

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME VI

SECOND REGULAR SESSION

House of Representatives

January 3, 1996 to April 3, 1996

Senate

January 3, 1996 to March 13, 1996

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

In Senate Chamber
Monday
March 11, 1996

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

Prayer by Reverend Dr. S. Robert Beaumont, Penney Memorial United Baptist Church, Augusta.

REVEREND DR. S. ROBERT BEAUMONT: It is my pleasure to be with you this morning. Penney Memorial is practically in the shadow of the capitol. I am also pleased to say that one of your pages, Patrick Rood, is a very active member of our church. Shall we bow together in prayer?

Great and Gracious God, Creator of all that has been, Sustainer of everything in the present, and Provider of hope for the future, we come before You, in this Senate Chamber of our beloved Maine, to ask for Your presence upon these men and women who represent the people of our State. You have blessed us with a rich and beautiful land, to which these legislators have been entrusted to maintain. You have inhabited our land with people, for which these elected officials are asked to give care and concern. Grant to them this day, as they meet in session, Your wisdom to make decisions that will be in harmony with the divine will and promise. May the cries and the sounds of the voiceless be heard. May a vision for what should be overtake the petty preoccupations of our daily life. Set Your will, not ours, into the minds and hearts of the men and women here gathered. Be with the constituents of whom these people of the Senate represent. This is our prayer. Amen.

Pledge of Allegiance led by SENATOR CIANCHETTE of Somerset.

Reading of the Journal of Thursday, March 7, 1996.

PAPERS FROM THE HOUSE
Non-concurrent Matter

Bill "An Act to Amend the Law as It Pertains to Payment of Rent by a Blind or Visually Impaired Individual Who Operates a Vending Facility"

S.P. 610 L.D. 1614
(C "A" S-435)

In Senate, February 29, 1996, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-435).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-435) AS AMENDED BY HOUSE AMENDMENT "A" (H-744), thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

House Paper

Bill "An Act to Amend the Atlantic Salmon Authority"

H.P. 1338 L.D. 1832

Reference to the Committee on MARINE RESOURCES suggested and ORDERED PRINTED.

Comes from the House, referred to the Committee on INLAND FISHERIES AND WILDLIFE and ORDERED PRINTED.

On motion by Senator HALL of Piscataquis, the Senate SUSPENDED THE RULES for the purpose of giving the Bill its first reading without Reference to a Committee.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Joint Orders

The following Joint Order:

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation report out, to the House, a bill concerning the Milk Handling Tax.

H.P. 1339

Comes from the House READ and PASSED.

Which was READ.

On motion by Senator KIEFFER of Aroostook, Tabled 1 Legislative Day, pending PASSAGE.

The following Joint Order:

ORDERED, the Senate concurring, that the Joint Standing Committee on Transportation report out, to the House, a bill on logo signs.

H.P. 1340

Comes from the House READ and PASSED.

Which was READ.

On motion by Senator KIEFFER of Aroostook, Tabled 1 Legislative Day, pending PASSAGE.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

117TH MAINE LEGISLATURE

March 7, 1996

Senator Charles M. Begley
Representative Pamela H. Hatch
Chairpersons
Joint Standing Committee on Labor
117th Legislature
Augusta, Maine 04333

Dear Senator Begley and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated Peter T. Dawson of Hallowell for reappointment as a public member, Pamela Chute of Brewer for reappointment as an alternate public member, Kathy M. Hooke of Bethel for reappointment as an alternate public member, Gwendolyn Gatcomb of Winthrop for appointment as an employee member and Carol B. Gilmore of Charleston for appointment as an alternate employee member of the Maine Labor Relations Board.

Pursuant to Title 26 MRSA, Section 968, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Jeffrey H. Butland
President of the Senate
S/Dan A. Gwadosky
Speaker of the House
S.P. 732

Which was READ and referred to the Committee on LABOR.

Sent down for concurrence.

The Following Communication:

117TH MAINE LEGISLATURE

March 7, 1996

Senator Willis A. Lord
Representative Edward L. Dexter
Chairpersons
Joint Standing Committee on
Natural Resources
117th Legislature
Augusta, Maine 04333

Dear Senator Lord and Representative Dexter:
Please be advised that Governor Angus S. King, Jr. has nominated Katharine C. Littlefield of Belfast for appointment as a member of the Board of Environmental Protection.

Pursuant to Title 38 MRSA, Section 341-C, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,
S/Jeffrey H. Butland
President of the Senate
S/Dan A. Gwadosky
Speaker of the House
S.P. 733

Which was READ and referred to the Committee on NATURAL RESOURCES.
Sent down for concurrence.

The Following Communication:

117TH MAINE LEGISLATURE

March 8, 1996

Senator Vinton E. Cassidy
Representative Robert W. Spear
Chairpersons
Joint Standing Committee on
Agriculture, Conservation and Forestry
117th Legislature
Augusta, Maine 04333

Dear Senator Cassidy and Representative Spear:
Please be advised that Governor Angus S. King, Jr. has nominated Mary Beth Dolan of Tenants Harbor and Meldon Gilmore of Kingfield for appointment as members of the Land Use Regulation Commission.

Pursuant to Title 12 MRSA, Section 683, these nominations will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,
S/Jeffrey H. Butland
President of the Senate
S/Dan A. Gwadosky
Speaker of the House
S.P. 736

Which was READ and referred to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY.
Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Encourage Enterprises Engaged in Agriculture and Aquaculture in Maine"

S.P. 734 L.D. 1843

Presented by Senator CASSIDY of Washington (GOVERNOR'S BILL) Cosponsored by Senators: KIEFFER of Aroostook, LORD of York, PARADIS of Aroostook, Representatives: AHEARNE of Madawaska, CROSS of Dover-Foxcroft, DESMOND of Mapleton, DEXTER of Kingfield, DONNELLY of Presque Isle, HICHBORN of Lagrange, JOY of Crystal, KILKELLY of

Wiscasset, KNEELAND of Easton, MAYO, III of Bath, MCALEVEY of Waterboro, O'NEAL of Limestone, PENDLETON, JR. of Scarborough, ROBICHAUD of Caribou, SIROIS of Caribou, SPEAR of Nobleboro, STROUT of Corinth, TYLER of Windham, WHEELER of Bridgewater

Reference to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY suggested and ORDERED PRINTED.

Which was referred to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Authorizing County Commissioners to Enact Ordinances Concerning Addressing Standards for Enhanced 9-1-1 Services in the Unorganized Territories" (Emergency)

S.P. 735 L.D. 1844

Presented by Senator AMERO of Cumberland Cosponsored by Representative DONNELLY of Presque Isle and Senators: BENOIT of Franklin, CASSIDY of Washington, HALL of Piscataquis, KIEFFER of Aroostook, MICHAUD of Penobscot, MILLS of Somerset, Representatives: CLARK of Millinocket, GOULD of Greenville, LOOK of Jonesboro, MARTIN of Eagle Lake, ROSEBUSH of East Millinocket

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.

Pursuant to Public Law ASSISTED LIVING TASK FORCE

Senator PENDEXTER for the ASSISTED LIVING TASK FORCE, pursuant to Public Law 1995, chapter 362 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Provide for Assisted Living Services"

S.P. 731 L.D. 1835

Be referred to the Committee on HUMAN RESOURCES for Public Hearing and printed.

Which Report was READ and ACCEPTED.

The Bill referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Pursuant to Public Law

JOINT STANDING COMMITTEE ON NATURAL RESOURCES Senator LORD for the JOINT STANDING COMMITTEE ON NATURAL RESOURCES, pursuant to Public Law 1995, chapter 460, section 11 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Amend the Laws Relating to Regulation of Wetlands"

S.P. 730 L.D. 1834

Be referred to the Committee on NATURAL RESOURCES for Public Hearing and printed.

Which Report was READ and ACCEPTED.

The Bill referred to the Committee on NATURAL RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Limit the Use of Certificates of Participation"

H.P. 952 L.D. 1341

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-738)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-738)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-738) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **NATURAL RESOURCES** on Bill "An Act Concerning the Seasonal Sale of Reformulated Gasoline"

H.P. 1201 L.D. 1651

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-741)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-741)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-741) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act to Transfer the Responsibility for Air Search and Rescue from the Commissioner of Transportation to the Chief of the State Police"

H.P. 1229 L.D. 1682

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-740)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-740)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-740) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Ensure That Basic Health Care Needs of Women Are Covered in Insurance Policies"

H.P. 976 L.D. 1385

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-707)**.

Signed:

Senators:

ABROMSON of Cumberland
MCCORMICK of Kennebec
SMALL of Sagadahoc

Representatives:

VIGUE of Winslow
GATES of Rockport
SAXL of Portland
MAYO, III of Bath
CHASE of China

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-708)**.

Signed:

Representatives:

JONES, JR. of Pittsfield
GUERRETTE of Pittston
LUMBRA of Bangor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-707)**.

Which Reports were **READ**.

On motion by Senator **KIEFFER** of Aroostook, Tabled 1 Legislative Day, pending **ACCEPTANCE** of Either Report.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Allow Charitable Solicitation by Law Enforcement Officers, Agencies and Associations"

H.P. 478 L.D. 659

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-732)**.

Signed:

Senators:

O'DEA of Penobscot
HALL of Piscataquis

Representatives:

CLARK of Millinocket
BUNKER, JR. of Kossuth Township
GOOLEY of Farmington
MCALEVEY of Waterboro
WHEELER of Bridgewater
REED of Dexter

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

Signed:

Senator:

BENOIT of Franklin

Representatives:

JOHNSON of South Portland
PEAVEY of Woolwich
CLUKEY of Houlton
THOMPSON of Naples

Comes from the House with the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Which Reports were **READ**.

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Clarify the Laws Regarding the Ejection of a Person from a Boardinghouse"

H.P. 779 L.D. 1076

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

Signed:

Senators:

FERGUSON, JR. of Oxford
MICHAUD of Penobscot

Representatives:

TRUE of Fryeburg
CHIZMAR of Lisbon
GAMACHE of Lewiston
NADEAU of Saco
CARR of Hermon
FISHER of Brewer

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

Signed:

Senator:

STEVENS, JR. of Androscoggin

Representatives:

BUCK of Yarmouth
MURPHY of Berwick
LABRECQUE of Gorham
LEMONT of Kittery

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

Which Reports were **READ.**

On motion by Senator STEVENS of Androscoggin, the Senate **ACCEPTED** the Minority **OUGHT NOT TO PASS** Report.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act Authorizing the Town of Mount Vernon to Withdraw from the Cobbossee Watershed District"

H.P. 1176 L.D. 1608

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-734).**

Signed:

Senators:

LORD of York
RUHLIN of Penobscot
HATHAWAY of York

Representatives:

DEXTER of Kingfield
GOULD of Greenville
POULIN of Oakland
WATERHOUSE of Bridgton
DAMREN of Belgrade
MARSHALL of Eliot
MERES of Norridgewock

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

Signed:

Representatives:

BERRY of Livermore
SHIAH of Bowdoinham

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-734).**

Which Reports were **READ.**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-734) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Ensure Proper Withholding of State Income Tax"

H.P. 1249 L.D. 1711

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-735).**

Signed:

Senators:

FERGUSON of Oxford
CAREY of Kennebec

Representatives:

REED of Falmouth
TRIPP of Topsham
TUTTLE of Sanford
KEANE of Old Town
BARTH of Bethel
MURPHY of Berwick
GREEN of Monmouth
POIRIER of Saco
DUNN of Gray
DORE of Auburn

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

Signed:

Senator:

HATHAWAY of York

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-735).**

Which Reports were **READ.**

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

Senate

Ought to Pass As Amended

Senator **ABROMSON** for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Further Streamline Licensing Procedures at the Bureau of Insurance"

S.P. 692 L.D. 1762

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-459).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-459) **READ** and **ADOPTED.**

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

Senator **CARPENTER** for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Extend the Electric Rate Stabilization Projects" (Emergency)

S.P. 704 L.D. 1793

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-458).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (S-458) **READ** and **ADOPTED.**

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

SECOND READERS

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

House

Bill "An Act to Repeal the Sunset and Reporting Requirements Regarding Transportation of Unscheduled Freight in Casco Bay"

H.P. 1302 L.D. 1783

Bill "An Act to Provide for the 1996 and 1997 Allocations of the State Ceiling on Private Activity Bonds" (Emergency)

H.P. 1317 L.D. 1801

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act to Prohibit Home Repair Fraud and Establish Aggravated Penalties When the Victim Is an Older Person"

H.P. 918 L.D. 1294
(C "A" H-731)

Bill "An Act to Amend the Laws Regarding the Revolving Loan Fund for Wastewater Facilities"

H.P. 1221 L.D. 1671
(C "A" H-733)

Bill "An Act to Amend the Unorganized Territory Tax Laws"

H.P. 1237 L.D. 1697
(C "A" H-736)

Bill "An Act to Clarify the Landowner Liability Laws"

H.P. 1245 L.D. 1707
(C "A" H-730)

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

Senate

Bill "An Act Relating to the Sale of Alcoholic Beverages"

S.P. 624 L.D. 1632

Which was **READ A SECOND TIME**.

On motion by Senator **STEVENS** of Androscoggin, Senate Amendment "A" (S-448) **READ**.

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

Senator **STEVENS**: Thank you, Mr. President. What this amendment does is removes the word "rebate" from the bill. Thank you.

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

Senator **FERGUSON**: Thank you, Mr. President. I would like to speak in opposition to Senator Stevens' amendment. The Maine Beer and Wine Wholesalers are opposed to this amendment. That is all I have to say on the matter. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **STEVENS** of Androscoggin that the Senate **ADOPT** Senate Amendment "A" (S-448).

The Chair ordered a Division.

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

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

5 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion of Senator **STEVENS** of Androscoggin to **ADOPT** Senate Amendment "A" (S-448), **FAILED**.

On motion by Senator **FERGUSON** of Oxford, Senate Amendment "B" (S-456) **READ**.

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

Senator **FERGUSON**: Thank you, Mr. President. All this amendment does is clarify the depletion allowance and allows participants in contests and sweepstakes to participate without purchasing the product. In other words, the sale of the product to participate in a contest is not contingent upon a purchase. Thank you.

On further motion by the same Senator, Senate Amendment "B" (S-456) **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, AS AMENDED**. Sent down for concurrence.

Senate As Amended

Bill "An Act to Authorize the Formation of Limited Liability Partnerships"

S.P. 499 L.D. 1358
(C "A" S-450)

Bill "An Act to Amend the Membership of Certain Boards and Commissions"

S.P. 640 L.D. 1675
(C "A" S-451)

Bill "An Act to Make Changes to the Motor Vehicle Laws"

S.P. 643 L.D. 1687
(C "A" S-454)

Bill "An Act Concerning Special Licenses in the Department of Marine Resources"

S.P. 667 L.D. 1727
(C "A" S-457)

Bill "An Act to Clarify the Agency Rule-making Process"

S.P. 678 L.D. 1735
(C "A" S-455)

Bill "An Act to Exempt All Individuals Engaged in Fishing from Unemployment Insurance Requirements" (Emergency)

S.P. 696 L.D. 1770
(C "A" S-453)

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 to Implement the Recommendations of the Study Commission on Property Rights and the Public Health, Safety and Welfare Establishing a Land Use Mediation Program and Providing for Further Review of Rules

H.P. 1188 L.D. 1629
(C "A" H-711)

An Act to Establish the Freeport Towne Square Mental Retardation Facility

H.P. 1196 L.D. 1646
(C "A" H-709)

An Act Enabling the Maine Employers' Mutual Insurance Company to Better Serve the Needs of Small Business

H.P. 1200 L.D. 1650
(C "A" H-719)

An Act to Amend the Maine Insurance Code with Respect to Domestic Violence

H.P. 1215 L.D. 1665
(C "A" H-720)

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

An Act to Discourage the Spread of "Crack" Cocaine

H.P. 1038 L.D. 1457
(C "A" H-696)

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

Emergency

An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1997

H.P. 1193 L.D. 1637
(S "A" S-440)

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

Senate at Ease

Senate called to order by the President.

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

An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1997 (Emergency)

H.P. 1193 L.D. 1637
(S "A" S-440)

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

Pending - **ENACTMENT**.

(In House, March 7, 1996, **PASSED TO BE ENACTED**.)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senator having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Consolidate Insurer Billing Procedures and to Streamline the Licensing Process for Reinsurance Intermediaries

H.P. 1231 L.D. 1684
(C "A" H-718)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senator having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Amend the Law Allowing the Growth and Sale of Cultivated Ginseng in Maine

S.P. 649 L.D. 1691
(C "A" S-434)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senator having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Resolve

Resolve, Authorizing the Sale by the State of a Certain Parcel of Land to Joseph Squeglia

H.P. 1254 L.D. 1723
(C "A" H-717)

Resolve, to Authorize the Exchange of a Parcel of Land Owned by the State with One Owned by Luke Bolduc

H.P. 1275 L.D. 1751

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

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

COMMITTEE REPORT

Senate

Ought to Pass As Amended

Senator **CIANCHETTE** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Laws Pertaining to the Regulation of Denturists"

S.P. 342 L.D. 947

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-460)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-460) **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:

ORDER

Joint Order

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

ORDERED, the House concurring, that the Joint Standing Committee on Marine Resources report out, to the Senate, legislation concerning the Salmon Aquaculture Monitoring and Research Fund.

S.P. 737

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

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Requiring Qualified Investigation of Certain Truck-related and Bus-related Fatalities"

H.P. 1341 L.D. 1836

Reference to the Committee on **TRANSPORTATION** suggested and **ORDERED PRINTED**.

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

Which was referred to the Committee on **TRANSPORTATION**, in concurrence.

**Pursuant to Public Law
JOINT STANDING COMMITTEE ON JUDICIARY**

The **JOINT STANDING COMMITTEE ON JUDICIARY**, pursuant to Public Law 1995, chapter 484, section 2 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Recodify and Revise the Maine Revised Statutes, Title 19"

H.P. 1347 L.D. 1842

Be referred to the Committee on **JUDICIARY** for Public Hearing and printed.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

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

The Bill referred to the Committee on **JUDICIARY**, in concurrence.

**Pursuant to Public Law
STATE PLANNING OFFICE**

The **STATE PLANNING OFFICE**, pursuant to Public Law 1995, chapter 465, Part C asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Remove Statutory References to the Maine Waste Management Agency"

H.P. 1343 L.D. 1838

Be referred to the Committee on **NATURAL RESOURCES** for Public Hearing and printed.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**.

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

The Bill referred to the Committee on **NATURAL RESOURCES**, in concurrence.

**Pursuant to Resolve
COMMISSION TO STUDY THE GROWTH OF TAX-EXEMPT
PROPERTY IN MAINE'S TOWNS, CITIES,
COUNTIES AND REGIONS**

The **COMMISSION TO STUDY THE GROWTH OF TAX-EXEMPT PROPERTY IN MAINE'S TOWNS, CITIES, COUNTIES AND REGIONS**, pursuant to Resolve 1995, chapter 47 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Broaden the Municipal Service Charge"

H.P. 1344 L.D. 1839

Be referred to the Committee on **TAXATION** for Public Hearing and printed.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

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

The Bill referred to the Committee on **TAXATION**, in concurrence.

**Pursuant to Statutes
ADMINISTRATOR OF THE UNORGANIZED TERRITORY**

The **ADMINISTRATOR OF THE UNORGANIZED TERRITORY**, pursuant to the Maine Revised Statutes, Title 36, section 1604 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 1996-97" (Emergency)

H.P. 1342 L.D. 1837

Be referred to the Committee on **TAXATION** for Public Hearing and printed.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

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

The Bill referred to the Committee on **TAXATION**, in concurrence.

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

COMMITTEE REPORT

House

Change of Reference

The Committee on **HUMAN RESOURCES** on Bill "An Act to Develop the Maine Public Health Improvement Plan"

H.P. 1253 L.D. 1722

Reported that the same be **REFERRED** to the Committee on **TAXATION**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

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

The Bill **REFERRED** to the Committee on **TAXATION**, in concurrence.

Senator **BUSTIN** of Kennebec 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 **BUSTIN** of Kennebec, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Allow Charitable Solicitations by Law Enforcement Officers, Agencies and Associations"

H.P. 478 L.D. 659

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-732). (8 members)

Minority - Ought Not to Pass. (5 members)

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

Pending - **ACCEPTANCE** of Either Report.

(In House, March 7, 1996, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, earlier in the day, Reports **READ**.)
On motion by Senator **KIEFFER** of Aroostook, Tabled
1 Legislative Day, pending **ACCEPTANCE** of Either
Report.

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

HOUSE REPORTS - from the Committee on **TAXATION** on
Bill "An Act to Ensure Proper Withholding of State
Income Tax"

H.P. 1249 L.D. 1711

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (H-735)**. (12 members)

Minority - **Ought Not to Pass**. (1 member)

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

Pending **ACCEPTANCE** of Either Report.

(In House, March 7, 1996, the Majority **OUGHT TO
PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill
**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (H-735)**.)

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

On motion by Senator **KIEFFER** of Aroostook, Tabled
1 Legislative Day, pending **ACCEPTANCE** of Either
Report.

Off Record Remarks

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

SENATE REPORTS from the Committee on **NATURAL
RESOURCES** on Bill "An Act to Grandfather Municipal
Ordinances Regulating the Spreading of Sludge"

S.P. 705 L.D. 1804

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (4 members)

Tabled - March 7, 1996 by Senator **KIEFFER** of
Aroostook.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 5, 1996, Reports **READ**.)

On motion by Senator **KIEFFER** of Aroostook, Tabled
1 Legislative Day, pending **ACCEPTANCE** of Either
Report.

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

SENATE REPORTS from the Committee on
TRANSPORTATION on Bill "An Act Relating to the
Potential Improvement of the Maine Turnpike Authority"

S.P. 648 L.D. 1690

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee
Amendment "A" (S-443)** (4 members)

Tabled - March 7, 1996 by Senator **KIEFFER** of
Aroostook.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 5, 1996, Reports **READ**.)

On motion by Senator **KIEFFER** of Aroostook, Tabled
1 Legislative Day, pending **ACCEPTANCE** of Either
Report.

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

HOUSE REPORT from the Committee on **LEGAL AND
VETERANS AFFAIRS** on Bill "An Act to Amend the
Election Laws"

H.P. 1203 L.D. 1653

Report - **Ought to Pass as Amended by Committee
Amendment "A" (H-737)**

Tabled - March 7, 1996, by Senator **KIEFFER** of
Aroostook.

Pending - **ACCEPTANCE OF THE REPORT** (division
requested)

(In House, March 5, 1996, **PASSED TO BE ENGROSSED
AS AMENDED BY COMMITTEE AMENDMENT "A" (H-737)**.)

(In Senate, March 6, 1996, Report **READ**.)

On motion by Senator **KIEFFER** of Aroostook, Tabled
Unassigned, pending **ACCEPTANCE OF THE REPORT**.

Off Record Remarks

On motion by Senator **BUSTIN** of Kennebec,
ADJOURNED until Tuesday, March 12, 1996, at 9:00
o'clock in the morning.