

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate
May 22, 1991 to July 10, 1991

Index

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

In Senate Chamber
Wednesday
May 22, 1991

Senate called to Order by the President.

Prayer by the Honorable Pamela L. Cahill of Sagadahoc.

SENATOR PAMELA L. CAHILL: Dear God. We thank You for this glorious day, and we ask You to help us find the strength, wisdom, and courage to get through the next few weeks, being ever mindful that we are here to do the people's business. In Your name. Amen.

Reading of the Journal of Monday, May 20, 1991.

Senator **CLARK** of Cumberland requested unanimous consent to address the Senate off the Record.

Senator **WEBSTER** of Franklin requested unanimous consent to address the Senate off the Record.

On motion by Senator **TWITCHELL** of Oxford, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Relating to Violations Involving the Disregard of Red Flashing Lights on School Buses"
H.P. 443 L.D. 633
(S "A" S-90 to C
"A" H-106)

In House, April 16, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106).**

In Senate, April 25, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106) AS AMENDED BY SENATE AMENDMENT "A" (S-90)** thereto, in **NON-CONCURRENCE.**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106) AS AMENDED BY HOUSE AMENDMENT "A" (H-371)** thereto, in **NON-CONCURRENCE.**

On motion by Senator **CAHILL** of Sagadahoc, the Senate **RECEDED** and **CONCURRED.**

Non-concurrent Matter

SENATE REPORTS - from the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Amend the Voter Ratification Provisions of the Low-level Radioactive Waste Laws" (Emergency)

S.P. 346 L.D. 946

Majority - **Ought Not to Pass.**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-107).**

In Senate, May 1, 1991, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**

Comes from the House the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-107) AS AMENDED BY HOUSE AMENDMENT "A" (H-346)** thereto, in **NON-CONCURRENCE.**

Senator **TITCOMB** of Cumberland moved to **ADHERE.**

Senator **WEBSTER** of Franklin moved to **RECEDE** and **CONCUR.**

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

Senator **TITCOMB:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I had no illusions that L.D. 946 was not going to go through this Body without a reasonable amount of debate, and I would just like to take one opportunity to explain to you the position that I, and the Committee took on this issue, and some of the reasons why. When it comes to siting a higher/low level waste site, I can say this without exception, I don't think that there is anyone who understands this issue more, nor can sympathize with this issue more than I do. I understand for all of the individuals involved, the pain, and the fear of being sited as a potential nuclear waste depository site. I understand the heartaches, and frankly, I feel very angry sometimes that the citizens of Maine, and the citizens of any state should have to go through the nightmare of being considered for a nuclear waste site. I am offended by the Federal Law. I am offended by a lot of what has caused us to be where we are. What we are seeing now is only the beginning of the siting of

a high level nuclear waste dump, with a siting of a low level nuclear waste dump, or whatever, is just the beginning of the consequences of the nuclear industry. I think that all of us had better look long and hard at what we have unleashed, and what the cost to our citizens will be. My point would be how would we best serve the citizens, understanding that this is the time, and the place that we have arrived at.

I am very, very concerned that we not lose some critically important elements in this whole low level waste siting process. The number one priority that I, and I believe that the Committee has spoken about, is the 60% citizen vote of approval at the end of the process. I think if we lose that 60% vote at the end of the process, we have taken away the very tool that the citizens of this state need, not only to participate fully, but frankly, to hold the Low Level Waste Authority's feet to the fire, and to insure that they do the very best job humanly possible that can be done. The accountability at the end of the process, having to depend on proving your case to the citizens of a community, and that you have proven your case to 60% of the people of a community, is extremely important. We all need standards of performance. We all need scales to judge our performance. If we lose that at the end, then we will have lost the most important tool that we have given the citizens of this state. No short cuts. No fast tracking. Just full accountability that would come at the end of the vote. In addition to that, I think that we need the time to look at the whole process. I think we need the time to look at alternatives, out-of-state storage on different methods of storage, and so forth, and I think at the end we need to ensure that the people will have the right to say, "Yes we do, or no we don't approve of what you have done".

My concern with this vote today is, if we allow a prevote on this issue, if we allow the people of the community to decide that early on they do or do not want a site, I don't think that there is one of us in this Body that can honestly look around and say, "Oh yes, I think that there will be a community that will take it". I think that there will be a community that will vote yes, they will consider it, they haven't seen the package, they haven't seen the technology, they haven't had the full picture explained to them, they haven't looked at the incentives of being considered for a site. I don't think there is one town in this state that could, and very frankly, I would concur, should vote to support the siting of a nuclear depository in their community. I think that the first thing that we can assume, that allowed a prevote, they will not get a town that agrees to take it.

At that point, and this is where I think it is critically important to look at the long picture, at that point, the Federal Government is going to look at the State of Maine, and basically say, "You are not really making a true effort to find a siting, you are not in concurrence". And they are going to ask the Authority what they can do to bring us into concurrence. And I think that is where the problem comes, because at that point, I believe that the Authority is going to come to this Legislature and say, "You cannot site a nuclear waste depository, therefore, we would like to take one by eminent

domain". And I will say this on the Record now, I will never support taking away the vote at the end for the communities, to make the decision after they have seen the whole package, and they understand the whole picture, I will never vote to take away their right to choose at the end. But, I believe that providing them a right to vote now, or to vote even in the immediate future, we will ultimately risk not only the integrity of the program, but we will risk the right of people to make the decision at the end. Although I have very mixed emotions on this, and I have laid awake nights thinking about it, I have had more phone calls than I ever thought I would have in my life, nor than I ever wanted, and I have had discussions with very dedicated people from communities doing what I feel they have to do to fight this, and I do not believe that this serves best that people of this state, or the people of those very communities who are fighting it. I would ask you not to support the prevote. I would ask you to abide by the majority of the Committee, and basically leave the process to do the job it was set in place to do. Thank you.

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

Senator **WEBSTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. The good Senator from Cumberland, Senator Titcomb, has just stated that she would never vote to take away the 60% vote of the citizens of the state in the municipality where this proposed future site might be located.

Let me give you what I see as a hypothetical situation. For those of you who don't know, I represent an area of the state where this site is suggested it should be. Lets suppose that through research and study, this siting Commission found soil that is necessary for the best possible site in the State of Maine, and for this discussion let us say it is in the Town of Industry. You could tell the citizens of Industry that the granite was 300 miles deep, and never be penetrated by any leaking waste from this dump. Frankly, it would not matter, and I can assure you that no more than a handful of people in the Town of Industry would vote to allow this waste dump, regardless, of how safe some bureaucrat in Augusta told them that it was.

If you look at that, and you say that we are going to let this process work, we are going to let these people go out and give major concern to the citizens of the State of Maine who are under consideration, you allow them to take their tests, we won't talk about the lowering of the property values, the concern among people that they are going to have the site in their town, but we will talk about going through the process. The way I understand it is, under the current law, they have the right to vote it out even if it is the best place in the world with a 60% vote. In the towns of New Vineyard, and Industry, and Cornville, they have spoken very loudly about not wanting this to happen. Frankly, I don't care what anybody tells them in Augusta, or what the bureaucracy under the low level siting commission tells these people, they are not going to believe it, and they are going to vote against it.

The question that I have for the Senate today is, why would we be wasting rate payers money to research these areas further, if there is no support today, or never will be any support for the siting of this dump? There are places in the state, and the Low Level Waste Siting Commission staff was up here last week lobbying me on it, which I thought really showed you how much they understand this political process, but they came here and tried to convince me that this was a great idea, and they are trying to convince some of the Senators here that this is a good idea, and is necessary. Frankly, I can't understand, for the life of me why we would want to spend the kind of money that it is going to take to look into this, when as this person told me, there are several areas in the state that have been recommended as potential sites that people don't seem to have any concern about it. As a matter of fact, I was told that one area of the state is actually very excited about the possibility that this might happen. I am not convinced that there might be some town, or some plantation, or somewhere in this state that would look forward and like the idea of having this kind of tax revenue, and this kind of subsidy from the Commission. If there is such a place out there that would accept this, and I understand that there are several, and they are saying, "Go ahead and test, and if you can find it is good enough, we would like to have the site". If that is the case, and since we already have this law on the books that says 60% of the people can vote it out even after we find the site is suitable, than why do we need this law?

This is a simple little Bill, it is not the Bill that we voted on last week, I will tell you that, it has been changed, it was amended in the other Body, and now it says that the Commission will have 90 days to go into a municipality and do preliminary testing, and one could argue to sell the concept to the municipality. They have 90 days to do that, and only if there is organized opposition to this dump siting, only if that happens, the citizens of the town could hold a vote. In other words, if the Town of Orono, or Wiscasset, if this town is chosen, and no organized opposition comes, and the municipality officials think it is a good idea and don't oppose the idea, it can continue on indefinitely until they say this is the place where they want the site. But, if there is opposition among the citizens, and if they are going to vote against it anyway two years from now, after you put them through what might be called "living hell", why can't we do it up front?

It seems to me that this is a lot better Bill than we had two or three weeks ago, and it ought to be enacted. I would ask you to seriously consider it. Thank you.

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

Senator EMERSON: Thank you Mr. President. Ladies and Gentlemen of the Senate. I represent one of the towns that is involved here, the Town of Cornville. I would hope that you will go along with the motion to Recede and Concur. The people there, like the people in the other communities, are very upset. Ten days to two weeks ago they held a special town meeting, and they voted some 450 odd to 28, I believe, in opposition to have this dump site in the town. That was about 95% of the vote. I can't believe that they can change enough minds in any

length of time so they can get 60% of the vote. I don't see any reason for the Commission to go forward with testing when they know full well that this cannot pass. It just seems sensible to me to pass this Bill. Thank you.

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

Senator BALDACCI: Thank you Mr. President. Ladies and Gentlemen of the Senate. This particular issue is a very difficult issue, because there is a tremendous clamor to do something to help us. There is a tremendous clamor to help us, but the problem is, I believe, from the information that the Committee got, it is actually going to hurt them.

Right now, we are taking our low level radio-active waste to South Carolina. It was a 1986 Federal Law that required us to establish either an instate facility or a compact, and if we were not operating in good faith, then, we would not be able to take it to South Carolina, or anywhere else. We would be eliminated from doing that. The Authority, the Executive Branch, the Public Advocate that has been negotiating with the State of Texas, has been trying very hard with a lot of difficulty to try to get this waste situated in the State of Texas, which is going to have to build a facility, and could use that little bit extra that Maine has, and help with the cost of building that site. They have agreed in the Texas Legislature to discuss the issue, and that is what is being worked at with the Public Advocate. If you allow this issue to be raised, and I would ask the good Senator from Franklin, Senator Webster, if you allow this issue to be raised in South Carolina, and the Federal Government says, "State of Maine, you are no longer using good intent in trying to actually locate and site a landfill in the State of Maine, you are going to have to take it". Aren't you telling the people that are here, that they most likely could be the site, because we have now eliminated where we are now taking it, and eliminated the option with the State of Texas to ship it down to the State of Texas? We have almost forced ourselves to look instate. I say to you, that by raising this issue, we are throwing a red flag up to those states, and to the Federal Government, and we are basically going to end up being stuck siting it here somewhere in the state. So, I would ask you that question. Thank you Mr. President.

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

Senator WEBSTER: Thank you Mr. President. Ladies and Gentlemen of the Senate. A couple years ago, when we established this Waste Siting Commission, I asked a member of the Committee as to why we would even be doing this. It is my opinion, and I think it is the opinion of most people in the state, that the final resting place of any low level waste that we produce will be at Maine Yankee. Granted, if you lived near Maine Yankee, you wouldn't like that, but frankly, I think that is where most of us, most Legislators, most citizens in this state expect this waste to be located.

If North Carolina and South Carolina stop taking our waste, it is my understanding that Maine Yankee has the approval, until they close, to store it there temporarily. Regardless, Senator Baldacci from

Penobscot, and other members of the Legislature, it seems to me that if there were no other municipalities anywhere in this state, and there are over four hundred towns and municipalities where we could locate low level waste, if no municipality were to even consider this possibility, than perhaps your argument might hold water.

But very simply, there are several places, many places in this state where this is not something that they are opposed to up front. I told the Waste Siting Commission when they tried to lobby me on this last week, they indicated to me several places that had welcomed them that said, "Come, see if our soils are good, see if we have the kind of place that you want and build it here". If that is what they are telling me, and they are trying to lobby me, I am wondering why are they so concerned about the three or four areas in the state that don't want the waste? In good conscience, as everyone would expect here, I look at a lot of these things, and I look at this issue as I do many of what it is going to cost the citizens of the state, and frankly, the rate payers are going to pay, and pay, and pay, to test for as many months as it takes, and maybe lose hundreds of thousands of dollars. They are not going to win in Industry, and they are not going to win in Cornville, and they are not going to win in New Vineyard, and probably a lot of other places in the state. So why would you want to waste our time, and the rate payers money, when you know in the end that 60% of the people in that town are going to oppose it?

I don't agree that we ought to be defeating this Bill today, because it is the only option that we have to get this monkey off the back of the people in rural Maine who don't want the site. If everybody was opposed to it, it might be different, but there are areas in the state that want this, that want to look at it, like the opportunity of getting a million dollars in tax revenue every year from siting that site, and I would suggest that this is a reasonable compromise to where we were a week ago, and I ask for your support.

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

Senator TITCOMB: Thank you Mr. President. Ladies and Gentlemen of the Senate. Just a couple of comments. As I have listened to different people speaking, I have written so many notes of response, I will probably lose track of them. But, the point is, we are not looking for the path of least resistance. We are looking for a responsible, safe, sound way to store nuclear waste. That cannot be a political issue. If we make that a political issue, very frankly, we don't deserve to represent the people that we were voted into office by. This is a material that is deadly to people, deadly to life, and some of it will be here for tens of thousands of years. It is not all short lived, it is not all gloves and booties, it is an extremely dangerous material. It cannot be a political decision. Not if we are truly responsible, and not if we are really truly concerned about protecting the people that we represent.

Maine Yankee has not in any way proven that it is a safe location for the repository for nuclear waste. Temporary storage, at this point we have had no choice. But that does not make it a sound site,

and we do not pick a site because it happens to be where it has the least resistance from people! We have got to find a place that for tens of thousands of years this material will be contained. It is a great concern to me that this path of least resistance type of attitude keeps coming up. It concerns me a great deal. Maine Yankee was sited as a power plant. It was never sited as a repository for nuclear waste. There is no reason to believe that it would be one, unless, it will pass the muster of the siting criteria that the Authority has before it.

Now, if there are towns clamoring to become sites, I would be delighted to know where they are. And certainly, I would encourage the Authority to go as quickly as they can to evaluate those sites, and prove that they are technically sound. Now I could own three hundred acres of land, and I, and my whole community might be clamoring to store low level nuclear waste, but if I am not a sound site, does that make it a responsible thing to do?

I think that we all ought to look long and hard at this issue, and it seems as if I addressed this same type of mentality a couple of weeks ago when we dealt with special waste. The State of Maine, not myself, incidentally, but the State of Maine voted to keep Maine Yankee open. People within the towns that are sited voted to keep Maine Yankee open. Now, this is no punishment, but this is reality. We have nuclear waste in this state. I don't want it here. I am not so sure I think it is responsible to send it anywhere else. But we have got it! And if we all take a political path, if we turn away from the technical path because it is too politically hot an issue, then we are not dealing responsibly with the decision that the people of this state made. I didn't like it then, and I don't like it now. But, as I said two weeks ago, chickens come home to roost. We now at least can try to do the responsible thing, and to insure the participation of all the towns that might be sited right to the very end, and I do not believe this is the path that we should be taking. It may be the politically easiest path, but I don't think it is a responsible one, and our Committee did not feel that way, either.

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

Senator CLEVELAND: Thank you Mr. President. Ladies and Gentlemen of the Senate. As Chair of the Utilities Committee, I wanted to stand for a moment to correct what I think was misinformation provided earlier by the good Senator from Franklin, Senator Webster. I am sure that his intentions were well, but as a member of the Utilities Committee, we talk frequently about Maine Yankee and utility issues.

Maine Yankee does not now have authority, nor do they now have the facilities to store low level radio-active waste until they are closed. Unless they are given both the authority, and the facilities, and the authorization to build the facilities, they do not have the place to keep it. If we need to come to some decision in this state on how we will deal with it, simply closing our eyes and saying, "It is at Maine Yankee and we don't need to move it", is an incorrect statement, and will not solve the problem.

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

Senator **LUDWIG:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise to ask you to support the Majority of the Energy and Natural Resources Committee, and to vote against the pending motion.

If I may change the tone of our discussion so far, I would like to comment that since I was a young child, I have always been very interested in fairy tales, and this interest has not left me with age, I read them to my children, and I find that fairy tales, folk tales, generally, are repeated from one generation to another, because they contain elements of truth, which generation, after generation, after generation, acknowledge. Tonight, I would like to mention two of them, which I think might have some bearing on this discussion.

Everyone speaks about Chicken Little, but I wonder how many of you remember the details of what happened. When Chicken Little was out in the barnyard one day, and an acorn fell on her head, she immediately looked up, and seeing nothing overhead said, "My goodness, the sky is falling!" And she ran out and she found Ducky Lucky, and Goosey Lucy, and Henny Penny, and all the other wonderful barnyard characters, and in minutes, she had them all running around saying, "The sky is falling! The sky is falling!" Enters Foxy Loxy, who says, "If you are worried about that sky falling, the best place for you to come is into my den". After that we didn't hear very much about Henny Penny, Goosey Lucy, and the rest of the barnyard crowd.

Now the next story that I would like to tell you, you are probably not familiar with, because it comes from India. A King had three sons. And when he reached his prime, he decided to call upon his trusted Advisor to say, "Which of my sons would be best able to run this Kingdom when I am no longer able to do so? So, the trusted Advisor took the three young men into the jungle, and among other things he taught them some principles of archery. One day he said to the first son, "I want you to shoot the bird that is up in that tree over there. But, before you pull your bow, I want you to tell me what you see." And the first son said, "I see the tree, and the sky, and the branch, and the bird". And the Advisor said, "Put down your bow". He asked the second son, "Before you shoot, what do you see?" And the second son said, "I see the branch and the bird". He said, "Put down your bow". The third son came along, and he was asked the same question, and he responded, "I see the neck of the bird". The Advisor said, "Shoot my son". And he did, and the bird dropped at their feet, so he had his answer for the King. By concentrating on the important element, and disregarding the sky, and the tree, and all the other irrelevant things, he came up with an answer.

Now, in this world today, there are many Chicken Little's running around. And I don't mean to belittle the very real fears that are felt by these people who have had their land either volunteered, or sited as possible sites for low level waste repositories. It is a very real fear, and again, I am not making fun of them in saying this, but a lot of the Chicken Little's who do run around our state spreading fear, and panic, and hysteria, are no

better informed than Chicken Little was when she thought the sky was falling. The fact remains that we are responsible under federal mandate to show a good faith effort, that we have looked everywhere we can, have considered every possibility before we pick the site that is to be our best site, and it must meet all the tests.

I just want to tell you, I think the Low Level Waste Authority has been given an almost impossible job, and I admire them tremendously for going to group, after group, and being met by angry citizens who really don't want to listen to what they have to say, except to say, "Not in my backyard". The Authority has gone through months of looking into all the possible things which should be considered before a site can be put on the possible list, and some of the first things that they looked at when they created this enormous map, which is in their office, and as they came upon areas which fell under those categories, they immediately black them out, so that at this time there are very few spots left. But, here are some of the criteria used to absolutely take sites off the list. They cannot be on or near sand and gravel aquifers, surface bodies of water, wetlands, wildlife management zones, lands above 2700 hundred feet in elevation, federal parks or wilderness lands, state parks or wilderness lands, wild and scenic river areas, built up areas, and there must be a state boundary buffer of at least a mile. So, there are other criteria, starting with this, I think, a responsible job in taking away those areas which are least suitable. Now, they are in a position of having to determine, by going through the process slowly and carefully, not in a matter of sixty days, or ninety days, but in however much time it may take to prove that when they come up with their final list, they have first the three best possible sites, and finally, the site which must be our choice, or our response in reporting to the fed's, that we have done our job.

I won't belabor the question any more, but I hope that you will remember that it is not time to listen to the Chicken Little's, but, to focus on the neck of the bird when we vote against the current motion.

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

Senator **MATTHEWS:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Having voted in three referendums to close Maine Yankee, I want to stand up on the floor tonight and say that I, along with many other people, unfortunately, the minority of this state, realize that we were embarking down a road that we really had no idea of the cliffs ahead, and to simply state, that as a Senator from Senate District 13, a District that now has not only special waste landfills on its agenda, but also a district that has been targeted for a low level radio-active waste site, two towns in my District, Unity Plantation in Clinton, and representing Skowhegan, which borders Cornville. I urge this Body to support the motion to Recede and Concur. I do respect all of the people that have participated from the siting Commission, and certainly, the Committee. But, as a Senator, we have to represent our constituents and what we believe is right.

With due respect to the very learned illustrious member of the Body, Senator Ludwig, who always shares very interesting tidbits for us on the floor, I am not much of a poet or philosopher, but, I do remember a gentleman by the name of Yogi Bearer who said, "It ain't over until its over". And if anything, this process, and the other process that we talked about a week ago, reminds me that it ain't over till its over. Thank you Mr. President.

THE PRESIDENT: Senator WEBSTER of Franklin requested and received leave of the Senate to speak a fourth time. The Chair recognizes that same Senator.

Senator WEBSTER: Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to leave you, before we vote on this issue, with two points, and I would like to say first that I, too, served on the Utility Committee here in this Legislature, and am somewhat familiar with utility law, although I never claimed to be an expert. But, I would like to bring to your attention two things.

First, the State of Vermont has sited their low level waste at the Vermont Nuclear Plant. The Federal Government did not tell them that they couldn't do it, as a matter of fact, they said, "We want you to continue to look, but it is fine with us if you end up siting it there". That is a fact. That is where ours will end up, in Maine Yankee. It has already been done and approved by the Federal Government, but I don't have that information here, but I would be more than willing to share it with you.

The second thing I would like to mention to you, and I think it is a real concern, and it is really the crux of our concern with the issue of low level waste, it has always amazed me, and I understand that the Federal Government has mandated this, and they have come up with all of these regulations, but I guess I am wondering, if this magical building that we are constructing to store nuclear waste or ash, we are creating this dump, I call it a dump because a dump always leaks, we are creating this dump, and ladies and gentlemen of the Senate, we are worried about what the soils are going to be. Well frankly, if this magical building can be built without leaking, who cares what the soils are as long it is not a swamp, if it can really be built and not leak. That is the concern that the people I represent have, the people that live out in rural Maine who say, "If this can be built without leaking, than why do we care what the soil is"? If this can be built without leaking, why are we having this debate?

The simple fact is that the people of Maine want us to follow, in this case, the lead of Vermont, because this is where this disposal facility will be. I will predict this today that this is where we are going to locate the low level waste site, because frankly, they are going to build, they are going to convince all of us that they can build this building without leaking. If they can build this building without leaking, then who is going to replace that major tax producing institution that is currently residing in Wiscasset once this closes? Frankly, this little building is going to replace that facility that is generating all of those tax dollars to those local property owners that live there.

It seems to me whether we like it or not, this is a political decision, it will be a political decision, and it is not a technical decision in my opinion, it never will be technical. Because somebody who is much more knowledgeable than I am, is going to convince all of us in the Senate, and all of us in the state, that this place won't leak. This building is not going to leak! So, ladies and gentlemen of the Senate, it is going to end up where it deserves, where it should be, at the same place that the State of Vermont has located theirs. I thought it was important to mention those two points because, in the previous debate it has been mentioned that the Federal Government doesn't allow it, but I understand that it does, and I have been told that the Federal Government has said, "You may store all the low level waste from the time that South Carolina no longer accepts it, you may keep it at Maine Yankee until you close. And when you decommission the plant, all of this low level waste will go somewhere else."

Ladies and Gentlemen, it is an issue of fairness. People should have a right to vote now, and not have to wait and go through all the agony of waiting two or three years, to end up voting the same way that they are going to vote later. Thank you.

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

Senator FOSTER: Thank you Mr. President. Ladies and Gentlemen of the Senate. I don't want to lead anyone to believe that I vote because it is politically popular, that I think the sky is falling, because from the beginning I have been known as one of the anti-nuclear kooks. I have always voted against nuclear power, and therefore, I don't need to explain to you why I vote, but I want it on the Record that I have always felt that way. And I was out there in the beginning saying, "What are you going to do with the waste"? And no one was concerned about the waste at that time, but I was. And if I could have had an answer then, maybe I would have had more empathy for those who thought nuclear power was the beginning and the end that might be of this world. But, I have never been convinced, and I still stand not convinced. I remember being in my first year in the Legislature, of being one of maybe twelve that were anti-nuclear, and the label that we were the "Kookie people", or "Where are your beads", or "You don't look like one of them, Ruth", or "You come from the business area, you should know better." I heard all of that. I took all of the ridicule that goes with being against nuclear power, and in my eleventh year here, I see a few people every year join the ranks of those of us that have been concerned about the waste. And I say to you men and women of this Senate, if we had this piece of legislation before us, before we voted for nuclear power, we might have been in a different mind sink. So, I make no apologies of how I stand, because I think that it is not necessary. Thank you very much.

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

Senator TITCOMB: Thank you Mr. President. Ladies and Gentlemen of the Senate. I will make just a few last comments that I feel need to be made. And I didn't intend to speak again, but I can't stay in

my seat after some of the comments that the good Senator from Franklin, Senator Webster, has made this evening, and I think it is very important that we think very carefully about what has been said. Frankly, I believe it is the lack of accurate information, and the lack of understanding that I saw displayed on this issue, that has lead us to where we are. For anyone to say that this is not a technical issue, and that it won't be, and that it is a political issue, it frightens me to death! I know that it would be a temptation to let this be a political issue, but the lives, and the health, and the safety of our constituents depend that we will let it be a technical issue, a scientifically sound issue. We cannot afford for it to be political. Now, the good Senator may be convinced that it will end up at Maine Yankee. He may be convinced, but I am not, because I do not intend to stand by and watch a political path of least resistance become the short term solution to a problem that we will face as a civilization for tens of thousands of years. This is not an issue that you can just throw your hands in the air and say that it is going to go away to Wiscasset because they don't care. Well, I think there are many people in Wiscasset who do care. And there are many people in this state that do care, and recognize that nuclear power, and nuclear waste serve as a threat to mankind if we do not deal with it in more than a political manner.

Now I would ask each of you to think very, very carefully of what we are dealing with. It has to be done right. We don't get second chances if we blow it the first time. Don't let this become a political issue, it is far too big for that. It is an issue that I hate. It is a waste that I hate. It is an industry that I have lost my patience with, because the truth is just beginning to come to the surface. It has arrived in Cornville, and it will arrive in communities all over this state. We have produced a monster. And now we have got to deal with the consequences. In the name of God, let us do it in a technically sound way, and not in a political way! The people of Maine at least deserve that!

THE PRESIDENT: The pending question before the Senate is the motion by Senator WEBSTER of Franklin to RECEDE and CONCUR.

The Chair ordered a Division.

Will all of those in favor of the motion by Senator WEBSTER of Franklin to RECEDE and CONCUR, please rise in their places and remain standing until counted.

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

9 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion of Senator WEBSTER of Franklin to RECEDE and CONCUR, FAILED.

Senator WEBSTER of Franklin moved to INSIST AND ASK FOR A COMMITTEE OF CONFERENCE.

Senator CLARK of Cumberland requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator WEBSTER of Franklin to INSIST AND ASK FOR A COMMITTEE OF CONFERENCE.

Will all of those in favor of the motion by Senator WEBSTER of Franklin to INSIST AND ASK FOR A COMMITTEE OF CONFERENCE, please rise in their places and remain standing until counted.

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

9 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion of Senator WEBSTER of Franklin to INSIST AND ASK FOR A COMMITTEE OF CONFERENCE, FAILED.

On motion by Senator TITCOMB of Cumberland, the Senate ADHERED.

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

Senator CLARK: Mr. President. Having voted on the prevailing side, I move the Senate RECONSIDER its action whereby it Adhered and hope that you'll vote against the motion.

The motion of Senator CLARK of Cumberland, to RECONSIDER its action whereby the Senate ADHERED, FAILED.

Senator KANY of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator KANY: Thank you Mr. President. Ladies and Gentlemen of the Senate. I did not want to speak on the previous issue, and you have heard enough from me about nuclear waste, but I simply could not resist the opportunity to rise and remind the Maine Senate that we were discussing the problem of properly and environmentally siting a low level radio-active waste disposal facility. I just wanted to remind everyone that the problem we have with low level radio-active waste, is nothing of a problem compared with high level radio-active waste. Today, there is not a single high level radio-active waste disposal facility any place in the world! I just believe that it is just terribly irresponsible for the people of Maine, and the people of the United States, and others in the world to continue to generate that waste, without thinking in terms of environmentally taking care of it for future generations.

Non-concurrent Matter

HOUSE REPORTS - from the Committee on BUSINESS LEGISLATION on Bill "An Act to Amend the Laws Regarding Sunday Sales"

H.P. 1079 L.D. 1573

Majority - Ought Not to Pass.

Minority - Ought to Pass.

In House, May 13, 1991, the Minority OUGHT TO PASS Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-295).

In Senate, May 16, 1991, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **BALDACCI** of Penobscot, the Senate **ADHERED**.

Non-concurrent Matter

Bill "An Act to Limit Major Third-party Payor Status to Governmental Payors"
S.P. 594 L.D. 1579

In Senate, May 9, 1991, **PASSED TO BE ENGROSSED**.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-367)** in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

Non-concurrent Matter

SENATE REPORTS - from the Committee on **FISHERIES AND WILDLIFE** on Bill "An Act to Eliminate Sunday Allocations on the Penobscot River"
S.P. 676 L.D. 1790

Majority - **Ought Not to Pass**.

Minority - **Ought to Pass**.

In Senate, May 16, 1991, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Comes from the House the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The Senate **ADHERED**.

Sent down for concurrence.

Non-concurrent Matter

Bill "An Act to Transfer Responsibility for the Regulation of Home Service Contracts from the Real Estate Commission to the Bureau of Insurance"
S.P. 688 L.D. 1829

Committee on **BUSINESS LEGISLATION** suggested and **ORDERED PRINTED**.

In Senate, May 9, 1991, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-362)**, without reference to a Committee, in **NON-CONCURRENCE**.

On motion by Senator **BALDACCI** of Penobscot, the Senate **RECEDED** and **CONCURRED**.

Joint Resolution

The Following Joint Resolution: H.P. 1308

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ELIMINATE INEQUITIES IN THE PAYMENT OF SOCIAL SECURITY BENEFITS BASED ON THE YEAR OF INITIAL ELIGIBILITY

WE, your Memorialists, the Members of the One Hundred and Fifteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, the provisions set forth in 42 United States Code, Section 415 for determining the primary insurance amount of a person receiving social security were amended in 1977 by Public Law 95-216; and

WHEREAS, that amendment resulted in disparate benefits according to when a person initially becomes eligible for benefits; and

WHEREAS, persons who were born during the years 1917 to 1926, inclusive, and who are commonly referred to as "notch babies," receive lower benefits than persons who were born before that time; and

WHEREAS, the payment of benefits under the social security system is not based on need or other considerations related to welfare, but on a program of insurance based on contributions by a person and that person's employer; and

WHEREAS, the discrimination between persons receiving benefits is totally inequitable and contrary to the principles of justice and fairness; and

WHEREAS, the Social Security Trust Fund has adequate reserves to eliminate this inequity; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to enact legislation to eliminate inequities in the payment of social security benefits to persons based on the year in which they initially become eligible for such benefits; and be it further

RESOLVED: that Congress eliminate these inequities without reducing the benefits of persons who were born before 1917; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: H.P. 1302

**DEPARTMENT OF LABOR
P.O. BOX 309
AUGUSTA, MAINE 04332-0309**

April 29, 1991

Senator Donald Esty, Jr., Chair
Representative Edward A. McHenry, Chair
Joint Standing Committee on Labor
115th Maine Legislature
Augusta, ME 04333

Dear Senator Esty, Representative McHenry, and Members of the Joint Standing Committee on Labor:

I am pleased to submit, in accordance with Public Law 1987, chapter 775, a report on the Strategic Training for Accelerated Reemployment (STAR) Program for the period July 1, 1990 through March 31, 1991.

As I think you will agree after reviewing the report, the STAR Program has surpassed expectations for providing an essential training program for recently unemployed Maine citizens. During the report period we have provided education and training to over 1200 Maine people and, of the 412 who terminated from the program, 82% or 338 were placed in jobs with an average wage at placement of \$6.74 per hour.

The STAR Program has been of significant assistance in aiding many of Maine's dislocated workers during the 1989/90 program year, in particular those previously employed by National Sea Products, Bar Harbor Airways, Gamm II, Maine Electronics and Great Northern Paper Company.

I hope you find this report useful and I look forward to the continued success of the STAR Program. Please do not hesitate to contact me if you have any questions.

Sincerely,

S/Charles A. Morrison
Commissioner

Comes from the House READ and with Accompanying Papers ORDERED PLACED ON FILE.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE, in concurrence.

The Following Communication:

**DEPARTMENT OF PUBLIC SAFETY
STATE HOUSE STATION 42
AUGUSTA, MAINE 04333**

May 15, 1991

Joy J. O'Brien
Secretary of the Senate
State House Station 3
Augusta, Maine 04333

Dear Ms. O'Brien:

Please find enclosed a copy of an application submitted to the Bureau of Justice Assistance for the FY 1991 Edward Byrne Memorial State and Local Law Enforcement Assistant Discretionary Grant Program.

The program requires that the application be submitted to the State Legislature or its designated body for review. Unless I receive further instructions, I will consider that the Department of Public Safety has fulfilled its obligation in this area.

Sincerely,

S/John R. Atwood
Commissioner

Which was READ and referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

May 15, 1991

Honorable Charles P. Pray
President of the Senate
115th Maine State Legislature
State House Station 3
Augusta, Maine 04333

Dear President Pray:

The State Compensation Commission is required by Title 3, section 2-A of the Maine Revised Statutes to submit two interim reports to the Legislature. The purpose of these reports is to provide the Legislature with a description of the Commission's activities and to make any recommendations requiring the Legislature's immediate attention. The first interim report is due by May 1st of every odd numbered year of the Commission. The Commission is submitting this letter in fulfillment of that requirement.

The 115th State Compensation Commission members have been appointed. The new Commission has not yet been convened to elect a fifth member to the position of Chair. It is anticipated that the Commission will schedule a meeting later in this session or in early summer to lay out the scope and schedule for completing its statutory review. The Commission is charged by law to review the compensation and make recommendations to the Legislature on the following: the Governor, justices and judges, constitutional officers, legislators, Clerk and Assistant Clerk of the House of Representatives, Secretary and Assistant Secretary of the Senate, and representatives of Indian tribes elected to the Legislature. The Commission is also authorized by Title 3, §2-A of the Maine Revised Statutes to make "...other recommendations". No recommendations are being made at this time.

Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

S/Stephen R. Crockett
Immediate Past Chair
State Compensation Commission

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

The Following Communication:

115TH MAINE LEGISLATURE

May 17, 1991

Honorable Joy J. O'Brien
Secretary of the Senate
State House Station 3
Augusta, Maine 04333

Dear Madam Secretary:

Pursuant to our authority under Chapter 139 of the Public Laws of 1991 we have appointed Donald Nicoll of Portland and Merton Henry of Portland as Co-Chairs of the Special Commission on Governmental Restructuring.

Please let one of us know if you have any questions about these appointments.

Sincerely,

S/John R. McKernan
Governor

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

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

SENATE PAPERS

Resolve, to Adjust the Amounts of Money Allocated to Certain Projects for Site Acquisition, Construction, Repair and Renovation of Public Safety Facilities (Emergency)

S.P. 710 L.D. 1893

Presented by Senator **BRAWN** of Knox
Cosponsored by Representative **PENDEXTER** of Scarborough

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Classification of the St. George River"

S.P. 712 L.D. 1895

Presented by Senator **BRAWN** of Knox
Cosponsored by Representative **WHITCOMB** of Waldo
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Which was referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Alter the Composition of the Commission on Governmental Ethics and Election Practices"

S.P. 711 L.D. 1894

Presented by Senator **WEBSTER** of Franklin
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

Sent down for concurrence.

Resolve, Directing the Public Utilities Commission to Analyze the Minimization of Electric Rates as an Integral Factor in the State's Least Cost Energy Plan

S.P. 713 L.D. 1896

Presented by President **PRAY** of Penobscot
Cosponsored by Senator **CARPENTER** of York,
Representative **CLARK** of Millinocket and
Representative **MORRISON** of Bangor

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

Sent down for concurrence.

Under suspension of the Rules, all reference papers were ordered sent down forthwith for concurrence.

COMMITTEE REPORTS

House

Ought Not to Pass

The following **Ought Not to Pass** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

From the Committee on **BANKING AND INSURANCE** Bill "An Act Concerning Rental Vehicle Insurance"
H.P. 534 L.D. 762

From the Committee on **BUSINESS LEGISLATION** Bill "An Act Concerning the Practice of Landscape Architecture" (Emergency)

H.P. 1082 L.D. 1576

From the Committee on **BUSINESS LEGISLATION** Bill "An Act Requiring Plumbers and Electricians to Demonstrate Financial Responsibility"

H.P. 1183 L.D. 1726

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Create the Maine Local Land Trust Board"

H.P. 1250 L.D. 1817

From the Committee on **HUMAN RESOURCES** Bill "An Act to Allow Municipalities to Establish Fees for Copies of Vital Records"

H.P. 1262 L.D. 1831

From the Committee on **JUDICIARY** Bill "An Act to Improve the Forfeiture Provisions of the Maine Drug Laws"

H.P. 172 L.D. 257

From the Committee on **JUDICIARY** Bill "An Act to Expand the Criminal Code Protections Against Abuse to Children"

H.P. 864 L.D. 1244

From the Committee on **JUDICIARY** Bill "An Act Concerning the Liability of Sport Shooting Range Operators"

H.P. 1009 L.D. 1477

From the Committee on **JUDICIARY** Bill "An Act to Adopt the English Rule, With Exceptions, for Attorney's Fees in Litigation"

H.P. 1030 L.D. 1503

From the Committee on **JUDICIARY** Resolve, to Study the Structure of Law Enforcement in the State (Emergency)

H.P. 1123 L.D. 1648

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Grandfather Mobile Home Park Lots in Existence Prior to June 30, 1989"

H.P. 1216 L.D. 1774

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Ensure Fairness to Tenants"

H.P. 1220 L.D. 1778

From the Committee on **TAXATION** Bill "An Act to Increase Revenue to the State"

H.P. 960 L.D. 1387

From the Committee on **TAXATION** Bill "An Act to Fund the Elderly Tax Deferral Program"
H.P. 1086 L.D. 1586

From the Committee on **TAXATION** Bill "An Act to Require the Reporting of Income Tax Payments by Corporations"
H.P. 1091 L.D. 1591

From the Committee on **TAXATION** Bill "An Act Concerning Proration of Real Estate Taxes"
H.P. 1097 L.D. 1596

From the Committee on **TAXATION** Bill "An Act to Authorize a Local Option Excise Tax on Gravel Mining"
H.P. 1099 L.D. 1598

From the Committee on **TAXATION** Bill "An Act to Amend the Income Tax Laws Pertaining to Children's Interest Earnings"
H.P. 1113 L.D. 1638

From the Committee on **TAXATION** Bill "An Act to Protect Forest Resources From Piecemeal Development and to Amend the Maine Tree Growth Tax Law"
H.P. 1120 L.D. 1645

From the Committee on **TAXATION** Bill "An Act to Exempt Certain Farm Structures from Taxation"
H.P. 1165 L.D. 1706

From the Committee on **TAXATION** Bill "An Act to Authorize Municipalities to Impose a Severance Tax on Gravel"
H.P. 1199 L.D. 1755

From the Committee on **TRANSPORTATION** Bill "An Act Relating to Transportation Planning"
H.P. 789 L.D. 1121

Leave to Withdraw

The following **Leave to Withdraw** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

From the Committee on **BUSINESS LEGISLATION** Bill "An Act to Regulate Suntanning Booths"
H.P. 1133 L.D. 1658

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Allow Municipalities to Regulate Borrow Pits"
H.P. 1111 L.D. 1636

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Amend the Maine Environmental Protection Fund Fee Schedule" (Emergency)
H.P. 1275 L.D. 1846

Ought to Pass

The Committee on **AGING, RETIREMENT AND VETERANS** on Bill "An Act to Authorize Employees of a Participating Local District to Participate in a Qualified Alternative Pension Plan"
H.P. 1248 L.D. 1815

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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Alcoholic Beverages for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (Emergency)
H.P. 738 L.D. 1042

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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Lottery, for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (Emergency)
H.P. 761 L.D. 1095

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**.

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 **FISHERIES AND WILDLIFE** on Bill "An Act to Modify the Maine Land Use Regulation Commission Requirements Relating to Deer Wintering Areas"

H.P. 1232 L.D. 1796

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 Clarify the Appointment of Civil Emergency Preparedness Directors"

H.P. 810 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 **HUMAN RESOURCES** on Bill "An Act to Revise the Membership of the Committee to Advise the Department of Human Services on AIDS" (Emergency)

H.P. 1242 L.D. 1808

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 **TRANSPORTATION** on Bill "An Act to Clarify Certain Commercial Vehicle Size and Weight Provisions"

H.P. 936 L.D. 1356

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 Resolve Municipal Secret Ballot Elections that Result in a Tie Vote"

H.P. 735 L.D. 1039

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

Ought to Pass As Amended

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Law Concerning the Maine High-Risk Insurance Organization"

H.P. 546 L.D. 783

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-316)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-316) AS AMENDED BY HOUSE AMENDMENT "A" (H-366)** thereto.

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

The Bill **READ ONCE**.

Committee Amendment "B" (H-316) **READ**.

House Amendment "A" (H-366) to Committee Amendment "B" (H-316) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "B" (H-316) as Amended by House Amendment "A" (H-366) thereto, **ADOPTED**, in concurrence.

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

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend Certain Provisions of the Insurance Code Involving the Powers of the Superintendent" H.P. 867 L.D. 1247

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-315)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-315)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-315) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Address Budgetary Concerns of the Maine Athletic Commission and to Deregulate Certain Aspects of the Sport of Wrestling" (Emergency) H.P. 703 L.D. 1007

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-314)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314) AND HOUSE AMENDMENT "A" (H-338)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-314) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-338) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Provide for Changes to the Membership of the Electricians' Examining Board" H.P. 912 L.D. 1309

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-313)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-313)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-313) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Clarify Board Membership Qualifications and Make Necessary Fee Adjustments to Meet Board and Departmental Operating Expenses for the State Board of Licensure for Professional Foresters" (Emergency) H.P. 919 L.D. 1316

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-312)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-312) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on EDUCATION on Bill "An Act to Clarify the Funding of Child Care Services and Parenting Education"

H.P. 639 L.D. 913

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-317).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-317).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-317) READ.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending ADOPTION of Committee Amendment "A" (H-317), in concurrence.

The Committee on EDUCATION on Bill "An Act Requiring School Districts to Make Instruction in Braille Reading and Writing Available to Blind Students"

H.P. 656 L.D. 935

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-318).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-318).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-318) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Assuring Clean Waters in Maine"

H.P. 161 L.D. 246

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-331).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-331).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-331) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend the Subdivision Laws within the Jurisdiction of the Maine Land Use Regulation Commission"

H.P. 244 L.D. 335

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-329).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-329).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-329) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Resolve, Authorizing the Sale of Certain Public Lands

H.P. 914 L.D. 1311

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-328).

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-328).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-328) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend Certain Laws Governing Hazardous Waste, Septage and Solid Waste Management to Include a Land Acquisition and Eminent Domain Provision for the Remediation of Hazardous Substances and to Provide for the Reimbursement of Expenditures Made for the Acquisition of Property"

H.P. 1027 L.D. 1500

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-327).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-327).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-327) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act Concerning Late Support Payments"

H.P. 384 L.D. 558

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-221).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-221) AS AMENDED BY HOUSE AMENDMENT "A" (H-336) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-221) READ.

House Amendment "A" (H-336) to Committee Amendment "A" (H-221) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-221) as Amended by House Amendment "A" (H-336) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Facilitate the Delivery of Family Support Services"

H.P. 1013 L.D. 1481

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-321).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-321).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-321) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Regulate Fines for Prohibited Acts Concerning the Use of Public Ways and Parking Areas Maintained by the State"

H.P. 1020 L.D. 1493

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-333).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-333).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-333) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LABOR on Bill "An Act to Regulate the Use of Video Display Terminals"

H.P. 655 L.D. 934

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-323)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-323)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-323) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the State Government Ethics Laws"

H.P. 733 L.D. 1037

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-304)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-304) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Require the Holding of Hearings under the Maine Administrative Procedure Act"

H.P. 882 L.D. 1273

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-322)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-322)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-322) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act to Amend the Motor Vehicle Title Laws"
H.P. 457 L.D. 648

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-307)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-307)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-307) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act to Create a Semipermanent Semitrailer Registration" (Emergency)

H.P. 765 L.D. 1099

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-306)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-306)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-306) **READ** and **ADOPTED**, in concurrence.

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

The Committee on UTILITIES on Bill "An Act to Amend the Charter of the Presque Isle Sewer District" H.P. 1028 L.D. 1501

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-320).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-320) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Tabled - May 22, 1991, by Senator CLARK of Cumberland

Pending - ADOPTION of Committee Amendment "A" (H-317), in concurrence

(In Senate, May 22, 1991, Report READ and ACCEPTED, in concurrence, and the Bill READ ONCE. Committee Amendment "A" (H-317) READ.)

(In House, May 20, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-317).)

Committee Amendment "A" (H-317) ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on MARINE RESOURCES on Bill "An Act to Amend the Shellfish Laws" H.P. 815 L.D. 1169

Reported that the same Ought Not to Pass.

Signed:

Senators:

- VOSE of Washington
- ESTES of York
- GOULD of Waldo

Representatives:

- MITCHELL of Freeport
- HOLT of Bath
- CONSTANTINE of Bar Harbor
- SKOGLUND of St. George
- TOWNSEND of Eastport
- SWAZEY of Bucksport
- LOOK of Jonesboro
- HEINO of Boothbay

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-300)

Signed:

Representatives:

- COLES of Harpswell
- FARREN of Cherryfield

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

Which Reports were READ.

The Chair moved to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the Senate removed from the Table and Later Today Assigned matter:

Bill "An Act to Clarify the Funding of Child Care Services and Parenting Education" H.P. 639 L.D. 913

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

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I know that I am violating the precious rule of three Senators on one side, but I would respectfully request a Division on this particular piece of legislation. It is something that I have been concerned about for a very long time, it effects my District, and I will be voting no.

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

THE PRESIDENT: The pending question before the Senate is the motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

A Division has been requested.

Will all of those in favor of **ACCEPTANCE** of the Majority **OUGHT NOT TO PASS** Report, in concurrence, please rise in their places and remain standing until counted.

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

22 Senators having voted in the affirmative and 6 Senators having voted in the negative, the Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Share Proportionately the Public Safety Costs for the Capitol Area"

H.P. 411 L.D. 594

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-228)**

Signed:

Senators:

BUSTIN of Kennebec
EMERSON of Penobscot

Representatives:

NASH of Camden
LARRIVEE of Gorham
HEESCHEN of Wilton
GRAY of Sedgwick
JOSEPH of Waterville
KERR of Old Orchard Beach

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

Signed:

Senator:

BERUBE of Androscoggin

Representatives:

LOOK of Jonesboro
ST. ONGE of Greene
SAVAGE of Union
WATERMAN of Buxton

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-228) AS AMENDED BY HOUSE AMENDMENT "A" (H-345)** thereto.

Which Reports were **READ**.

Senator **BUSTIN** of Kennebec moved to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-228) **READ**.

House Amendment "A" (H-345) to Committee Amendment "A" (H-228) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-228) as Amended by House Amendment "A" (H-345) thereto, **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Increase the Availability of Legislative Participation

H.P. 740 L.D. 1044

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BERUBE of Androscoggin
BUSTIN of Kennebec
EMERSON of Penobscot

Representatives:

NASH of Camden
LARRIVEE of Gorham
HEESCHEN of Wilton
JOSEPH of Waterville
WATERMAN of Buxton
GRAY of Sedgwick
KERR of Old Orchard Beach
ST. ONGE of Greene

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-319)**

Signed:

Representatives:
LOOK of Jonesboro
SAVAGE of Union

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

Which Reports were **READ**.

Senator **BERUBE** of Androscoggin moved to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

Senator **WEBSTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I have no intention of making a long speech, but this to me is an issue that is similar to legislation that we have had that was similar to a pay raise Bill. I think it is important, speaking as the Senator from Franklin County, to be on Record in support of this type of measure. Let me just say, that the citizens of this state feel, and I think rightly so, that there ought to be some sort of legislation on a number of terms that someone can serve in the Maine Legislature. I may very well be irritating a lot of people with my position on this, and those of you who sit in this Body, but, I think it is important for the citizens of this state to have a record as to how we vote, and for that reason, I would ask for a Roll Call.

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

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

Senator **DUTREMBLE:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I think that is the sixth term that the good Senator from Franklin, Senator Webster, has supported this Bill. I feel very strongly that the people who elect us make the decisions on whether or not we should be here, one term, two terms, three terms, four terms, or whatever. It is not what we want. It is what the people in our District want. I would simply say that the opportunity that the good Senator from Franklin, Senator Webster wants to afford the people of the State of Maine, is already afforded in the power of the vote. It has been that tool that has been used over 200 years in our history, and I think it hasn't failed us. It has done a real good job, I think. I don't think that we should start tinkering with denying the people of this state the right who they want to represent them. This is what this Bill would do, it would deny the people of the good Senators District the right to vote for who they want. I don't think that we should be doing that. I think that we should be protecting the people in the Senators District, and the rest of our Districts. So, I would hope that you would support the Majority Ought Not To Pass Report. Thank you.

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

Senator **BUSTIN:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise to support the Ought Not To Pass Report, obviously. I am on that side of the issue, and I only want to reiterate to the good Senator from York, Senator Dutremble, about my opposition to this. This is my sixth term, and as I read this Bill, this would consign me to, if I could get elected to the other Body, to take a walk down to the other Body and serve under a different leadership. I have to tell you, I am perfectly happy with my leadership here in the Senate. I would like to remain under that kind of leadership, and I think there is only one Body who is going to make that determination for me, and that is the voters of District 19. I think that is the way that it should remain. If I haven't done my job, and if I don't get out there and tell my voters exactly what I have done, they then can say to me by their vote rather they like what I have done, or don't like what I have done. Limiting the terms as a Constitutional Amendment, basically, limits the voters right to make that choice. I am not willing to do that. Thank you.

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

Senator **WEBSTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Just to clarify about this little Bill we have before us today, this is a Constitutional Amendment which will go to the voters of the State of Maine. The voters of the State of Maine will decide whether they want to pass this kind of amendment to the Constitution, or whether they want to leave the Constitution the way it is. Frankly, I am convinced, having knocked on a lot of doors in the last two years, during the last election cycle, there is a feeling out there that a change would be good. There isn't a member of this Body that I don't believe could not easily turn around and seek a different office and a different Body, which I won't talk about. Frankly, it doesn't stop that. It does do what I think is appropriate, and that is to give the people of the State of Maine a turnover. I think that is important, and for those reasons and others, I ask your approval of this Bill. Thank you.

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

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

Senator **WEBSTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would just like to thank the good Senator from Oxford, Senator Twitchell, for his motion to Indefinitely Postpone.

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

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

A Division has been requested.

Will all of those in favor of the motion by Senator TWITCHELL of Oxford to INDEFINITELY POSTPONE Bill and Accompanying Papers in NON-CONCURRENCE, please rise in their places and remain standing until counted.

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

24 Senators having voted in the affirmative and 6 Senators having voted in the negative, the motion by Senator TWITCHELL of Oxford to INDEFINITELY POSTPONE Bill and Accompanying Papers in NON-CONCURRENCE, PREVAILED.

Sent down for concurrence.

Senate

Ought Not to Pass

The following Ought Not to Pass Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator MILLS for the Committee on LEGAL AFFAIRS Bill "An Act to Suspend a Driver's License for Convicted Drug Offenses"
S.P. 667 L.D. 1753.

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure Proper Oversight of State Spending
S.P. 474 L.D. 1266

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT Resolve, Requiring the Maine State Housing Authority to Study Continuing Care Retirement Communities and Life Care Communities
S.P. 526 L.D. 1404

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT Bill "An Act to Establish the Law Student Loan Repayment Assistance Fund for Law School Graduates Pursuing Public Interest Employment"
S.P. 567 L.D. 1487

Reported by Senator BUSTIN for the Committee on STATE AND LOCAL GOVERNMENT Bill "An Act to Allow the Creation of County Budget Committees by Referendum Vote"
S.P. 577 L.D. 1531

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT Bill "An Act to Provide New Flags for the State, Governor, National Guard and Merchant and Marine"
S.P. 605 L.D. 1609

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT Bill "An Act Authorizing Issuance of an Official State Nondriver Identification Card to Persons 15 Years of Age or Older"
S.P. 615 L.D. 1619

Reported by Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT Bill "An Act to Require State Employees to Reimburse the State for Frequent-flier Awards"
S.P. 628 L.D. 1632

Ought to Pass As Amended

Senator MCCORMICK for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Amend the Teacher Retirement Laws" (Emergency)
S.P. 436 L.D. 1157

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-195).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-195) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator MCCORMICK for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Amend Certain Laws Administered by the Maine State Retirement System"
S.P. 562 L.D. 1466

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-196).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-196) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BUSTIN for the Joint Select Committee on CORRECTIONS on Bill "An Act to Clarify the Termination of Intensive Supervision"
S.P. 679 L.D. 1801

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-190).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-190) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator MILLS for the Committee on LEGAL AFFAIRS on Bill "An Act Concerning Continuances Requested by Petitioners in Hearings for Operating under the Influence"

S.P. 460 L.D. 1236

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-194).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-194) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator MILLS for the Committee on LEGAL AFFAIRS on Bill "An Act Regarding Sprinkler Systems in New Buildings"

S.P. 493 L.D. 1331

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-193).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-193) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator MILLS for the Committee on LEGAL AFFAIRS on Bill "An Act to Continue Authority for Seasonal Agency Liquor Stores" (Emergency)

S.P. 566 L.D. 1486

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-192).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-192) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BUSTIN for the Committee on STATE AND LOCAL GOVERNMENT on Resolve, to Clear Title to Property in the Town of Oxford (Emergency)

S.P. 429 L.D. 1150

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-188).

Which Report was READ and ACCEPTED.

The Resolve READ ONCE.

Committee Amendment "A" (S-188) READ and ADOPTED.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BUSTIN for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Provide Confidentiality of Proprietary Data Provided to State Agencies"

S.P. 524 L.D. 1402

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-189).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-189) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on LEGAL AFFAIRS on Bill "An Act to Preserve the Integrity of the Maine State Lottery"

S.P. 80 L.D. 143

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-187)

Signed:

Senators:
MILLS of Oxford
KANY of Kennebec

Representatives:
LAWRENCE of Kittery
JALBERT of Lisbon
PLOURDE of Biddeford
POULIN of Oakland
RICHARDSON of Portland
TUPPER of Orrington
DAGGETT of Augusta

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

Signed:

Senator:
SUMMERS of Cumberland

Representatives:
HICHENS of Eliot
BOWERS of Sherman
STEVENS of Sabattus

Which Reports were **READ.**

On motion by Senator **MILLS** of Oxford, Tabled Unassigned pending **ACCEPTANCE OF EITHER REPORT.**

SECOND READERS

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

House

Bill "An Act to Improve the Disbursement of Funds for Municipal Roads"

H.P. 487 L.D. 681

Bill "An Act to Include Land Surveyors in the Lien Laws"

H.P. 1036 L.D. 1509

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

House As Amended

Bill "An Act to Codify the Rules of Maine"

H.P. 1 L.D. 1
(H "A" H-200 to C
"A" H-195)

Bill "An Act to Reclassify Spenser Stream"
H.P. 307 L.D. 437
(C "A" H-301)

Bill "An Act to Amend the Exemption of Certain Divisions from the Definition of Subdivision"
H.P. 407 L.D. 590
(C "A" H-257)

Bill "An Act to Clarify Provisions Relating to Pharmacies"
H.P. 432 L.D. 615
(C "A" H-290)

Bill "An Act Relating to the Restoration of Drivers' Licenses"
H.P. 447 L.D. 637
(C "A" H-281)

Bill "An Act to Improve the Disbursement of Wages to Municipal Employees"
H.P. 538 L.D. 775
(C "A" H-299)

Bill "An Act to Clarify the Laws Relating to the Election or Appointment of Assessors"
H.P. 548 L.D. 785
(C "A" H-297)

Bill "An Act to Provide Information to Persons Voting on Municipally Bonded Indebtedness Proposals"
H.P. 565 L.D. 808
(C "A" H-298)

Bill "An Act Concerning the Lease or Lease-purchase of School Bus Garage and Maintenance Facilities and School Administrative Office Space"
H.P. 690 L.D. 989
(C "A" H-292)

Bill "An Act to Improve the Level of Services Provided by the Bureau of Public Improvements on Capital Improvement Projects"

H.P. 728 L.D. 1032
(H "A" H-310)

Bill "An Act to Amend the Laws Governing the Office of Information Services and the Information Services Policy Board"

H.P. 737 L.D. 1041
(C "A" H-302)

Bill "An Act to Implement the Recommendations of the Maine Commission on Legal Needs"

H.P. 837 L.D. 1203
(C "A" H-287)

Bill "An Act to Broaden the Crimes of Criminal Mischief and Aggravated Criminal Mischief"
H.P. 854 L.D. 1220
(C "A" H-288)

Bill "An Act Regarding Training Costs of Police Officers"
H.P. 890 L.D. 1287
(C "A" H-303)

Bill "An Act Concerning Visitation Rights of Grandparents of Minor Children in the Event of the Death of a Parent"
H.P. 910 L.D. 1307
(C "A" H-289)

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

Bill "An Act to Increase the Availability of Sign Language Training"
H.P. 661 L.D. 940
(C "A" H-291)

Which was **READ A SECOND TIME**.

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

Senator **BRAWN:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would just like to call your attention to L.D. 940, and if you do wish to know what I am talking about, please feel free to take the Bill from your notebook. I thought yesterday, looking quickly as I am on two busy Committees, that this Bill was okay. I thought that the amendment was okay, and when I had time to today to look more clearly, the one part, the one sentence to the Bill that I objected very strongly to in Committee, and would like to share very briefly with you why, is still in the Bill, and I feel strongly, for the Record, that you at least should know about this.

You know, it is interesting that Senator Ludwig from Aroostook County, tonight, should talk about fairy tales. I think we have all heard them in that generation. I have not prepared a statement tonight, this is off the cuff. My mother is deaf. She has worn a hearing aid, and maybe this is why my voice is so loud. As a child I had an opportunity to take a very limited sign language course. I could do Jesus loves me, or some other things in sign language. Nothing real great. But, I am aware of deafness, I am aware of sign language. The part that I object strenuously to in this Bill, is the way that it is written now, it says that sign language is a foreign language, and I take great offense with that. In a couple of weeks, my oldest son will be graduating from the American College in Paris, France. He will have a degree in International Business. He is fluent in three languages; Italian, Spanish, and French.

Italian, Spanish, French, Russian. Those are foreign languages, in my opinion. Sign language is very special. I am so thankful that we have it! It is a wonderful thing for deaf people, terrific! I am not downing that. But, I do not believe, and I really have talked to a lot of people outside this Legislature on this, and I have not been able to find one person who believes that sign language is a foreign language. If you would allow me one more minute, if this was language was taken out, the rest of this Bill would be fine, and I did say this in Committee. The reason I object so strenuously to this, is we just went through Desert Storm in the war and we were glued to the television. People in other countries talk in bilingual languages. They talk our language. In my opinion, if you can get credit for taking sign language, and my family is a language family, if you can get credit for taking sign language, rather than taking Italian, French, Spanish, whatever, it is another easy way out.

We talked here earlier tonight about taking easier ways out. Maybe you might not agree with me, and that is fine, but I just felt very strongly that I needed to put on the Record my feelings, and you at least knew what the Bill said before it did go on to be passed, and I appreciate and respect your opinion and how you feel, but I wanted to be sure you understood where I was coming from. Thank you very much.

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

Senator **MCCORMICK:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would just like to describe to you what is the history of this Bill. The majority of the Committee voted in favor of Committee Amendment "A" (H-291), which greatly reduces the intention of the Bill. The intention of the Bill, which I supported by the way, and I am also on this Report, was to increase the incentive for American sign language to be taught in high school and in college by naming it a foreign language, which it is, and I will get to that in a minute.

What you have before you is a pale version of the original Bill, and it is a pilot project that we all agreed to, including the University, and the deaf community, and the Committee, and everybody, I guess, except the good Senator from Knox, Senator Brawn. This will produce a pilot project, which will have a course on American sign language offered at a couple of secondary school sites, and using the University's telecommunications vehicles if there is room.

Let me tell you why this is necessary. First of all when we heard this Bill, we found out that there are eleven certified sign language interpreters in this state, and during the Hearing on this Bill, four of them were in our Committee Room. In other words, ladies and gentlemen, there is not enough sign language interpreters in this state, nor in this country. Not only that, but since we are all concerned with economic development, this is a burgeoning industry. Things need to be interpreted. The Americans for Disability Act requires that more and more of the things that we take for granted be interpreted for the deaf. This is going to create, and is creating a demand for sign language interpreters. But no one is teaching American sign

language. The people who want to become a sign language interpreter, a person who wants to do that as a job, has to on their own go around and take extra curricular courses at the University in order to get that kind of certification. We are not providing for that in our schools. This Bill was an attempt to do that.

Point number two is yes, American sign language is a foreign language. I read the most fascinating article, and I refer you to it, in a recent issue of the New York Review of Books, which if you have ever read that, those articles go on for pages, and pages, and pages. A review of the book talks about phonemes of sign language, and about the origins of American sign language, and the fact that it has things that cross continents, and cross a common to more than one language group that is related to French sign language, and Swedish sign language. It is indeed a foreign language, and that the definition of a foreign language is one in which different phonemes can be put together in different ways, in different suffixes, in different sentence structures, with different concepts of time and place, and in fact, American sign language has all of that.

I have to tell you, and I am sure Senator Estes, the good Senator from York would agree, that the two or three hours that we spent on this Bill were the most special moments that this Committee has had. I wish you had been there. One, we got educated on a whole other world. Two, we got educated on a whole other language, and a language that has its own metaphors, it has its own jokes, it has its own everything. I wish I was up here and arguing with you to pass the original Bill. Maine needs that kind of help to get sign language interpreters in the works in the school system in the University. Instead, we are merely asking for a pilot project, and believe me, it is worthy. Thank you.

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

Senator **BRANN:** Thank you Mr. President Ladies and Gentlemen of the Senate. I am not going to belabor this issue, I merely want to point out one sentence only. There is only one sentence in the Bill that offends me, and I personally do not believe that sign language is a foreign language. Thank you.

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

THE PRESIDENT: The pending question before the Senate is **PASSAGE TO BE ENGROSSED, As Amended**, in concurrence.

A Division has been requested.

Will all of those in favor of **PASSAGE TO BE ENGROSSED, As Amended**, in concurrence, please rise in their places and remain standing until counted.

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

17 Senators having voted in the affirmative and 9 Senators having voted in the negative, the Bill was **PASSED TO BE ENGROSSED, As Amended**, in concurrence.

SENATE

Resolve, Concerning Reauthorization of the \$12,000,000 Bond Issue for Sewer Treatment Facilities (Emergency)

S.P. 586 L.D. 1539

Bill "An Act to Amend the Definition of "Regional Association" under the Laws Relating to Waste Management"

S.P. 595 L.D. 1580

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Provide Funds for Women with Substance Abuse Problems"

S.P. 40 L.D. 64
(C "A" S-182)

Resolve, to Create the Commission to Study a Long-term Disability Program for the Maine State Retirement System Members (Emergency)

S.P. 288 L.D. 770
(C "A" S-171)

Bill "An Act to Ensure Adequate Resources for Energy Assistance Programs for Low-income Households" (Emergency)

S.P. 319 L.D. 857
(C "A" S-174)

Bill "An Act Regarding Taking Scallops in the Swan's Island Cable Area"

S.P. 437 L.D. 1181
(C "A" S-183)

Bill "An Act to Amend the Motor Vehicle Dealer Manufacturer Laws"

S.P. 459 L.D. 1235
(C "A" S-175)

Bill "An Act to Promote Competition in Providing Telecommunications Services"

S.P. 492 L.D. 1330
(C "A" S-184)

Bill "An Act to Enhance Social Services and Therapeutic Patient Activities in Nursing Homes"

S.P. 494 L.D. 1332
(C "A" S-181)

Bill "An Act to Include Radiology in the Medical Liability Demonstration Project" (Emergency)
S.P. 495 L.D. 1333
(C "A" S-177)

Resolve, to Create the Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine

S.P. 548 L.D. 1452
(C "A" S-180)

Bill "An Act to Make Miscellaneous Changes to the Maine Revised Statutes, Title 34-A"

S.P. 569 L.D. 1489
(C "A" S-169)

Resolve, Authorizing the Conveyance of a Utility Easement to the City of Belfast

S.P. 659 L.D. 1735
(C "A" S-173)

Bill "An Act to Establish a Grading System for Maple Syrup Produced in the State"

S.P. 663 L.D. 1739
(C "A" S-185)

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

Sent down for concurrence.

Bill "An Act to Permit Earlier Repayment of Contributions to the Maine State Retirement System"

S.P. 359 L.D. 961
(C "A" S-172)

Which was **READ A SECOND TIME.**

On motion by Senator **MCCORMICK** of Kennebec, Senate Amendment "A" (S-209) **READ** and **ADOPTED.**

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

(See Action Later Today)

Bill "An Act to Amend Various Provisions of the Electricians' Examining Board Laws"

S.P. 503 L.D. 1341
(C "A" S-176)

Which was **READ A SECOND TIME.**

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

Bill "An Act Relating to Retirement Service Credits for Former Workers' Compensation Commissioners Who Became Judges before December 1, 1984"

S.P. 553 L.D. 1457
(C "A" S-170)

Which was **READ A SECOND TIME.**

On motion by Senator **MCCORMICK** of Kennebec, Senate Amendment "A" (S-208) **READ** and **ADOPTED.**

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

(See Action Later Today)

ENACTORS

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

An Act to Amend the Financial Responsibility Laws
H.P. 16 L.D. 19
(C "A" H-240)

An Act Concerning Consent to Dental Care
H.P. 60 L.D. 88
(H "A" H-264 to
C "A" H-170)

An Act to Regulate Water Utility Contingency Reserve Funds
S.P. 171 L.D. 426
(C "A" S-113)

An Act to Clarify the Confidentiality of Public Employee Disciplinary Records
S.P. 322 L.D. 878
(C "A" S-114)

An Act to Clarify the Misbranded Food Laws
S.P. 354 L.D. 956
(C "A" S-123)

An Act to Require Administrative Agencies to Create Municipal Fiscal Impact Statements When They Create Rules

S.P. 403 L.D. 1079
(S "A" S-130)

An Act to Assist the Expansion of Municipal Sewer Systems

H.P. 781 L.D. 1113
(C "A" H-230; H "A" H-259)

An Act to Clarify the Regulation of Water Districts

S.P. 426 L.D. 1138
(C "A" S-122)

An Act to Require Door-to-door Sellers of Frozen Foods to Disclose Actual Unit Prices

S.P. 430 L.D. 1151
(C "A" S-118)

An Act to Clarify the Procedures of Local Boards of Appeal

H.P. 832 L.D. 1198
(H "A" H-248)

An Act to Grant Enforcement Powers to Sewer Districts

S.P. 509 L.D. 1358
(C "A" S-129)

An Act to Prescribe the Duties and Liabilities of Ice-skating Rink Operators and Persons Who Use Ice-skating Rinks

H.P. 1217 L.D. 1775
(H "A" H-285)

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 Regarding Purchase of Service Credit by Members Who Previously Taught in Other than Public Schools

S.P. 158 L.D. 370
(C "A" S-115)

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

An Act to Clarify the Definition of Public Employer under the Municipal Public Employees Labor Relations Laws

H.P. 577 L.D. 828
(C "A" H-242)

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

An Act to Change the Process of Selecting the Commissioner of Education

S.P. 51 L.D. 81
(C "A" S-56)

Comes from the House Bill and Accompanying Papers **RECOMMITTED** to the Committee on **EDUCATION**.

On motion by Senator **CLARK** of Cumberland, Tabled Unassigned, pending **ENACTMENT** in **NON-CONCURRENCE**.

An Act to Increase Funding to Programs Dealing with Domestic Violence

H.P. 239 L.D. 330
(S "C" S-121 to C "B" H-179)

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

On motion by Senator **CLARK** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT** in **NON-CONCURRENCE**.

Emergency

An Act to Promote Cranberry Cultivation in Maine
H.P. 69 L.D. 97
(H "A" H-266 to C "A" H-175)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act Concerning Purchases of Alcohol from Agency Stores

H.P. 91 L.D. 132
(H "A" H-294 to C "A" H-155)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease

Senate called to order by the President.

On motion by Senator **MCCORMICK** of Kennebec, the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENGROSSED, AS AMENDED:**

Bill, "An Act to Permit Earlier Repayment of Contributions to the Maine State Retirement System"
S.P. 359 L. D. 961
(C "A" S-172)

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

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-172).

THE PRESIDENT: The Chair recognizes that same Senator.

Senator **MCCORMICK:** Thank you Mr. President. Inadvertently, the Fiscal Notes, which are the only thing that is contained in both Committee Amendment "A" for L.D. 961, and Committee Amendment "A" for L.D. 1457, have been switched. So, we have to take them off, and put them on in the right order.

On further motion by same Senator, Committee Amendment "A" (S-172) **INDEFINITELY POSTPONED.**

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

Sent down for concurrence.

On motion by Senator **MCCORMICK** of Kennebec, the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENGROSSED, AS AMENDED:**

Bill "An Act Relating to Retirement Service Credits for Former Workers' Compensation Commissioners Who Became Judges before December 1, 1984"

S.P. 553 L.D. 1457
(C "A" S-170)

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

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-170).

On further motion by same Senator, Committee Amendment "A" (S-170) **INDEFINITELY POSTPONED.**

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

Sent down for concurrence.

Emergency

An Act to Extend Mandatory Participation in the E-9-1-1 Program

S.P. 246 L.D. 655
(C "A" S-127)

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

Senate at Ease

Senate called to order by the President.

Emergency

An Act to Require Repair of Septic Systems

H.P. 504 L.D. 698
(C "A" H-182; H "A" H-284)

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

Emergency

An Act Relating to the Knox County Budget Process

S.P. 290 L.D. 772
(C "A" S-116)

This being an Emergency Measure and having received the affirmative vote of 23 Members of the Senate, with no Senators having voted in the negative, and 23 being less than two-thirds of the entire elected Membership of the Senate, this Bill **FAILED ENACTMENT** in **NON-CONCURRENCE**.

Sent down for concurrence.

Emergency

An Act to Regulate Conflict of Interest within the Maine Science and Technology Commission
S.P. 299 L.D. 797

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.

Emergency

An Act Concerning Special Waste Landfills
S.P. 472 L.D. 1264
(S "D" S-132 to C
"A" S-124)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 1 Senator having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Establish a Home-Release Monitoring Program for Certain Inmates Sentenced to County Jails
H.P. 879 L.D. 1270
(C "A" H-243)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 1 Senator having voted in the negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Prohibit the Charging of Rent in Advance by Landlords
H.P. 370 L.D. 524
(C "A" H-245)

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

Senator **BOST** of Penobscot moved to **SUSPEND THE RULES**.

Senator **CAHILL** of Sagadahoc **OBJECTED** to **SUSPENSION OF THE RULES**.

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

On motion by Senator **BOST** of Penobscot, Tabled 1 Legislative Day, pending the motion by same Senator to **SUSPEND THE RULES** (Division Requested)

Emergency Resolve

Resolve, to Permit Certain Uses of the State Seal
S.P. 371 L.D. 996
(C "A" S-128)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 29.

Tabled and Later Today Assigned - (5/20/91)

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

Bill "An Act to Amend and Add to Certain Provisions of Geographic-based Information Services"
H.P. 743 L.D. 1047

Tabled - May 20, 1991, by Senator CLARK of Cumberland.

Pending - **FURTHER CONSIDERATION**

(In Senate, April 24, 1991, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 16, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-335)** in **NON-CONCURRENCE**.)

On motion by Senator CLARK of Cumberland, **RECEDED** from **PASSAGE TO BE ENGROSSED**, in concurrence.

House Amendment "A" (H-335) **READ**.

On further motion by same Senator, House Amendment "A" (H-335) **INDEFINITELY POSTPONED**.

On further motion by same Senator, Senate Amendment "A" (S-191) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Ensure Voter Participation in the Siting of Both Storage and Disposal of Radioactive Waste"

S.P. 407 L.D. 1083
(C "A" S-100)

Tabled - May 20, 1991, by Senator CLARK of Cumberland.

Pending - **FURTHER CONSIDERATION**

(In Senate, April 30, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-100)**.)

(In House, May 16, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-100) AS AMENDED BY HOUSE AMENDMENT "B" (H-308)** thereto, in **NON-CONCURRENCE**.)

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

Off Record Remarks

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Relocate Maine Emergency Medical Services from the Department of Human Services to the Department of Public Safety Pursuant to the Maine Sunset Act"

S.P. 709 L.D. 1890

Tabled - May 20, 1991, by Senator CLARK of Cumberland.

Pending - **REFERENCE**

(In Senate, May 20, 1991, Study Report from the Committee on **AUDIT AND PROGRAM REVIEW READ** and **ACCEPTED**. Bill referred to the Committee on **AUDIT AND PROGRAM REVIEW**. Subsequently, **RECONSIDERED**.)

On motion by Senator CLARK of Cumberland, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Human Rights Act Regarding Pregnancy"

H.P. 486 L.D. 680

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-224)**

Minority - **Ought Not to Pass**.

Tabled - May 20, 1991, by Senator CLARK of Cumberland.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, May 20, 1991, Reports **READ**.)

(In House, May 16, 1991, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-224)**.)

Senator CLARK of Cumberland moved to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Holloway.

Senator **HOLLOWAY:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I wanted to speak up this evening to tell you that it is with great trepidation that I speak on "Mom and apple pie" issues. But, this particular Bill, I believe, should not pass. The primary reason for it, is because it is termination of the woman's employment because of pregnancy. As it stands now, there is a Federal Law that allows employees of fifteen or more to allow this termination of employment of a pregnant woman. This Bill, if passed, will apply to all employers in the State of Maine. I believe that is quite a burden for them to have to assume.

I also would inform you that if I were a woman that was going to take a job in a place of employment where the pregnant woman had been terminated, or had been dismissed for pregnancy leave, I would feel very uncomfortable about doing so. Because if that happened, I would not know how long my job was going to last, and when that woman would come back to work. It is a very difficult Bill to debate, and I think that we should all remember that about 46.5% of the women are in the labor force today. I would almost think that some employers would pass up the opportunity to employ women of child bearing age if they knew that they had to go through the possibility of going to the Human Rights Commission. That could take up to two years before the Human Rights Commission could possibly look at this issue. Certainly, in the meantime, the employer would want to seek, or should seek legal counsel. That would be another detriment to the small employer.

I would suggest that we not pass this Bill this evening, that we should not exceed the Federal Law by leaving the State of Maine in this position. Thank you.

Senator **HOLLOWAY** of Lincoln requested a Division.

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

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would urge you to support the Majority Report of the Committee on Judiciary.

This Bill deals with one of the most important issues that came before our Committee this year, and that deals with the rights of female employees that are pregnant. I believe, as the good Senator from Lincoln, Senator Holloway alluded to in her comments to the Body this evening, currently under Federal Law, it is, in fact, illegal for an employer with fifteen or more employees in its work force to deny to a pregnant female employee adequate leave time during her pregnancy. If enacted, L.D. 680, would extend to the State of Maine the same rights which female employees who work for employers with fifteen or more employees currently enjoy.

We have heard concerns for the small business community in our state, if L.D. 680 were enacted. But let us put the matter in prospective. We are talking about the right of women in our society to compete fairly and equally for jobs. The question

has to be asked, "Why would we deny to a woman during her pregnancy the right to maintain her employment"? L.D. 680 would simply indicate that an employer cannot deny to a pregnant employee a leave of absence during her pregnancy, unless, and this is an important exception, unless the woman is able to demonstrate there is a business necessity which would justify that type of discrimination. Now clearly for a small employer, the case law is pretty clear on this point, if a small employer demonstrates that it is unable to find a substitute employee, and thus cannot accommodate a request of a pregnant woman for leave, than in that situation, the employer would not be in violation of the law to discharge the female employee, because it would be a business necessity. The employer would have demonstrated that it was unable to secure the services of a substitute employee during the pregnancy of the female employee.

Now there are many reasons such as sociological, economical, and political to allow a rule which would allow a woman adequate leave time for purposes of child birth. It can be demonstrated that since men are not required to in any way surrender their father role in order to take part in the labor force, it is unjust to require a woman to surrender her unique role of motherhood, and put the woman in the choice of either maintaining her employment status, or delivering a child and carrying a child to term. Just as an employer cannot discharge a married woman, if it in fact retains married men. Likewise, an employer cannot refuse to hire mothers, if it hires fathers.

The real issue here, is that pregnancy is a part of the life process. Certainly we strive to provide equal treatment between men and women in employment relations. But, we all understand that only a woman can become pregnant. The issue that we have to decide is given a choice between putting a burden on our employers, or denying the right of women who are pregnant to take part in our work force. What choice do we make? It seems to me, we opt for the living process. We allow women in our society to take part equally, and not to put them in a position of losing their employment during their natural pregnancy period. That is the real policy choice that we have to make.

It is very important for the members of the Senate to understand that L.D. 680 would not in any way create rights under State Law superior to rights under Federal Law. To the contrary. All we will be doing is simply matching our state policy on discrimination with current federal policy on sex discrimination. The only real issue here is whether we should extend the current band on discrimination against pregnant women by denying them leaves of absence should we extend those employers who have fifteen or under in their work force. And it is very important, again, for me to underscore that the current law, and certainly, the language in L.D. 680, does allow an employer a business necessity defense. If the employee can demonstrate that it would be prejudice, that it would be unable to secure a substitute worker during the leave of absence of the pregnant employee, than that employer does not have to provide leave of absence status to the person.

Now, I am not sure what your understanding is dealing with matters before the Maine Human Rights Commission. But frequently, employers appear without counsel, and there is a fact finding process. It is important for the Senate to understand how the process plays out. A person who believes she has been discriminated against can certainly file a complaint with the Human Rights Commission. The fact finding conference is held. During that time, the claimant, the female in this case, and the employer, sit down before a fact finder, and they discuss their particular situation. There is no need for counsel to be involved, there is no need for a major litigious process. It is simply a discussion to see what actually happened. If the employer can demonstrate that it has a reasonable basis not to allow a leave of absence, than that would not be illegal discrimination under the act. But, I really believe men and women of the Senate, that L.D. 680 presents us with rather a straight forward choice.

The majority of the Committee members on Judiciary felt very strongly that we should opt, in this instance, on behalf of the living process. Pregnancy is a natural part of our life cycle. It is fundamentally unfair to deny pregnant employees the opportunity that their male counterparts have to participate in the work force. I would urge you to support the Majority Ought To Pass As Amended Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Holloway.

Senator HOLLOWAY: Thank you Mr. President. Ladies and Gentlemen of the Senate. Basically, I am trying to debate my position on the burden that it is going to place on small employers. One of the things that we speak of is that there is absolutely no time limit set to this. If a woman had a disability throughout parts of her pregnancy, she would then be off the job perhaps through child birth. Then after child birth, heaven forbid, then there is that possibility of a postpartum depression. And if so, she could possibly be out of work anywhere to a year to a year and a half. This does create a burden to the small employer. Also, in the Committee amendment, where we talk about that business necessity that may be wavered before the Human Rights Commission, I would say, and I have not seen where that is defined in case law, if this is so, and it is defined in case law, I would ask the good Senator from Androscoggin, Senator Gauvreau, to please explain it and tell me about it. Thank you.

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

Senator GAUVREAU: Thank you Mr. President. Ladies and Gentlemen of the Senate. It is quite often impractical to reduce to statutory language every conceivable permutation of the human condition which might be characterized as business necessity. Therefore, our Congress, and the Equal Employment Opportunity Commission have, in fact, set forth a flexible standard of business necessity. It is decided on a case by case basis. Suffice it to say, that the example that I gave the Senate early in the evening is illustrative to the type of instances which would qualify for a business necessity exception.

Let us take a further look at the hardship that this is going to impose on the employer community. I am a small employer. We have eight employees in my law firm, including a receptionist who is in her fourth month of her pregnancy. I must say, it is not a particular burden to our law firm to allow our receptionist to be on pregnancy leave. In fact, it would seem to me to be odd behavior to presume we should discharge the woman during the course of her pregnancy.

I would like to address one other issue that was raised by the good Senator from Lincoln, Senator Holloway, in her comments to the Senate this evening, and that deals with the time period where a person might have complications arising from her pregnancy. Again, we have a flexible and amicable standard on business necessity. It is pretty clear that if a person is out for more than nine months, the burden would, in fact, increase, it would be a greater burden on the small employer. Certainly, if a person was out for twelve months, or fifteen months, or on a regular basis, that would be a legitimate reason for the employer to come and demonstrate the business necessity excuse for discharging an employee. It does not seem practical, in fact, it seems very, very difficult, indeed, to try and put into a statute every type of case that we might conjure up which might fall within the gambit of business necessity. It is far better, it seems to me, to allow us to follow the clear precedence which have been determined by the Equal Opportunity Commission, EOC, interpreting federal case law. We have a well established body of cases on what is, and what is not sex discrimination. It seems to me that it is far more prudent to follow that established case law than to attempt in our statute to try to narrowly define what we mean by business necessity.

The real issue in this case is not trying to find a technical definition of what is or is not business necessity. The real issue is whether we are going to allow female employees who happen to be pregnant, to enjoy the same rights that the male counterparts do to take part in our work force. Thank you.

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

Senator MCCORMICK: Thank you Mr. President. Ladies and Gentlemen of the Senate. I, too, would like to address one of the good things that the good Senator from Lincoln, Senator Holloway said, and that is, it is hard for small businesses to plan if they don't know how long the woman will be out due to pregnancy. I just want to put forward an analogy to you. We recently had a little war that we were involved in, called "Desert Storm". We watched the papers, and watched as our friends were called up one after another, one after another, to go from their businesses over into an indefinite period of conflict. Not once did I hear any employer worry, any employer object to the indefinite period of time that that employee would be gone, and the hardship that would be caused to that business. I want you to hold that analogy in mind as you vote on this Bill, because clearly, we have a case before us where for one reason "Desert Storm" employees could go for any length of time and employers not worry that they be missed. We now have the human cry, because women who might do the most natural thing in the world and

become pregnant, all of a sudden employees are very worried about planning, and very worried about how long they will be gone. I remind you that the business necessity clause is still in here, no one is trying to hurt small businesses in this Bill.

If there is truly a business necessity, then discrimination can happen. It hurts me to say it, but discrimination can happen. As to the point of fifteen businesses or more, Maine is a predominantly small business state, 85% of Maine's workers work in businesses of five or less. So, if we are going to make this Bill important to Maine at all, it needs to apply to everyone. I pose to you that the business necessity clause here allows it to be fair. I urge you to pass this Bill. Thank you.

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

Senator **BALDACCII:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I wasn't planning to speak on this measure realizing that we have a Majority Report and a Minority Report on the matter.

But two things bother me, and they bother me quite badly. One is, is it true that we have a requirement, or a limit on the unpaid mandated family leave on the number of employees that you have to have before you are thrown into the requirement of eight weeks? That would be my first question. I think that there is, and I am not quite sure. The second point that I wanted to raise is, that it is very easy to say that the business can prove that it is a necessity, but they have a burden of proof to prove that. It is not just a simple process for the business to prove that, especially when you are talking about a small business, because they are usually the owner/operator, and if the operator isn't there, and he is busy trying to get his records together, or is trying to put a case together, with or without an attorney, and they are sitting there trying to figure this thing out if the burden of proof is on him or her. The other point, were there any documented cases where individuals were actually discriminated against that we need to pass this law? Those are concerns that are bothering me. Thank you Mr. President.

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

Senator **MCCORMICK:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would love to address the concerns of the good Senator from Penobscot, Senator Baldacci. As to the Family Medical Leave Bill, yes indeed, there is, I believe an employee quotient there of about twenty, if I am not mistaken. On your point about the burden of proof, I would like us to imagine a teeter-totter, if you will. On the one hand, lets have the small business employer, who the good Senator from Penobscot, Senator Baldacci has mentioned, and on the other hand, we have a woman who is pregnant and is teetering on the brink of losing her job. I pose to you, which is the most onerous? Do we ask the small business employer to spend an hour putting together paper work for a Hearing, or whatever would be the process to show that there is an economic necessity? Or, do we allow a woman who happens to be pregnant,

to lose her job, to be discriminated against, to lose her place in line of for career promotions, to suffer an irreparable effect to her career? I pose those two hardships. Which is the worse? I tell you, I believe the worse hardship is the most irrevocable hardship, the longer lasting hardship, is the effect on the woman, on her earnings, on her career, and when you balance that with an hour or two of an employers time, the scales simply do not balance for me. Thank you.

Senator **GAUVREAU** of Androscoggin requested a Roll Call.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence (Roll Call Requested).

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase the Minimum Amount of Insurance Coverage Required for Limousines to Conform with Federal Law"

H.P. 1313 L.D. 1899

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

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

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

Bill "An Act Concerning Railroad Personnel"

H.P. 1309 L.D. 1891

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

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

Bill "An Act to Encourage the Preservation of Historic Tower Clocks"

H.P. 1312 L.D. 1898

Bill "An Act to Establish a Professional Standards Board for Maine Educators"
H.P. 1316 L.D. 1902

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

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

Resolve, to Establish a Commission to Investigate Census Data Irregularities (Emergency)
H.P. 1310 L.D. 1892

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

Which was, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Increase the Borrowing Authority of the Jackman Water District"
H.P. 1311 L.D. 1897

Bill "An Act to Create the Plymouth Water District" (Emergency)
H.P. 1314 L.D. 1900

Bill "An Act to Create the Morrill Village Water District" (Emergency)
H.P. 1315 L.D. 1901

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

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

Off Record Remarks

On motion by Senator **TITCOMB** of Cumberland, **ADJOURNED** until Thursday, May 23, 1991, at 3:00 in the afternoon.