr of Sanford, Lindahl of Northport

NAYS: 0

ABSENT: 3 Sen. Luther of Oxford, Rep.  
Sullivan of Bangor, Rep.  
Libby of Buxton

Ten 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 Wayne W. Whitney of Brunswick, for reappointment to the Maine Labor Relations Board as an Alternate Employee Representative be confirmed.

Signed:

S/James R. Handy  
Senate Chair

S/Richard P. Ruhlin  
House Chair

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

**THE PRESIDENT:** The Joint Standing Committee on Labor has recommended the nomination of Wayne W. Whitney of Brunswick be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor 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, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LUDWIG, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, SUMMERS, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators LAWRENCE, MARDEN, TITCOMB

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 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 Wayne W. Whitney, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

February 9, 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 Energy and Natural Resources has had under consideration the nomination of Robert C. Hazelwood of Grand Lake Stream, for reappointment to the Land Use Regulation Commission.

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	Cianchette of Somerset, Ludwig of Aroostook
	Rep. 10	Jacques of Waterville, Mitchell of Freeport, Coles of Harpswell, Gould of Greenville, Constantine of Bar Harbor, Poulin of Oakland, Wentworth of Arundel, Lord of Waterboro, Anderson of Woodland, Marsh of West Gardiner

NAYS: 0

ABSENT: 1 Sen. Lawrence of York

Twelve 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 Robert C. Hazelwood of Grand Lake Stream, for reappointment to the Land Use Regulation Commission be confirmed.

Signed:

S/Mark W. Lawrence  
Senate Chair

S/Paul F. Jacques  
House Chair

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

**THE PRESIDENT:** The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Robert C. Hazelwood of Grand Lake Stream be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources 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, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, SUMMERS, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators MARDEN, TITCOMB

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 Robert C. Hazelwood, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

February 9, 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 Energy and Natural Resources has had under consideration the nomination of Steven O. Mason of Greenville, for reappointment to the Land Use Regulation Commission.

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 Cianchette of Somerset,  
Ludwig of Aroostook  
Rep. 10 Jacques of Waterville,  
Mitchell of Freeport, Coles  
of Harpswell, Gould of  
Greenville, Constantine of  
Bar Harbor, Poulin of  
Oakland, Wentworth of  
Arundel, Lord of Waterboro,  
Anderson of Woodland, Marsh  
of West Gardiner

NAYS: 0

ABSENT: 1 Sen. Lawrence of York

Twelve 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 Steven O. Mason of Greenville, for reappointment to the Land Use Regulation Commission be confirmed.

Signed:

S/Mark W. Lawrence  
Senate Chair

S/Paul F. Jacques  
House Chair

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

**THE PRESIDENT:** The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Steven O. Mason of Greenville be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources 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, BALDACCI, BEGLEY, BERUBE, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CAREY, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, GOULD, HALL, HANDY, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG, LUTHER, MCCORMICK, O'DEA, PARADIS, PEARSON, PINGREE, SUMMERS, VOSE, WEBSTER, THE PRESIDENT - DENNIS L. DUTREMBLE

ABSENT: Senators MARDEN, TITCOMB

Signed:

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 Steven O. Mason, was **CONFIRMED**.

S/Mark W. Lawrence  
Senate Chair

S/Paul F. Jacques  
House Chair

The Secretary has so informed the Speaker of the House.

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

**THE PRESIDENT:** The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Marilyn Tourtelotte of Guilford be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources be overridden?"

Off Record Remarks

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.

The Following Communication:

Is the Senate ready for the question?

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

The Doorkeepers will secure the Chamber.

February 9, 1994

The Secretary will call the Roll.

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

**ROLL CALL**

Dear Mr. President:

YEAS: Senators None

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 Energy and Natural Resources has had under consideration the nomination of Marilyn Tourtelotte of Guilford, for appointment to the Land Use Regulation Commission.

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

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:

ABSENT: Senators MARDEN, TITCOMB

YEAS: Sen. 2 Cianchette of Somerset,  
Ludwig of Aroostook  
Rep. 10 Jacques of Waterville,  
Mitchell of Freeport, Coles  
of Harpswell, Gould of  
Guilford, Constantine of Bar  
Harbor, Poulin of Oakland,  
Wentworth of Arundel, Lord of  
Waterboro, Anderson of  
Woodland, Marsh of West  
Gardiner

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 Marilyn Tourtelotte, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

NAYS: 0

ABSENT: 1 Sen. Lawrence of York

**SENATE PAPERS**

Twelve 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 Marilyn Tourtelotte of Guilford, for appointment to the Land Use Regulation Commission be confirmed.

Resolve, Authorizing the Direct Purchase of the Desk, Chair and Credenza Used by John L. Martin as Speaker of the House of Representatives

S.P. 677 L.D. 1857



Presented by Senator **PEARSON** of Penobscot  
Cosponsored by Senator **PARADIS** of Aroostook and  
Representatives: **CHONKO** of Topsham, **ERWIN** of  
Rumford  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.

Sent down for concurrence.

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

Pursuant to Joint Rule 14 a Division was had. 26  
Senators having voted in the affirmative and No  
Senators in the negative, and 26 being a majority of  
the members present and voting, Joint Rule 14 was  
suspended.

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

Bill "An Act Concerning Registered Apprenticeship  
Programs"

S.P. 681 L.D. 1861

Presented by Senator **BUSTIN** of Kennebec  
Cosponsored by Representatives: **CLARK** of  
Millinocket, **CLEMENT** of Clinton  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 26.

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

Sent down for concurrence.

---

Senate at Ease

Senate called to order by the President.

---

Bill "An Act to Streamline the Department of  
Transportation's Permitting Procedure for Aboveground  
Facilities"

S.P. 678 L.D. 1858

---

Which was, under suspension of the Rules, **READ A  
SECOND TIME** and **PASSED TO BE ENGROSSED**, without  
reference to a Committee.

Sent down for concurrence.

---

Presented by Senator **BRANNIGAN** of Cumberland  
Cosponsored by Senator: **GOULD** of Waldo,  
Representatives: **O'GARA** of Westbrook, **STROUT** of  
Corinth  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.

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

Sent down for concurrence.

---

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

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**Pursuant to Statutes  
COMMITTEE ON JUDICIARY**

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Bill "An Act to Allow Police Officers to  
Prosecute Traffic Infractions" (Emergency)  
S.P. 679 L.D. 1859

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by Representatives: **COTE** of Auburn,  
**FAIRCLOTH** of Bangor  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.

Senator **CONLEY** for the Committee on  
**JUDICIARY**, pursuant to the Maine Revised Statutes,  
Title 1, section 94, ask leave to submit its findings  
and to report that the accompanying Bill "An Act to  
Correct Errors and Inconsistencies in the Laws of  
Maine" (Emergency)

S.P. 676 L.D. 1852

Be referred to the Committee on **JUDICIARY** for  
Public Hearing and printed pursuant to Joint Rule 18.

---

Bill "An Act to Amend the Law Pertaining to the  
Appointment of a Guardian Ad Litem in Contested  
Proceedings" (Emergency)

S.P. 680 L.D. 1860

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by Representative: **COTE** of Auburn  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.

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

The Bill referred to the Committee on **JUDICIARY**  
and **ORDERED PRINTED**, pursuant to Joint Rule 18.

---

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

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

---

**COMMITTEE REPORTS**

**House**

**Ought to Pass As Amended**

The Committee on **TRANSPORTATION** on Bill "An Act to Allow Nonresidents to Possess Antique License Plates"

H.P. 1177 L.D. 1568

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-716)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-716)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-716) **READ** and **ADOPTED**, in concurrence.

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

---

**Senate**

**Ought to Pass As Amended**

Senator **MCCORMICK** for the Committee on **BANKING & INSURANCE** on Bill "An Act to Amend the Maine Self-Insurance Guarantee Association Assessment Base"  
S.P. 556 L.D. 1592

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-394)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-394) **READ** and **ADOPTED**.

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

---

Senator **O'DEA** for the Committee on **EDUCATION** on Bill "An Act Regarding the Implementation of the Provisions of the Higher Education Act of 1965 as Amended" (Emergency)

S.P. 606 L.D. 1704

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-393)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-393) **READ** and **ADOPTED**.

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

---

Senator **LUDWIG** for the Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Clarify the State's Implementing Regulations to Provide for Schedules of Compliance"

S.P. 569 L.D. 1610

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-395)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-395) **READ** and **ADOPTED**.

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

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**SECOND READERS**

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

**House As Amended**

Bill "An Act to Amend the Charter of the Portland Water District" (Emergency)

H.P. 1198 L.D. 1606  
(C "A" H-715)

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

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**Senate**

Bill "An Act to Amend the Liquor Laws Pertaining to the Delivery of Beer and Wine"

S.P. 565 L.D. 1600

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

Sent down for concurrence.

**PAPERS FROM THE HOUSE**

**Senate As Amended**

Bill "An Act to Protect Utility Consumers from Bearing Responsibility for Utility Mismanagement"  
S.P. 577 L.D. 1621  
(C "A" S-392)

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

Sent down for concurrence.

**House Papers**

Bill "An Act to Strengthen the Laws Governing Harness Racing"  
H.P. 1371 L.D. 1855

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

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

**ENACTORS**

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

**Emergency Resolve**

Resolve, to Extend the Reporting Date of the Study to Identify the Extent of Violence among Children  
H.P. 1271 L.D. 1715

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 **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency Resolve**

Resolve, to Extend the Reporting Deadline of the Health and Social Services Transition Team  
H.P. 1272 L.D. 1716

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 **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:

Bill "An Act to Provide Funding to the Maine Criminal Justice Commission" (Emergency)  
H.P. 1370 L.D. 1854

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Amend the Growth Management Laws Concerning Dimensional Variances"  
H.P. 1369 L.D. 1853

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

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

Bill "An Act to Prohibit Excessive or Unnecessary Prescription of Drugs or Treatment by Health Care Professionals"  
H.P. 1374 L.D. 1862

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 Concerning the 1993 Apportionment of Legislative Districts"

H.P. 1372 L.D. 1856

Bill "An Act Concerning Possession of Firearms by Minors on or near Public School Property"

H.P. 1375 L.D. 1863

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.

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

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order: H.P. 1376

**ORDERED**, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out a bill or bills making supplemental appropriations and allocations for the expenditures of State Government and to change certain provisions of the law necessary to the proper operations of State Government for the fiscal year ending June 30, 1994.

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

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

Senate at Ease

Senate called to order by the President.

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

Senator **BALDACCI**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I have a few remarks that hopefully will be much shorter than a prayer and not as spiritual this morning. There is a point of interest that has been bothering me and I am not prepared to go around and visit with the different editorial boards or hold press conferences or those sorts of things, but I think it is important for this Senate, as a body, to understand where we have been as far as our overall tax policies and where we are going. Mr. President and members of the Senate I think it is important to know where we have been. Three years ago the 115th Legislature passed temporary taxes, they were supposed to be a bridge between where we were and where we were going. They were supposed to be removed and the economy was supposed to recover. Well there was a partial recovery and we were able to disengage the surcharges on income tax, 5% for under \$50,000 and 15% for over \$50,000. We also removed the surcharges on the corporate income tax. That amounted to almost \$100 million. Frankly, I was very surprised that we were able to do it but happy that we were able to do it last year when we signed the budget document. You will be getting a copy of the budget document this morning and one of the pages on the budget document, which we all signed off on, was to try to remove the six cent sales tax. That's part of the law that has been signed. This amendment was offered by this administration because we made a commitment to the people of the State of Maine that we were going to reduce it because we didn't need it and it was temporary and that was the only way this budget document could be signed by two-thirds and become a public law. I'm not talking about some whimsical promise, I'm talking about something that is a public law and it is going to be passed out today. It calls for the reduction and the ratcheting down of the sales tax once the revenue projections exceed 8% of the base projections. We made that commitment to the people of the State of Maine. They don't believe politicians, they don't believe the promises that we make during the campaigns. We try to put into print, and put our money where our mouth was, and say that we were going to reduce it. This administration offered this amendment to the Committee and it became part of the public law. There is a proposal to reduce the income tax by 20% over time. That proposal would severely undercut or bury this commitment. In order to reduce the income tax by 20% we would have to cut \$100 million. We can't do everything, especially in this State. We could probably use more credit counseling than anything but the fact of the matter is that we have to maintain our commitment to the people. That was a commitment that we all held to, that we signed off on and that is public law. That is going to require \$115 million and for this body, or any member of this body, to take seriously a proposal to cut the income tax 20%, to be serious and have to raise another \$100 million, I don't think it really is going to deserve much time for debate and discussion. If you want to undercut the promise and the commitment that you made to the people of the State of Maine by passing this public law, which you have in front of you, then you support those proposals to cut the income tax because you can't have it both ways. Thank you.

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

Senator **SUMMERS**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I originally was going to stand up and make an announcement for the Gould-Michaud Auction, which I will be happy to do, however I feel compelled to at least offer a few thoughts on the remarks of my good friend from Penobscot, Senator Baldacci. I certainly echo his commitment to the people of the State of Maine in regards to removing the 6% sales tax, I think that was a serious commitment, obviously serious enough to be put into statute, but I also feel that we can never stop looking to try and reduce the tax burden of the working men and women of this State. I feel very strongly that the proposal that he mentioned only moments ago regarding a 20% reduction in the income tax in this State, I feel that that is a goal that each and every one of us here should aspire to because I feel very strongly that the burden of taxes in this State is too high, it is too great. To make an offhand remark that we should not give this serious consideration and we should not waste time on it I think is probably close to dereliction of your duties in this chamber. I just hope that the members of this body will take that issue seriously and will not simply fluff it off like our good Chair of Taxation appears to have done. Thank you.

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

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Senator **O'DEA** of Penobscot was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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

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The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **HANDY** of Androscoggin, **ADJOURNED** until Tuesday, February 15, 1994, at 4:00 in the afternoon.