

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 2, 1995 to June 16, 1995

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

In Senate Chamber
Thursday
May 18, 1995

Senate called to Order by the President, Jeffrey H. Butland of Cumberland.

Prayer by Father Joseph Blattner of Saint Benedict's Roman Catholic Church in Benedicta.

FATHER JOSEPH BLATTNER: Good morning. I do come from Benedicta, and a lot of times people will ask what street I live on. I live on The Street of Benedicta. It was suggested that I might start with a joke. Senator Mike and I have shared a lot of jokes, regrettably I can't share them with you here today. There is one joke, perhaps, that I might share. It involves the Congregational Minister, the Priest and the Rabbi who went out to play golf. They were waiting and waiting. The foursome in front of them just weren't moving. It took at least forty-five minutes for every hole. They just couldn't handle it anymore so they went to the pro shop to make a complaint. The Rabbi started out. He said, "This is a disaster. We have never experienced this in our whole lives. It would try the patience of Moses. The foursome in front of us take forty-five minutes to an hour for every hole they play." The man there was quite apologetic. He said, "I know, but one thing you probably don't know is that they are blind." The Rabbi became very embarrassed. He hoped that Moses would understand and apologized. The Minister did the same thing. How could he make such a quick judgement about those people in front of him? The Priest said, "Well, can't they play at night?"

So, as we initiate our proceeding with a prayer, it is rightfully presumed that most of us have little or no problem expressing our faith in the Divine, Loving, Caring and Intimate God. For most of us the area of concern, in regard to faith, and in believing, is faith and trust in the human condition, and trusting and believing in each other. Recognizing and responsibly embracing this challenge to believe and trust, we wish to state that we believe that where people are gathered together in love, you, God, are present, and good things happen and life is full. We believe we are immersed in mystery, that our lives are more than they seem, that we belong to each other and to a universe of great creative energies, whose source and destiny are you, Oh God. We believe you are after us, that you are calling to us from the depth of human life. We believe that the spirit of peace is present with us, as we gather to bring about good government, that we

must celebrate our common existence, and bring about the common good. We most deeply believe that in our struggle to legislate and to love, we incarnate God in the world. So, aware of mystery and wonder, caught up in friendship and laughter, we become speechless before the joy in our hearts, and celebrate the sacredness of life. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

Senator **PARADIS** of Aroostook was granted unanimous consent to address the Senate off the Record.

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

S.P. 567

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, May 23, 1995, at 9:30 o'clock in the morning.

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

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Joint Order

An Expression of Legislative Sentiment recognizing:

Dana Grover, of Boy Scout Troop #340 in Eliot, who has attained the high rank and distinction of Eagle Scout, and in extending our congratulations and best wishes;

SLS 84

In Senate, May 16, 1995, **READ** and **PASSED**.

COMMUNICATIONS

Comes from the House, **READ** and **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On motion by Senator **KIEFFER** of Aroostook, the Senate **RECEDED** and **CONCURRED**.

The Following Communication: S.C. 175

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE**

May 15, 1995

Joint Resolution

The following Joint Resolution: H.P. 1091

JOINT RESOLUTION RECOGNIZING THE 150TH ANNIVERSARY OF THE INCORPORATION OF THE TOWN OF WHITNEYVILLE

WHEREAS, the Town of Whitneyville is a small town that was settled on the banks of the Machias River as part of the Town of Machias until it was incorporated and named in honor of Colonel Joseph Whitney 150 years ago; and

WHEREAS, the Town of Whitneyville relied on the natural resources of the area and developed its economy by establishing several sawmills at the falls on the river; and

WHEREAS, the Town of Whitneyville contributed greatly to the rich and noble history of our lumbering heritage in the State of Maine by the generations of work in these sawmills; and

WHEREAS, the Town of Whitneyville exemplifies the special qualities and virtues of the small towns that populate our rugged and beautiful State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Seventeenth Legislature, now assembled in the First Regular Session, take this occasion to recognize the 150th anniversary of the incorporation of the Town of Whitneyville and to commend the good citizens and officials of this town for the success they have achieved together for 150 years, extending to each our sincere hopes and best wishes for continued achievement over the next 150 years; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud community in honor of the occasion.

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

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

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 81 An Act to Change Reimbursement Policy on Mental Health Services
- L.D. 1222 An Act to Prevent Age Discrimination in the Purchase of Loan Insurance BY REQUEST

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

Sincerely,

S/Sen. I. Joel Abromson
Senate Chair

S/Rep. Marc J. Vigue
House Chair

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

The Following Communication: S.C. 174

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 750 Resolve, to Authorize a Study of Recreational Uses of the Saco River from the Atlantic Ocean to the New Hampshire Border
- L.D. 849 Resolve, Establishing the Commission to Study Procedures for Documentation of Feline Rabies Inoculations
- L.D. 888 An Act to Establish a Spaying and Neutering Program for Domestic Pets BY REQUEST
- L.D. 899 An Act to Establish Procedures for Entering Property upon Receiving Complaints of Animal Cruelty
- L.D. 935 An Act to Amend the Sheltering Requirements for Dogs and to Provide Funding for the Spaying and Neutering of Cats and Dogs
- L.D. 979 An Act to Amend the Cruelty to Animals Laws by Defining the Term "Undue Suffering"
- L.D. 1130 An Act to Require Retailers Stores to Label Foods That Have Been Previously Frozen as Previously Frozen
- L.D. 1163 An Act Allowing Veterinarians to License Dogs
- L.D. 1272 An Act to Require That a Person Providing a Dog to a Laboratory Show Proof of Ownership of the Dog
- L.D. 1349 An Act to Clarify Animal Welfare Laws Relating to Euthanasia by Owners
- L.D. 1362 An Act to Permit Boarding and Licensed Kennels to Administer Rabies Vaccinations

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

Sincerely,

S/Sen. Vinton E. Cassidy S/Rep. Marjorie L. Kilkelly
Senate Chair House Chair

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

The Following Communication: S.C. 176

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 45 An Act to Regulate the Sale of Cosmetics that are Exempt from Federal Labeling Laws BY REQUEST
- L.D. 126 An Act to Amend the Laws Governing Real Estate Appraisers
- L.D. 754 An Act to Increase Access to Primary Care by Redefining the Practice of Advanced Nursing
- L.D. 789 An Act Allowing Retailers to Limit the Number of Returnables They Accept
- L.D. 1044 An Act to License Home Contractors and Builders

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

Sincerely,

S/Sen. Philip Harriman S/Rep. G. Steven Rowe
Senate Chair House Chair

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

The Following Communication: S.C. 177

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
 Honorable Dan A. Gwadosky, Speaker of the House
 117th Maine Legislature
 State House
 Augusta, Maine 04333

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

Dear President Butland and Speaker Gwadosky:

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

The Following Communication: S.C. 178

**STATE OF MAINE
 ONE HUNDRED AND SEVENTEENTH LEGISLATURE
 COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
 Honorable Dan A. Gwadosky, Speaker of the House
 117th Maine Legislature
 State House
 Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 915 An Act to Increase the Authorized Penalties for Multiple OUI Offenders
- L.D. 1007 An Act to Increase the Penalty for Violating the Laws Governing Passing Another Vehicle BY REQUEST
- L.D. 1066 An Act Authorizing the Immediate Suspension of a Driver's License upon Arrest for a Repeat OUI Offense
- L.D. 1127 An Act to Provide Funds to Reimburse the Counties for the Cost of Housing Certain Prisoners
- L.D. 1174 An Act Regarding the Bind-over Procedure of Juveniles
- L.D. 1220 An Act Concerning Suspension of Drivers' Licenses of Minors Who Operate Motor Vehicles Under the Influence
- L.D. 1228 An Act Relating to the Training and Certification of Law Enforcement Officers
- L.D. 1231 An Act to Provide for a 10-Year License Suspension of Any Person Having 4 or More Operating-under-the-influence Convictions
- L.D. 1309 An Act to Regulate Bank Accounts of Clients of the Department of Corrections
- L.D. 1379 An Act to Ensure a Minimum Sentence for a Sex Crime Committed against a Minor and to Permit Attendance of a Minor's Victim and Witness Advocate at a Grand Jury Proceeding
- L.D. 1408 An Act to Permit Polygraph Examination of Certain Individuals Charged with Committing a Crime

- L.D. 277 An Act to Suspend Driver's Licenses of Students under the Age of 18 Who Drop Out of High School
- L.D. 451 An Act to Postpone the Opening of the Maine School of Science and Mathematics
- L.D. 733 An Act to Eliminate the Position and Office of the Chancellor of the University of Maine System
- L.D. 878 Resolve, to Develop a Voluntary Firearm Safety Program for Use in Schools in the State
- L.D. 894 An Act to Provide Funding for Homeless Students
- L.D. 908 An Act to Require the Department of Human Services to Consider the Effect on a School System before Placing a Child in Foster Care
- L.D. 990 An Act to Encourage the Retention and Expansion of Existing Schools within Communities
- L.D. 1011 Resolve, to Direct the Department of Education to Reduce the Number of Superintendents in the State to 25
- L.D. 1019 An Act Concerning Officiating at High School Athletic Competitions
- L.D. 1020 An Act Pertaining to Cost Sharing of Central Office Expenses among Administrative Units in a School Union

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

Sincerely,

S/Sen. John W. Benoit
 Senate Chair

S/Rep. Herbert E. Clark
 House Chair

- L.D. 1041 An Act to Reorganize the University of Maine into 2 Separate Systems
- L.D. 1211 An Act to Amend the Requirements for School Construction Projects
- L.D. 1240 An Act to Establish Minimum Statewide Standards for Teachers' Salaries
- L.D. 1274 Resolve, to Standardize the Basic Entrance and Placement Examinations for the Maine Technical College System and the University of Maine System
- L.D. 1313 An Act to Provide for the Position of President of the University of Maine System

- L.D. 374 An Act to Shift from Small Business Owners to the Department of Labor the Responsibility for Providing the Department of Human Services with Information on New Employees
- L.D. 579 An Act to Increase the Availability of Certain Drugs Used to Treat Mental Illness
- L.D. 581 An Act to Amend Provisions of the Child and Family Services and Child Protection Act Relating to Voluntary Agreements
- L.D. 960 An Act to Reimplement Statewide Child Sex Abuse Medical Teams
- L.D. 1001 Resolve, to Establish the Commission to Study Certain Provisions Regarding Medicaid and Aid to Families with Dependent Children during Catastrophic Illness and Economic Hardship
- L.D. 1037 Resolve, to Establish a Comprehensive Study on the Effects of Maine's Middle Age Population on the Maine Economy and Health Facilities
- L.D. 1133 An Act to Provide Funding for Services for Persons with HIV or AIDS
- L.D. 1143 An Act to Adopt Uniform Standards for Substance Abuse Treatment
- L.D. 1214 An Act to Award Child Support Payments Directly to the Recipient
- L.D. 1219 An Act to Consolidate Health Care Planning, Oversight and Regulation in Maine
- L.D. 1232 Resolve, to Establish the Commission to Evaluate and Reduce Medical Paperwork
- L.D. 1288 An Act to Amend the Certificate of Need Laws to Include Rural Health Clinics
- L.D. 1290 Resolve, to Increase Payments to Foster Parents
- L.D. 1330 An Act to Protect Victims of Sexual Assault

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

Sincerely,

S/Sen. Mary E. Small S/Rep. John L. Martin
Senate Chair House Chair

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

The Following Communication: S.C. 179

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON HUMAN RESOURCES**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 130 An Act to Protect Nursing Home Residents
- L.D. 303 An Act to Require the Department of Human Services to Pursue Federal Waivers Concerning Medicaid Eligibility

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

Sincerely,

S/Sen. Joan M. Pendexter S/Rep. Michael J. Fitzpatrick
Senate Chair House Chair

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

May 15, 1995

The Following Communication: S.C. 180

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1016 An Act to Prohibit the Taking of a Female Bear Accompanied by a Cub
- L.D. 1085 An Act to Reduce Fishing License Fees for Nonresidents Who Pay Property Taxes
- L.D. 1132 An Act to Provide Increased Enforcement of Noise Pollution Laws
- L.D. 1157 Resolve, to Require the Department of Inland Fisheries and Wildlife to Remove Deer from Marsh Island
- L.D. 1238 An Act to Provide a \$35 Bounty on Coyotes

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

Sincerely,

S/Sen. Stephen E. Hall S/Rep. Dorothy A. Rotondi
Senate Chair House Chair

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

The Following Communication: S.C. 181

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 116 An Act to Clarify that the Jurisdiction of Tribal Courts Is Consistent with Federal Laws
- L.D. 328 An Act to Provide Immunity from Civil Liability Regarding Emergency Care
- L.D. 488 An Act Concerning Uncompensated Care Liability for Health Care Providers
- L.D. 498 An Act Requiring Pretrial Review of Disputes Involving Engineers, Architects and Surveyors
- L.D. 663 An Act to Extend the Charitable Immunity Laws
- L.D. 722 An Act to Grant Immunity from Suit for Officers and Directors of Fish and Game Clubs
- L.D. 1089 An Act Relating to Hospital Medical Records
- L.D. 1138 An Act to Remove the Statute of Limitations in Cases of Sexual Abuse of a Minor
- L.D. 1292 An Act to Require That Grandparent Visitation Rights Be Included in Divorce Decrees

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

Sincerely,

S/Sen. S. Peter Mills S/Rep. Sharon Anglin Treat
Senate Chair House Chair

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

The Following Communication: S.C. 182

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON LABOR

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

L.D. 1048 An Act to Prohibit the Collection of Unemployment Benefits Based upon Employment During Work Release

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

Sincerely,

Sen. Charles M. Begley Rep. Pamela H. Hatch
Senate Chair House Chair

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

The Following Communication: S.C. 183

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

L.D. 448 An Act to Permit Condominium Associations to Obtain Reimbursement for Common Expenses Pending a Mortgage Foreclosure

L.D. 723 Resolve, Authorizing Jacqueline M. Sorenson of Westbrook to Sue the State BY REQUEST

L.D. 764 Resolve, Authorizing Norman Davis to Sue the State for Wrongful Suspension of a Driver's License BY REQUEST

L.D. 805 An Act to Make Appropriations to Improve Services to Veterans

L.D. 808 An Act to Better Enable Small Businesses to Keep On-line Lottery Machines

L.D. 1004 An Act to Prohibit Political Action Committee and Corporate Contributions in State and Federal Elections

L.D. 1031 An Act to Repeal the Residency Requirement for Admission into a Maine Veterans' Home

L.D. 1074 An Act to Limit Contribution of Political Committees and Other Associations in Elections for State Legislators

L.D. 1098 An Act to Voluntarily Limit Campaign Spending

L.D. 1115 An Act to Create a Voluntary Campaign Spending Law

L.D. 1223 An Act to Reform Campaign Financing by Changing the Nature of Television Advertising by Candidates

L.D. 1246 An Act to Implement Campaign Finance Reforms

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

Sincerely,

S/Sen. Norman K. Ferguson, Jr. S/Rep. Guy R. Nadeau
Senate Chair House Chair

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

The Following Communication: S.C. 184

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
 Honorable Dan A. Gwadosky, Speaker of the House
 117th Maine Legislature
 State House
 Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 25 An Act to Establish a 30-day Temporary Sea Urchin Boat Tender License
- L.D. 138 An Act to Repeal the Laws Regarding Commercial Underwater Handharvesting Safety
- L.D. 511 An Act Requiring Training Workshops for Eligibility for All New Applicants for Commercial Fishing Licenses
- L.D. 626 An Act to Impose a Moratorium on New Lobster and Crab Fishing Licenses and to Develop a Resource Management Plan for the Lobster Industry
- L.D. 635 Resolve, to Study the Use of Wooden and Wire Lobster Traps in Coastal Waters
- L.D. 654 An Act to Amend the Licensing Laws for Sea Urchin Harvesting
- L.D. 661 An Act to Prohibit Dragging in a Portion of the St. Croix River BY REQUEST
- L.D. 859 An Act to Grandfather Urchin Divers Who Held Valid Licenses in 1992 BY REQUEST
- L.D. 889 An Act to Control Entry into the Lobster Fishery to Alleviate Pressure on That Resource
- L.D. 912 An Act to Make Owners Responsible for Their Abandoned Lobster Traps BY REQUEST
- L.D. 988 Resolve, to Direct the Commissioner of Marine Resources to Investigate Controlling Marine Predators Inhibiting Shellfish Farming
- L.D. 1116 An Act to Establish an Appeals Procedure for Certain Persons Denied Handfishing Urchin Licenses
- L.D. 1137 An Act to Exempt from Lobster Meat Permit Requirements the Sale of Less Than \$1500 Worth of Lobster Meat

- L.D. 1215 An Act to Clarify Licensing in the Sea Urchin Fishery
- L.D. 1226 An Act to Amend the Laws Pertaining to the Selling of Clams and Sea Urchins to Protect Certified Sellers of Clams and Sea Urchins
- L.D. 1380 An Act to Strengthen the Sea Urchin Tender License

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

Sincerely,

S/Sen. Jeffrey H. Butland S/Rep. Peter A. Cloutier
 Senate Chair House Chair

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

The Following Communication: S.C. 185

**STATE OF MAINE
 ONE HUNDRED AND SEVENTEENTH LEGISLATURE
 COMMITTEE ON NATURAL RESOURCES**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
 Honorable Dan A. Gwadosky, Speaker of the House
 117th Maine Legislature
 State House
 Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 9 An Act to Equalize Payments for Emission Testing in the State
- L.D. 36 An Act to Amend the Motor Vehicle Emission Inspection Program to Extend the Period of Time Available for Repairs
- L.D. 864 An Act to Amend the Laws Regarding Planning and Land Use Regulations of Villages to Allow Adoption of Local Growth Management Programs BY REQUEST
- L.D. 933 An Act to Clarify and Provide Municipal Authority to Implement Comprehensive Waste Management Services

L.D. 1260 An Act to Repeal the Automobile Emissions Testing Law, to Repeal the Requirement to Use Reformulated Gasoline and to Withdraw Maine from the Ozone Transport Region

L.D. 1316 An Act to Address Membership of the Substance Abuse Services Commission

L.D. 1369 An Act to Amend the Law to Reflect Recent Changes in the Joint Rules

L.D. 1395 An Act to Provide for Sunset Review by the Legislative Joint Standing Committee of Jurisdiction

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

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

Sincerely,

Sincerely,

S/Sen. Willis A. Lord Senate Chair S/Rep. Richard A. Gould House Chair

S/Sen. Jane A. Amero Senate Chair S/Rep. Beverly C. Daggett House Chair

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

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

The Following Communication: S.C. 186

The Following Communication: S.C. 187

STATE OF MAINE ONE HUNDRED AND SEVENTEENTH LEGISLATURE COMMITTEE ON STATE AND LOCAL GOVERNMENT

STATE OF MAINE ONE HUNDRED AND SEVENTEENTH LEGISLATURE COMMITTEE ON TAXATION

May 15, 1995

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Dear President Butland and Speaker Gwadosky:

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

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. 966 An Act Concerning County Sheriff Patrols in Municipalities with No Local Law Enforcement
L.D. 994 An Act to Require State Agencies to Prepare Impact Statements
L.D. 1018 An Act to Prohibit the Expenditure of Public Funds to Challenge the Adoption or Amendment of a Municipal Charter BY REQUEST
L.D. 1026 An Act to Amend the Laws Dealing with Municipalities Having the Option of Inspecting Buildings BY REQUEST
L.D. 1229 An Act to Create the Emergency Management Advisory Board
L.D. 1261 An Act Concerning Fees Collected for the Restoration, Recreation and Preservation of Records in the Register of Deeds Offices

- L.D. 399 An Act to Implement the Recommendations of the Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals
L.D. 476 An Act to Revise the Income Tax Code to Make It More Progressive
L.D. 489 An Act Requiring That Distress Sales Be Included in Property Valuations
L.D. 593 An Act to Increase the Veterans' Property Tax Exemption
L.D. 657 An Act to Enhance Business along the Maine and New Hampshire Border

- L.D. 707 An Act to Include an Optional Contribution Check-off Box on State Income Tax Forms to Benefit Fort Knox
- L.D. 806 An Act to Eliminate the Sales Tax Exemption for Certain Property Purchased by Out-of-State Purchasers
- L.D. 831 An Act to Establish Individual Medical Savings Accounts
- L.D. 834 An Act to Award an Income Tax Credit for Value-added Wood Production
- L.D. 890 An Act to Make the Circuit-breaker Program a Credit under the Income Tax
- L.D. 940 An Act to Require that Information Recorded on the Real Estate Transfer Tax Form Be Kept on File in the Registry of Deeds BY REQUEST

- L.D. 751 An Act to Allow Charitable Organizations to Accept and Dispose of Motor Vehicles
- L.D. 818 Resolve, Directing the Maine Turnpike Authority to Establish a Formula to Reimburse Municipalities for the Costs of Municipal Services Provided
- L.D. 853 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Authorize the Dedication of a Portion of Vehicle Registration Fees to the Motor Vehicle Inspections Program
- L.D. 944 An Act to Conform Regulations of Off-system Railroads to Federal Standards
- L.D. 962 An Act to Require Certain Motorists to Yield When Traveling under the Speed Limit
- L.D. 1032 An Act to Add a \$5 Surcharge to the Fines Collected for All Moving Violations
- L.D. 1051 An Act to Allow the Posting of Temporary Signs at Dangerous Intersections
- L.D. 1075 An Act to Ensure Confidentiality of Motor Vehicle Records
- L.D. 1093 An Act to Allow for Street Legal Sprint Cars
- L.D. 1110 An Act to Allow the Erection of Certain Off-premises Signs Advertising Property
- L.D. 1225 An Act Concerning License Plates for Firefighters
- L.D. 1233 An Act to Provide Uniform Weight Limits for Public Ways in the State
- L.D. 1236 An Act Concerning the Transportation of Crushed Vehicles
- L.D. 1297 An Act to Ensure Consistency in the Laws Governing Maine's Roads
- L.D. 1308 An Act to Require Roll Bars in Emergency Response Vehicles
- L.D. 1381 An Act to Allow for the Issuance of Motor Vehicle Titles at Branch Offices of the Bureau of Motor Vehicles BY REQUEST

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

Sincerely,

S/Sen. W. John Hathaway S/Rep. Susan E. Dore
Senate Chair House Chair

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

The Following Communication: S.C. 188

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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. 591 An Act to Give Motor Vehicle Drivers and Owners the Option of Keeping Motor Vehicle Information Confidential

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

Sincerely,

S/Sen. Albert G. Stevens, Jr. S/Rep. William B. O'Gara
Senate Chair House Chair

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

The Following Communication: S.C. 190

**THE MAINE SENATE
OFFICE OF THE PRESIDENT**

The Following Communication: S.C. 189

May 16, 1995

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

May 15, 1995

Honorable Jeffrey H. Butland, President of the Senate
Honorable Dan A. Gwadosky, Speaker of the House
117th Maine Legislature
State House
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

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

- L.D. 666 An Act to Streamline Procedures before the Public Utilities Commission BY REQUEST
- L.D. 984 An Act Concerning the Eminent Domain Powers of Sanitary and Sewer Districts
- L.D. 1015 An Act to Allow Electric Power to be Purchased by Ski Resorts at the Lowest Profitable Rate
- L.D. 1084 Resolve, to Require Development of Energy Plans
- L.D. 1128 Resolve, Concerning the Exercise of the Eminent Domain Powers of the Portland Water District
- L.D. 1151 An Act to Allow Local Control over the Allocation of Public Fire Protection Costs

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

Sincerely,

S/Sen. David L. Carpenter
Senate Chair

S/Rep. Carol A. Kontos
House Chair

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

The Honorable May M. Ross
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Public Law 1995,
Chapter 99, I have appointed the following members to
the **Productivity Realization Task Force**:

Attorney Merton Henry of Standish
State Senator Joan Pendexter of Scarborough
State Representative Gary Reed of Falmouth.

Please let me know if you have any questions
regarding these appointments.

Sincerely,

S/Jeffrey H. Butland
President of the Senate

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

Off Record Remarks

SENATE PAPERS

Bill "An Act to Clarify the Municipal Bounds of
the Town of Eliot" (Emergency) S.P. 566 L.D. 1536

Presented by Senator **LAWRENCE** of York
Cosponsored by Representative **MARSHALL** of Eliot

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on **STATE AND LOCAL
GOVERNMENT** suggested and **ORDERED PRINTED.**

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

Sent down for concurrence.

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act to Clarify Recent Amendments to the Laws on Guardianship and Conservatorship"

H.P. 833 L.D. 1164

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

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

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

The Bill **READ ONCE**.

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

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Add the Prohibition of False Official Statements to the Maine Code of Military Justice"

H.P. 554 L.D. 755

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

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

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

The Bill **READ ONCE**.

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

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Facilitate the Regulation of Alcohol in Auditoriums"

H.P. 739 L.D. 1013

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

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

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

The Bill **READ ONCE**.

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

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Expand Eligibility for the Maine Veterans' Homes"

H.P. 938 L.D. 1327

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

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

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

The Bill **READ ONCE**.

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

The Committee on **MARINE RESOURCES** on Bill "An Act to Correct a Fishing Zone Definition Error"

H.P. 840 L.D. 1171

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

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

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

The Bill **READ ONCE**.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Correct Obsolete References to Justices of the Peace"

H.P. 906 L.D. 1282

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Repeal Boards That Have Not Filed Annual Reports with the Secretary of State"
H.P. 961 L.D. 1350

Reported that the same Ought to Pass.

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on BANKING AND INSURANCE on Bill "An Act to Clarify the Responsibility of an Insurance Agent in the Disclosure of Information"
H.P. 788 L.D. 1105

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-252) READ.

On motion by Senator ABROMSON of Cumberland, Senate Amendment "A" (S-157) to Committee Amendment "A" (H-252) READ and ADOPTED.

Committee Amendment "A" (H-252) as Amended by Senate Amendment "A" (S-157), thereto, ADOPTED.

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

The Committee on INLAND FISHERIES AND WILDLIFE on Bill "An Act to Authorize a Multi-day Bass Tournament Permit"
H.P. 795 L.D. 1112

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

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

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

The Committee on JUDICIARY on Bill "An Act to Amend the Trust Fund Provisions of Cemeteries and Crematories"
H.P. 561 L.D. 762

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-248).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-248) READ and ADOPTED, in concurrence.

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

Off Record Remarks

The Committee on **NATURAL RESOURCES** on Bill "An Act to Continue the State's Dioxin Monitoring Program"

H.P. 823 L.D. 1154

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-250).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-250).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-250) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act to Exempt from the Sales Tax Automobile Equipment Necessary for Paraplegics or People Who are Confined to Wheelchairs"

H.P. 540 L.D. 736

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-241).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-241).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-241) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act to Increase Safety in Highway Construction and Work Maintenance Areas"

H.P. 134 L.D. 182

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-239).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-239).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-239) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Clarify Notice Requirements and a Party's Opportunity to be Heard"

H.P. 905 L.D. 1281

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-249).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-249).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-249) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator **MILLS** for the Committee on **JUDICIARY** on Bill "An Act to Amend the Law Dealing with Agreements for Recovery of Personal Property"

S.P. 359 L.D. 985

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-154).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-154) READ and ADOPTED.

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

Senator CARPENTER for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Prohibit Any State or Independent Agency from Establishing Private Accounts"

S.P. 277 L.D. 749

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-151).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-151) READ and ADOPTED.

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

Senator CARPENTER for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Amend the Law Governing Municipal Zoning with Respect to Community Living Arrangements"

S.P. 408 L.D. 1096

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-150).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-150) READ and ADOPTED.

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

Senator HATHAWAY for the Committee on TAXATION on Bill "An Act to Amend the Maine Tree Growth Tax Law" (Emergency)

S.P. 64 L.D. 93

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-153).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-153) READ and ADOPTED.

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

Divided Report

The Majority of the Committee on TAXATION on Bill "An Act to Reduce the Maine Sales Tax and the Meals and Lodging Tax to 3%" (Emergency)

S.P. 470 L.D. 1266

Reported that the same Ought Not to Pass.

Signed:

Senator:

CAREY of Kennebec

Representatives:

DORE of Auburn
TRIPP of Topsham
TUTTLE, JR. of Sanford
KEANE of Old Town
RICHARDSON of Portland
GREEN of Monmouth

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-152).

Signed:

Senators:

HATHAWAY of York
FERGUSON, JR. of Oxford

Representatives:

MURPHY of Berwick
SPEAR of Nobleboro
DUNN of Gray
REED of Falmouth

Which Reports were READ.

On motion by Senator KIEFFER of Aroostook, Tabled until Later in Today's Session, pending ACCEPTANCE of Either Report.

SECOND READERS

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

House As Amended

Bill "An Act to Permit the Buyback of Retirement Time"

H.P. 567 L.D. 768
(C "A" H-196)

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

Senate As Amended

Bill "An Act to Create an Income Tax Stabilization Program" (Emergency)

S.P. 98 L.D. 238
(C "A" S-115)

Bill "An Act to Allow the Collection of Reimbursement for Medical Expenses"

S.P. 375 L.D. 1052
(C "A" S-148)

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

Sent down for concurrence.

ENACTORS

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

An Act Concerning the Office of Geographic Information Systems

H.P. 861 L.D. 1192

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 Amend the Sales Tax Exemption for Emergency Shelter and Feeding Organizations

H.P. 390 L.D. 525
(C "A" H-199)

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

Emergency

An Act to Revise the Security Deposit and Reinsurance Requirements for Individual Self-insurers
H.P. 207 L.D. 266
(C "A" H-193)

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.

Resolve

Resolve, to Encourage the Harvest of Coyotes
H.P. 583 L.D. 793
(C "A" H-194)

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

Senate at Ease

Senate called to order by the President.

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

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

On motion by Senator **LAWRENCE** of York, **RECESSED** until 11:30 o'clock in the morning.

After Recess

Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

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

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act to Reduce the Maine Sales Tax and the Meals and Lodging Tax to 3%" (Emergency)
S.P. 470 L.D. 1266

Majority - **Ought Not to Pass.** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-152).** (6 members)

Tabled - earlier in the day by Senator **KIEFFER** of Aroostook

Pending - **ACCEPTANCE** of Either Report

(In Senate, earlier in the day, Reports **READ.**)

Senator **HATHAWAY** of York moved that the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

Senator **HATHAWAY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. First of all, I would just like to let you know the new and true title of this bill is now, very simply, "To Reduce the Maine Sales Tax from 6% to 5%". It no longer has anything to do with the tax on lodging or food. It is a reduction in the sales tax of 6% to 5%. We have talked in this Chamber, a great deal, about trust. I think certainly no issue in the last two years has added to the mistrust between our hard-working taxpayers in this State and our government. The sales tax in this State started in the 1950's as a temporary sales tax of 2%. A short time ago, the Legislature increased it, temporarily from 5% to 6%. I think now, for all intents and purposes, it is perceived, and actually is in the eyes of our voters, a permanent 6% sales tax. The three counties in southern Maine contribute almost half of the revenue raised by this sales tax. These people are wise shoppers, they know that twenty minutes away, in New Hampshire, they can save their 6%. They do that, not just to be frugal today, but also in protest, in protest because of the high sales tax they are paying, and the method that it was imposed upon them. I think the actions previously in this Legislature, of this temporary 1% addition to the sales tax, certainly brings back memories of the birth of this nation. It's not only the hard working

people who live in this State who pay this, but of course, it is also the guests that we welcome every year, who now understand that they were being charged a temporary 1% increase, it is now permanent. Those are the same people that we are getting ready to say, "Yes, welcome to Maine, pay an extra \$3 surcharge to come and use our Turnpike. Now come across and pay our 6% sales tax and you are always welcome." We have discussed this issue a great many times and we will probably discuss it a great many more times in this body. I certainly believe that we were sent here for one purpose last November. That was because the people of Maine spoke loudly that they want us to cut their spending of their government and to cut their taxes. A proposed budget that has \$231 million of new spending does not help restore the trust. When we have this opportunity to remove this temporary 1% sales tax and put it back in the hands of the people who earn the money, who should be spending the money, then at least we have sent out a strong message that we will be heading in the right direction, and that we do care about the taxpayers of this State, that we are interested in helping create jobs, that we do want people to come to Maine, that we do want people to shop in Maine. We have one opportunity. We have it today and we have it on this vote. I urge you, again, to make one vote and send one message back to the people that you represent, that you care about them and that you want to help restore the trust between them and our government. So, I urge you to vote for the Ought to Pass, and Mr. President, I ask for a Roll Call. Thank you.

On motion by Senator **HATHAWAY** of York, 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 Kennebec, Senator Carey.

Senator **CAREY:** Thank you Mr. President. The good Senator from York, Senator Hathaway, spoke about how we were sent here to cut taxes. We were not sent here to cut taxes. We were sent here to act responsibly in taking care of the needs of the people who we represent. Those of us who are in the Senate, obviously, have a much wider area than those members who are in the House, so we take more of a statewide view of our actions than the House, which tends to be a little more parochial, them having a smaller area. This report is not a responsible action. It is yet another purely political gimmick, some of the things that we have been trying to get away from, to be used in the next campaign, saying, "Oh jeepers, we, as the Majority party in this body, have gone out and we have presented tax cuts here and tax cuts there." I think the responsible thing for the good Senator from York to do, is to tell us exactly where the cuts would be made, because in a fiscal year, this for instance, starts in the last quarter of this biennium, and will cost us some \$16 million, but for a full fiscal year, the loss of revenue is \$105 million. I would ask the good Senator, if I may, through the Chair, where does he expect to find \$105 million in the current budget that can be reduced over and above what we have given the Governor's task force to do, which is to cut \$45 million?

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 York, Senator Hathaway.

Senator **HATHAWAY**: Thank you Mr. President. Before I directly answer the good Senator from Kennebec, I do just want everybody to understand that before I spoke today, I read my horoscope, and I want to share it with you if I could. It says, "Others may want to argue something you are proposing. Your powers of reasoning, however, are so finely tuned you can beat others at their own game." If you will allow me, I will now answer it. I think the good Senator knows well that the new proposed budget has increased spending of \$231 million. We also have proposals to cut spending \$45 million. I also have great faith in our Appropriations Committee and our appropriations system to know that they are acting very responsibly in carrying out their duties of cutting spending. I see it as, again, as our purpose, once we cut spending, to make sure that that money gets back in the hands of the people who work hard to earn it, and let them decide how they want to spend it, not for this government to continue year after year, session after session, to say, "I'm sorry, we need more money, and what we do have, we need to spend, and we can't give it back to you and we never have enough." This government has enough money to spend. The people don't have enough money to spend and we need to let them decide how to spend it and keep it in their own pockets. So, I do urge you to please help set a new direction for this State. Thank you.

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

Senator **GOLDTHWAIT**: Thank you Mr. President, Men and Women of the Senate. There has been a lot of discussion since the tax reduction bills started coming through, about sending a message. It seems to me that the larger part of my job here is not to send a message, but to listen for a message. When tax reduction began to be discussed in some detail, the first thing that happened was that I had a phone message on the same day that it was discussed in the Caucuses from a woman who lives in a very rural part of my largely rural district, who said, "I hope you're not going to cut taxes." I said, "That's an interesting request, why do you say that?" And she said, "Because the State simply can't afford it. We have gone on for years and years, not meeting our obligations, and it seems that every day I read something in the newspaper about a new bill that has been discovered that needs to be paid. Before we do anything else, I think we really need to get the affairs of the State in order." I began to make some phone calls around my district. I tried to get a cross section of people, different professions, unemployed, elected officials, and I have to say that the sense that I get is that the opinion, in my district, seems to be quite unanimous about the fact that people have an understanding of our fiscal responsibilities. They have, not only a willingness, but a strong desire to meet those responsibilities. So, rather than to look at my job as trying to send them a message, I see it as trying to receive the message from them, and the message that I am getting very clearly, is that people do not favor tax reductions now. The thing that is most important to them is to get the affairs of the State in order, to

get our State on a sound and healthy fiscal footing, and then they would love to see tax cuts, as would I. Thank you.

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

Senator **CARPENTER**: Thank you Mr. President, Men and Women of the Maine Senate. I think an intriguing thought was mentioned a while ago that the Majority Party is doing this for political gain. We were the Minority Party two years ago when we also suggested that we roll back the sales tax 1%. We owed it to the people of Maine because it was a temporary tax in the first place. It was only 1% tacked on for a temporary bail out of budget problems. Probably you are correct, we did it for political gain, we did it two years ago though, the same as we are doing it now. We want it rolled back as we promised the people of Maine it would happen. It didn't happen two years ago, it should happen this time though. I am in a position that is right on the border. It is a very commercial area. In the last campaign, I believe, anyone that contacted me, or I discussed anything with, their number one priority was that 1% sales tax. I really want to see that repealed. Thank you.

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

Senator **HANLEY**: Thank you Mr. President, Men and Women of the Senate. I guess I should first state that I am lucky the town of Paris isn't in Hancock County, because if that was the case then my message for reduced government and reduced taxes probably would have fallen on deaf ears, and I would not have had the support I had in my district. I made it quite clear when I campaigned that I thought government was too large, government is much too expensive, that when we have one of the highest tax burdens across the country something needs to be done. I will tell you what worries me, men and women of the Senate, and I won't have to subject myself to this in the fall of 1996, what I have been subjected to for the last four times that I have campaigned. When I knock on people's doors and they tell me, "Mr. Hanley, you're a nice man, but why should I go and vote, because it doesn't make any difference. You put a tax on us in 1991. You told us that tax was going to go away in 1993. I can't believe you people in Augusta anymore. Why should I go to the voting booth and vote? I don't have any trust in you anymore." Men and women of the Senate, the time is now to start restoring trust, because, like it or not, democracy is not a spectator sport. We have got to get people involved, we have to restore their faith in our process. We also have to restore their respect in ourselves as individual legislators. I have said before, if I close my eyes real tight, and take myself back to the debate in the legislature when this tax was passed, I hear a cacophony in my ears as far as "this is only temporary, this will only be on the books for two years". I can look around and see faces of people who were making those statements. It will only be on the books for two years, we just need it now, just help us get over this hump, we're in an economic troublesome spot and we need the help. Men and women of the Senate, this action today would be the largest step to restoring

the people's faith in our government, to keep a promise that was made over four years ago. To keep a promise that the Legislature made to the people of the State of Maine. Maybe I would be thinking differently if I didn't come from a county which is nestled on the border with New Hampshire, and when I have friends and family who operate retail businesses in and around western Maine who have had to sell their business, who have no longer been able to compete because of the sales tax. They buy the same kids' clothes from Osh Kosh as they do over in North Conway, but why are the people in western Maine, northern Cumberland and York County, going across the border? For one simple reason, men and women of the Senate, because it costs significantly less. We are driving the sales across the border. Maybe for those of you who don't live right along the border, you don't see it every day, so it's not a big concern for you. Well, it's a concern for me, and it's a concern for the people in my district. Until we get the tax burden off, those counties are going to suffer and they are going to continue to suffer and we are going to continue to lose jobs. You have my word here, as the Senate Chair of Appropriations, that I will make sure that we deal with the fiscal problems of this State, that we will make the tough choices. It is no different than the families, the men and women who work at Norway Footware, at Robinson Manufacturing, at Bridgton Knitting Mills who were earning more money last year and this year they don't have that. They have been cut back. What do we ask of them, men and women of the Senate? Do we say no, you've got to have that money, because we don't know where you can cut. Men and women of the Senate, that is not what they face. They face the harsh, cold reality of if they only have \$200 in their paycheck this week, that's all they can spend that week. That's the cold reality of it. That's what I am talking about. Those are the men and women of the State of Maine that I am trying to protect. If it takes a tax cut that will have implications in the 1998/1999 biennium, then that Legislature, just like the people of the State of Maine, will have to live within those budgets. That's it, cold, simple, that's the facts. You can try to sugar coat it, you can try and weave your way around it, but the people of Maine, if they don't have the money, they don't spend it. We have got to be faced with the same reality.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Pingree.

Senator **PINGREE:** Thank you Mr. President. I just want to respond briefly to one thing directed to me by the good Senator from Oxford, Senator Hanley. He said that it was time that we restored faith and restored respect on the part of the voters. I heartily agree. I think it is time that we, once again, restored the faith of the voting public in our ability to do democracy and run government well. I think what that means is it is no time to be handing out candy or using our credit card any more to run government. I think it's time that we get fiscally responsible, and that is what we are talking about here today. I was thinking about just basic principles that we all know. I have three teenage children and all their lives they have heard, "You don't get dessert until you have eaten your supper. You don't go out and play basketball until you clean up your room. If you want a new car you save your

money from your summer job." It's just simple to me. The harsh, cold reality that he talked about, that we are dealing with here today, are years of gimmicks, are unfunded liabilities in the retirement fund, unpaid phone bills. We have been over this and over this. I think that it's time that we do what is fiscally responsible, instead of pandering to some call that we have made up that it's time to send back dollars, candy, or something back to our districts that we don't actually have. This whole idea of trickle-down economics that we watched for years, just didn't work. If we just give back money, if we just cut taxes, we'll have a surge in the economy. How long do we have to keep talking about what was a corrupt notion then and is now? If we lower taxes dramatically we will not suddenly be flushed. What people want, as I have heard said on the floor here, is returning responsibility to government, getting our financial house in order. How many times do we have to say it? I think it is very clear what the right thing is to do here and what we need to do is to move on with the business of governing, stop putting forward gimmicky tax breaks that we can't afford in a time when we want to pay back a lot of bills, including the irresponsible tax and match proposal that was part of the last administration. I think what we are doing here is campaigning for re-election on the taxpayers time. I don't think it's responsible. I think it's bad use of what we are here to do and bad use of tax payer dollars. Let's just move on and stop debating what, I think, are irresponsible and unfortunate proposals.

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

Senator **RUHLIN:** Thank you Mr. President, Honorable Members of the Senate. I just want to make some comments from a historical perspective to the comments of the good Senator from Oxford. We served together, at that time, as members of the other body, as many of us did. We were in a time, as I recall correctly, a budget was presented to us that was a billion dollar shortfall, or somewhere similar to that. We looked for various ways to address the problem. One, and only one; and I guess that's what I want to put the emphasis to; only one of the solutions was an increase to the sales tax. I, for one, can recall that I found it extremely distasteful, and only went along because it was called temporary. I obviously have a great deal of empathy for the position of trying to get rid of that tax as soon as possible, because, as I said, it was distasteful. But there is something even more distasteful, almost to the point of being despicable, that we did at that time, and I have always had a great deal of problem with it. That was the institution of many of the gimmicks. Some of the gimmicks were just cute little things to get us by here and there, but we did some, I think, very, very poor public policy to escape the gun. We did a sick tax, if you will, they called it tax and match, it was really a scheme to defraud the federal treasury. We did payroll push. We did all these other gimmicks, and I think that they were even more distasteful than the 6% sales tax. Now, moving to the future, we are in a partial recovery from that recession that brought about that tremendous budget shortfall. I think we have an effort, a sincere effort, in this State to address those policies that

were instituted hopefully, as we called it then, on a temporary basis. I think we have made significant progress to get rid of those gimmicks. More needs to be done, I hope we will continue to take a very conservative approach in areas to bring about that. But it still remains that we have the sales tax left, and as I say, I have great empathy for removing that sales tax. But we have not yet fully recovered from the recession and that is what I ask you to take into consideration. We have not yet fully recovered, and we may not recover until we do the proper level for education, for job development, for our youth, to help lead us out of this, otherwise it is going to be a long-term, very slow recovery. If we make cuts that can be considered irresponsible in light of that tax policy, then we will be delaying that recovery. I therefore ask you to take into consideration, when you vote on this particular piece of legislation this morning, that we have addressed many of the problems that were created in the past. It is perhaps totally premature to remove the 6% sales tax at this point, until we get additional recovery from that recession. Thank you.

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

Senator **HARRIMAN:** Thank you Mr. President. Good afternoon Ladies and Gentlemen of the Senate. I hope you will join me in supporting my good colleague from York, Senator Hathaway, on the pending motion. Because I truly believe this is an opportunity, to not only keep our promises with the people of Maine, but also to build a partnership as we go forward. To give people who are working as hard as they know how to keep their families and their businesses in tact, which generate the taxes upon which this body makes its decisions. They have lost that confidence in us. This bill before us is an opportunity to fix that. In the three years that I have had the honor of serving here, I have heard a lot of talk about how government has cut, but the truth is a cut, in my checkbook, is a lot different than a cut in the State checkbook. In my home, when we had a dollar last week, and this week we only have ninety-five cents to spend, that's a cut. Our checkbook, up here in State government, that had a dollar last week, that this week needs a dollar ten, but only gets a dollar five, we have been cut. In truth, Ladies and Gentlemen of the Senate, State spending has continued to grow, indeed \$230 million more in this proposed budget than the last one. On top of that we have masked tax increases. We have imposed fees on the businesses and the people of Maine. We have forced private industry to take over responsibilities that are rightly ours to assume. What I have discovered is that the notion in this building is that what is going on here is so important that we have got to find every available dollar to keep it going. That's what we have done. I think it's time that we start to transform the way we think here. Let's demonstrate the courage to change the way we do business. Let's recognize that the most important thing that we can do is to face our problems straight in the eye. One of the problems we have is credibility with the very people who send us here. Since I have been here, I have had the opportunity to vote to increase the unfunded liability to the retirement system, and I stood up and said no. I had a chance to vote to put a tax on people who privately

pay their way in a nursing home, and I stood up and voted no. I had a chance to continue gerrymandering the school funding formula, and stood up and said no. I had a chance to vote to take the money away from the loon license plate and put it into the Department of Conservation, and voted no. But, I did come up here to promise the people who elected me that I would work as hard as I know how to restore their confidence. One of the promises that we made is that the tax would be temporary. This is an opportunity to not only live up to that promise, but to send a signal, and indeed, to send some money, back to the private economy where they can spend it, where they can save it, where they can use it to invest in their families and their non-profit organizations and their businesses. Most importantly, it is an opportunity to prove that we are listening. I believe that Maine people, when they believe and see and sense and know that we can earn their trust again, will invest and will create jobs, and then we will have more taxpayers with less taxes. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook Senator Paradis.

Senator **PARADIS:** Thank you Mr. President, Men and Women of the Senate. I'm always very, very ashamed to admit that the generation that will be following us will be the first generation in the history of this beautiful world that will not do as well as we are doing. I suspect there are several reasons for that, but one of them, I think, is that we are not willing to sacrifice as much as our parents sacrificed for us. Where they saw to it that we had the very, very basics of medical attention, nutrition and education, and when we are talking about cutting back on the next generation, we are failing to at least continue what our parents so graciously, so generously, with so much sacrifice passed on to us. We need to balance our books. I do believe that the Chief Executive of this State has promised us that every dollar spent, he will make sure that it is being spent appropriately. He has been on the job for four months, I would like to believe that he will be a person of his word and make sure that every end of this State will get its fair share. One of the things I do when we get children from the northern part of the State, is I add another little piece to the tour, that is the Education Department, because I want them to see, I want them to understand that there is this incredible group of people who are looking out for them and that there is a system that they don't just arrive the classroom accidentally. That somebody has to pay taxes. They understand from every angle how and why they are getting this education. We cannot leave them hanging before they have had a chance to get out of the gate. So, that is why I vociferously oppose this at this time, until we can put our house in order and know where we are spending our money and to make sure that we are not leaving one of our 200,000 children in this State hanging, like we were not left to hang when we were growing up. Thank you very much.

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

Senator **LORD:** Thank you Mr. President, my Learned Colleagues. There is nothing I would like

more than to be able to stand here and reduce the sales tax to 5%. But let's look at things here. We have passed two supplemental budgets since January to make sure that we can come out even on July 1 of the present budget. How are we going to do it if we keep cutting taxes on the next budget? You have got a \$230 million increase that you will have to cut out to start in with to get back to the budget you had in this present biennium. Now you are talking about more money going to schools. We have talked about tax and match. I don't want to see fourteen hospitals go down the drain because they haven't got the money, just so they can rid of that horrible tax. I'm telling you right now folks, we are just whistling Dixie if you think you can do it. I think we are wrong in trying to reduce the sales tax at this time.

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

Senator **HARRIMAN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I respect and admire my good colleague from York, Senator Lord. I don't disagree that this was going to be easy, it's not, it will be very hard. But we have to stop fact finding and face facts. The fact is that if we look at this existing budget, that increases spending by \$230 million, and look beyond it to the next biennium, the rate of increase in spending is going to grow again. You know what? We can plug the cassette in and listen to this very debate again, because we will hear the same thing, we can't afford to do it at this time because of all these things that we just cannot change. We have to use this time, here and now, to transform the way State government does business. This is the first step in that journey. Thank you.

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

Senator **KIEFFER:** Thank you Mr. President. It's kind of interesting for me, after spending thirty-nine years in business, to stand here and hear how we are going to spend ourself into prosperity. I'm not exactly sure how that works because I have never seen a way to do it. I hear that we are going to be losing some \$22 million in this quarter from the sales tax revenues, and yet I haven't heard how much additional revenue that 1% reduction in the sales tax, during that three-month period of time, would generate in additional revenues. Somewhere along the line there is a net figure, and it's a nebulous figure, I will grant you that, but when people have the money to spend, they are going to spend it. There is another side of the coin, this isn't only limited to the southern part of the State and the border with New Hampshire. We have a very similar situation along the border with the Canadians. Right now the money exchange rate is about 35%, so when you look and see that you can get a 35% to 40% return on your money by going across and shopping in Canada, it's a pretty attractive position, especially when you can get a rebate on the 11% tax that they charge United States citizens when they come over there, merely by filing a form with Customs. This 6% sales tax is just as devastating to us as it is to anyone in southern Maine. I'll grant you, we don't generate as much sales tax as the three

southern counties do, but it still is a very real factor.

Another problem we have is that the proper sales taxes that should be collected in our area are not collected. I think we have a real source of revenues here that we don't even look at, and haven't even been considering. I think it is well worth the try to go back home and tell people that there is a little bit of trust left here, that we are going to try and give it a chance of reducing the sales tax for a three month period of time by 1%. No one can assure me, or at least they haven't been able to so far, that there is going to be a reduction in our sales tax revenue generated during that period of time of \$22 million, because I still have not been shown how much additional revenue that will generate as an offset. I think it is well worth our consideration, Ladies and Gentlemen of the Senate, to give this a try. Certainly what we are doing is not being very successful. Thank you Mr. President.

The President noted the absence of Senator **RAND** of Cumberland, and excused her from the following Roll Call vote.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **HATHAWAY** of York that the Senate **ACCEPT** the Minority **UGHT TO PASS AS AMENDED** Report.

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

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: **ABROMSON, AMERO, BEGLEY, BENOIT, CARPENTER, FERGUSON, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, MILLS, PENDEXTER, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND**

NAYS: Senators: **BERUBE, BUSTIN, CAREY, CLEVELAND, ESTY, FAIRCLOTH, GOLDTHWAIT, LONGLEY, LORD, McCORMICK, MICHAUD, PARADIS, PINGREE, RUHLIN**

ABSENT: Senators: **CASSIDY, CIANCHETTE, O'DEA**

EXCUSED: Senator: **RAND**

Senator **McCORMICK** of Kennebec requested and received Leave of the Senate to change her vote from **YEA** to **NAY**.

17 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 3 Senators being absent and 1 Senator having been excused, the motion by Senator **HATHAWAY** of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-152) **READ** and **ADOPTED**.

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

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

PAPER FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1094

ORDERED, the Senate concurring, that Bill, "An Act to Permit Greenhouses To Have Temporary Road Signs," H.P. 193, L.D. 252, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

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

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

HELD BILL

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

Senator **PENDEXTER:** Mr. President, is the Senate in possession of "An Act to Require All Persons to Use Safety Belts in Motor Vehicles" S.P. 77, L.D. 165?

THE PRESIDENT: The Chair would answer in the affirmative. The Bill having been held at the Senator's request.

On motion by Senator **PENDEXTER** of Cumberland, the Senate **RECONSIDERED** its action whereby it **CONCURRED** on:

Bill "An Act to Require All Persons to Use Safety Belts in Motor Vehicles"

S.P. 77 L.D. 165

(In Senate, May 11, 1995, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91) AS AMENDED BY SENATE AMENDMENT "A" (S-135)**, thereto, in **NON-CONCURRENCE**.)

(In House, May 16, 1995, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91) AND HOUSE AMENDMENT "A" (H-181)**, in **NON-CONCURRENCE**.)

(In Senate, May 17, 1995, **RECEDED AND CONCURRED**.)

House Amendment "A" (H-181) **READ**.

On motion by Senator **PENDEXTER** of Cumberland, House Amendment "A" (H-181) **ADOPTED**, in concurrence.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91) AS AMENDED BY SENATE AMENDMENT "A" (S-135) THERETO, AND HOUSE AMENDMENT "A" (H-181)** in **NON-CONCURRENCE**.

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

Senate at Ease

Senate called to order by the President.

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

Bill "An Act to Amend the Laws Governing Wrongful Death Caused by Truck Drivers"

H.P. 292 L.D. 396
(C "A" S-212)

Tabled - May 17, 1995, by Senator **KIEFFER** of Aroostook.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

(In House, May 11, 1995, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-212)**.)

(In Senate, May 17, 1995, **READ A SECOND TIME.**)

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

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

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **GOLDTHWAIT** of Hancock, **ADJOURNED** until Tuesday, May 23, 1995, at 9:30 o'clock in the morning.