

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**One Hundred And Seventeenth Legislature**

OF THE

**State Of Maine**

**VOLUME III**

**FIRST REGULAR SESSION**

**Senate**

December 7, 1994 to April 27, 1995

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

In Senate Chamber  
Tuesday  
January 17, 1995

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

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

**REVEREND JOHN ZEHRING:** Let us pray. God, our Creator and our Shepherd, grant to the members and officers of the Senate a sacred moment of quiet before they take up the duties of this day. Turn their thoughts to You and open their hearts to Your Spirit. May they have wisdom in their decisions and compassion in their governance. We pray that you will bless these women and men who are entrusted with the care of our great State of Maine. Give them courage to choose that which is right. Instill in their hearts the desire to give their highest and their best. Grant them vision to imagine a future where there is opportunity and hope for all of the people whom they serve. As the Psalmist writes, "I will lift mine eyes unto the hills from whence cometh my help." May we, too, lift our eyes to the hills and the mountains of Maine, to the sea and the lakes, the valleys and the forests, and know that this is Your world and that You are present among us, to love us, to forgive us, and to guide us. Amen.

Pledge of Allegiance led by **SENATOR CAREY** of Kennebec.

Reading of the Journal of Thursday, January 12, 1995.

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

**ORDERS**

**Joint Orders**

On motion by Senator **KIEFFER** of Aroostook, the following Joint Order:

S.P. 67

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Friday, January 20, 1995, at 2 o'clock in the afternoon.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Direct the Office of Tourism to Promote All Regions of the State"  
H.P. 13 L.D. 7

Bill "An Act to Regulate the Sale of Cosmetics that are Exempt from Federal Labeling Laws"  
H.P. 51 L.D. 45

Bill "An Act to Regulate the Practice of Cosmetology and Barbering Outside of Licensed Shops"  
H.P. 52 L.D. 46

Bill "An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems"  
H.P. 53 L.D. 47

Reference to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and **ORDERED PRINTED**.

Come from the House, referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Provide for Resident State Police Officers for Municipalities without a Police Force"  
H.P. 16 L.D. 10

Bill "An Act to Authorize Community Service Work as a Sentencing Alternative"  
H.P. 20 L.D. 14

Bill "An Act to Decrease to Zero the Allowable Blood-alcohol Level of a Person Holding a Juvenile Provisional License"  
H.P. 47 L.D. 41

Reference to the Committee on **CRIMINAL JUSTICE** suggested and **ORDERED PRINTED**.

Come from the House, referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

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

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Bill "An Act to Change the Meaning of Household Members Regarding Protective Orders between Family Members"

H.P. 18 L.D. 12

Reference to the Committee on **CRIMINAL JUSTICE** suggested and **ORDERED PRINTED**.

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

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

Sent down for concurrence.

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Bill "An Act Regarding School Employees Serving on School Boards"

H.P. 14 L.D. 8

Reference to the Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**.

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

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Bill "An Act to Limit Aid to Families with Dependent Children Benefits"

H.P. 49 L.D. 43

Reference to the Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

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

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

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Bill "An Act to Provide an Alternative Calculation of Hospital Assessment for Specialty Hospitals That Are Not Institutes for Mental Disease"  
H.P. 11 L.D. 5

Reference to the Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

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

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

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Bill "An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures"

H.P. 25 L.D. 19

Bill "An Act to Increase the Amount of Forfeited Bail That a District Attorney May Retain in the District Attorney's Extradition Account"

H.P. 36 L.D. 30

Bill "An Act to Institute Loser-pay Litigation in the State of Maine"

H.P. 48 L.D. 42

Bill "An Act to Ensure That a Party Ordered to Obtain Health Insurance for a Former Spouse or Child Is Liable for Payment of Medical Expenses When No Health Insurance Is Obtained"

H.P. 50 L.D. 44

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

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

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

Bill "An Act to Amend the Workers' Compensation Laws to Provide an Exemption from Coverage Requirements for Nonresident Employees"  
H.P. 12 L.D. 6

Bill "An Act to Apply Workers' Compensation Awards to Unemployment Benefits"  
H.P. 34 L.D. 28

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

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

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

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Bill "An Act to Specify Sales Commissions for All Lottery Agents"  
H.P. 19 L.D. 13

Resolve, to Make the Monument Erected at the Mount Hope Cemetery in Bangor the Official State Memorial Honoring Veterans from Maine Who Died during the Korean War  
H.P. 23 L.D. 17

Bill "An Act to Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"  
H.P. 24 L.D. 18

Resolve, Authorizing Gerald Finks to Sue Pineland Center and the State of Maine  
H.P. 30 L.D. 24

Bill "An Act to Allow Condominium Associations to Collect Common Expense Assessments in Advance"  
H.P. 35 L.D. 29

Bill "An Act Regarding the Prohibition against Restaurants with Lounges Serving Meals to Unaccompanied Minors after 9 P.M."  
H.P. 38 L.D. 32

Reference to the Committee on **LEGAL AND VETERANS AFFAIRS** suggested and **ORDERED PRINTED**.

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

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

Bill "An Act to Establish a 30-day Temporary Sea Urchin Boat Tender License"  
H.P. 31 L.D. 25

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

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

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

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Bill "An Act to Equalize Payments for Emission Testing in the State"  
H.P. 15 L.D. 9

Resolve, to Require that the Department of Environmental Protection Provide Possible Remedies for Materials It Strictly Controls  
H.P. 21 L.D. 15

Bill "An Act to Allow Protection from Governmentally Constructed Jetties by Amending the Definition of Permanent Structure to Exclude Ripraps Installed in Front of Seawalls from the 7-month Restriction"  
H.P. 37 L.D. 31

Bill "An Act to Amend the Motor Vehicle Emission Inspection Program to Extend the Period of Time Available for Repairs" (Emergency)  
H.P. 42 L.D. 36

Bill "An Act to Repeal the Motor Vehicle Emission Inspection Program"  
H.P. 54 L.D. 48

Reference to the Committee on **NATURAL RESOURCES** suggested and **ORDERED PRINTED**.

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

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

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Bill "An Act to Limit the Number of Bills That May Be Filed by a Legislator"  
H.P. 27 L.D. 21

Bill "An Act to Reduce the Meal Allowance for Legislators from \$32 to \$16"  
H.P. 41 L.D. 35

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Maine Legislature to 99 Members in the House and 33 Members in the Senate

H.P. 46 L.D. 40

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

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

Which were referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Increase the Property Tax Exemption for Farm Machinery"

H.P. 17 L.D. 11

Bill "An Act to Exempt Adaptive Equipment Installed in Motor Vehicles Operated by Wheelchair Users from the Motor Vehicle Excise Tax"

H.P. 22 L.D. 16

Bill "An Act to Change the Method of Assessing Taxes for Land in the Unorganized Townships in the Maine Tree Growth Tax Law"

H.P. 26 L.D. 20

Bill "An Act to Reduce the State Income Tax Rate by 10% over a 5-year Period"

H.P. 39 L.D. 33

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

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

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

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Bill "An Act to Amend the Conservation Plates Law to Provide More Money to the Departments of Conservation and Inland Fisheries and Wildlife"

H.P. 40 L.D. 34

Bill "An Act to Permit Illuminated Advertisements on Motor Vehicles When Used for Commercial Purposes"

H.P. 43 L.D. 37

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

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

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

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Bill "An Act to Remove the Debt Limit on the West Paris Water District"

H.P. 29 L.D. 23

Bill "An Act to Increase the Pay of Trustees of the Kingfield Water District"

H.P. 32 L.D. 26

Bill "An Act to Amend the Charter of the Sewer District of the Town of Kennebunk by Expanding Its Territorial Limits" (Emergency)

H.P. 44 L.D. 38

Reference to the Committee on **UTILITIES AND ENERGY** suggested and **ORDERED PRINTED**.

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

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

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#### COMMUNICATIONS

The Following Communication: H.P. 58

HOUSE OF REPRESENTATIVES  
STATE HOUSE  
AUGUSTA, MAINE 04333

December 6, 1994

The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
Maine Legislature  
State House Station #2  
Augusta, Maine 04333

Dear Speaker Gwadosky:

Enclosed please find the Report of the Committee to Study the Operations of the Governor Baxter School for the Deaf, as required by Chapter 508, P.L. 1993, Part D. This report proposes a significant change in the governance of the School with the creation of an appointed school board which would have oversight responsibilities for the School. The Committee worked diligently for the last several months to

arrive at this and the other recommendations contained in the Report.

We realize that implementation of our recommendations will be difficult as any change brings a certain level of uncertainty and discomfort. There will be many concerns that arise during a transition to a separate and distinct organization and we, therefore, recommend that the Study Committee continue in order to plan and conduct the transition in an orderly manner.

I appreciate the support that was provided to the Committee by staff members from the Governor Baxter School for the Deaf, the Policy Review Board, the Department of Education, and the Legislative Office of Policy and Legal Analysis, as well as the interest in this study that has been expressed to me by persons associated with the School.

The Committee put in long hours in meetings and in reviewing previous studies and other materials in order to arrive at the recommendations included in the Report. Each Committee member worked to develop recommendations which would enable the State to provide a quality education to students served by the School.

Sincerely,

S/Representative George Kerr, Chair  
Committee to Study the Operations of the  
Governor Baxter School for the Deaf

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.

**SENATE PAPERS**

Bill "An Act to Amend the Definition of Freshwater Wetland"

S.P. 59 L.D. 88

Presented by Senator **BEGLEY** of Lincoln  
Cosponsored by Senator: **LORD** of York,  
Representatives: **CAMPBELL** of Holden, **KILKELLY** of  
Wiscasset, **MARSHALL** of Eliot, **SPEAR** of Nobleboro

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

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

Sent down for concurrence.

Bill "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

S.P. 38 L.D. 68

Presented by Senator **BUSTIN** of Kennebec  
Cosponsored by Senator: **PARADIS** of Aroostook,  
Representatives: **AULT** of Wayne, **BRENNAN** of  
Portland

Bill "An Act to Change Reimbursement Policy on Mental Health Services"

S.P. 52 L.D. 81

Presented by Senator **GOLDTHWAIT** of Hancock  
Cosponsored by Senators: **ABROMSON** of Cumberland,  
**FAIRCLOTH** of Penobscot, **RAND** of Cumberland,  
Representatives: **BUNKER, JR.** of Kossuth Township,  
**JONES** of Bar Harbor, **KILKELLY** of Wiscasset,  
**LAYTON** of Cherryfield, **POVICH** of Ellsworth

Reference to the Committee on **BANKING AND INSURANCE** suggested and **ORDERED PRINTED**.

Which were referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Allow Plumbers to Install Electric Wiring on Electric Hot Water Heaters and Electric Water Pumps"

S.P. 30 L.D. 60

Presented by Senator **HALL** of Piscataquis  
Cosponsored by Senators: **BEGLEY** of Lincoln,  
**BENOIT** of Franklin, **CARPENTER** of York, **CASSIDY** of  
Washington, **FERGUSON, JR.** of Oxford, **HANLEY** of  
Oxford, **HARRIMAN** of Cumberland, **LORD** of York,  
**HILLS** of Somerset, **STEVENS, JR.** of Androscoggin,  
Representatives: **BAILEY** of Township 27, **CROSS** of  
Dover-Foxcroft, **DEXTER** of Kingfield, **MCELROY** of  
Unity

Resolve, to Extend the Deadline to Report for the Commission on the Future of Maine's Paper Industry (Emergency)

S.P. 65 L.D. 94

Presented by Senator **ESTY, JR.** of Cumberland  
Cosponsored by Senators: **BUTLAND** of Cumberland,  
**CARPENTER** of York, **CIANCHETTE** of Somerset,  
**HARRIMAN** of Cumberland, Representatives: **DEXTER** of  
Kingfield, **GOULD** of Greenville, **GWADOSKY** of  
Fairfield, **KONTOS** of Windham

Reference to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

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Bill "An Act to Amend the Laws Governing Indecency"

S.P. 34 L.D. 64

Presented by Senator **LAWRENCE** of York  
Cosponsored by Representatives **LEMONT** of Kittery,  
**OTT** of York, **REED** of Dexter

Bill "An Act to Establish a Shock Incarceration Program"

S.P. 46 L.D. 76

Presented by Senator **HANLEY** of Oxford  
Cosponsored by Senators: **BENOIT** of Franklin,  
**CASSIDY** of Washington, **HALL** of Piscataquis,  
**HATHAWAY** of York, **PENDEXTER** of Cumberland,  
Representatives: **BIRNEY** of Paris, **NICKERSON** of  
Turner, **ROBICHAUD** of Caribou, **UNDERWOOD** of  
Oxford, **WATERHOUSE** of Bridgton, **WINSOR** of Norway

Resolve, Directing the Department of Corrections to Develop a Plan for the Employment of Correctional Facility Inmates

S.P. 47 L.D. 77

Presented by Senator **HANLEY** of Oxford  
Cosponsored by Senators: **BENOIT** of Franklin,  
**PENDEXTER** of Cumberland, Representatives: **BARTH**,  
**JR.** of Bethel, **BIRNEY** of Paris, **WATERHOUSE** of  
Bridgton, **WINSOR** of Norway

Bill "An Act to Increase the Minimum Fines Imposed Upon Persons Who Operate a Motor Vehicle After Their License Is Suspended"

S.P. 55 L.D. 84

Presented by Senator **BENOIT** of Franklin

Reference to the Committee on **CRIMINAL JUSTICE** suggested and **ORDERED PRINTED**.

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

Sent down for concurrence.

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Bill "An Act to Establish Choices for Parents and Guardians in their Children's Education"

S.P. 36 L.D. 66

Presented by Senator **AMERO** of Cumberland  
Cosponsored by Senators: **BENOIT** of Franklin,  
**CIANCHETTE** of Somerset, **HARRIMAN** of Cumberland,  
**HATHAWAY** of York, **STEVENS, JR.** of Androscoggin,  
Representatives: **CLOUTIER** of South Portland,  
**DIPIETRO** of South Portland

Bill "An Act to Extend the Deadline for a Town Wishing to Withdraw from a School Administrative District"

S.P. 37 L.D. 67

Presented by Senator **PINGREE** of Knox

Bill "An Act to Amend the Laws Regarding Alternative Voting Procedures for the Approval of a School Administrative District Budget"

S.P. 58 L.D. 87

Presented by Senator **HANLEY** of Oxford

Bill "An Act to Ensure That School Building Plans Become the Property of the State"

S.P. 60 L.D. 89

Presented by Senator **CAREY** of Kennebec

Bill "An Act to Require that All School Bus Purchases be Made Through the Bureau of General Services"

S.P. 62 L.D. 91

Presented by Senator **CAREY** of Kennebec

Reference to the Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and **ORDERED PRINTED**.

Which were referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

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Bill "An Act to Require State or Independent Fair Hearing Examiners in the Grievance Process of the Department of Mental Health and Mental Retardation"

S.P. 28 L.D. 58

Presented by Senator **BUSTIN** of Kennebec  
Cosponsored by Senator: **FAIRCLOTH** of Penobscot,  
Representatives: **FITZPATRICK** of Durham, **MORRISON**  
of Bangor, **TREAT** of Gardiner

Resolve, Requiring the State to Fulfill Its Commitment to Provide Adequate Mental Health Services for Senior Citizens in the Eastern Maine Area (Emergency)

S.P. 35 L.D. 65



Presented by Senator **FAIRCLOTH** of Penobscot  
Cosponsored by Senator **MICHAUD** of Penobscot and  
Representative **SAXL** of Bangor and Senators:  
**CASSIDY** of Washington, **GOLDTHWAIT** of Hancock,  
**RUHLIN** of Penobscot, Representatives: **AHEARNE** of  
Madawaska, **CAMPBELL** of Holden, **CHIZMAR** of Lisbon,  
**CLARK** of Millinocket, **CLOUTIER** of South Portland,  
**CROSS** of Dover-Foxcroft, **FISHER** of Brewer,  
**FITZPATRICK** of Durham, **HATCH** of Skowhegan,  
**LEMAIRE** of Lewiston, **LUMBRA** of Bangor, **MARTIN** of  
Eagle Lake, **MORRISON** of Bangor, **LOWMAN** of  
Hampden, **POVICH** of Ellsworth, **STONE** of Bangor,  
**STROUT** of Corinth, **TRUE** of Fryeburg, **TUFTS** of  
Stockton Springs, **WINN** of Glenburn

Bill "An Act to Repeal the Prohibition against  
Nursing Home Owners and Employees Becoming Guardians  
of Patients"

S.P. 56 L.D. 85

Presented by Senator **GOLDTHWAIT** of Hancock  
Cosponsored by Senators: **FERGUSON, JR.** of Oxford,  
**RAND** of Cumberland, Representatives: **BUNKER, JR.**  
of Kossuth Township, **LAYTON** of Cherryfield,  
**PINKHAM** of Lamoine, **POVICH** of Ellsworth

Reference to the Committee on **HUMAN RESOURCES**  
suggested and **ORDERED PRINTED**.

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

Sent down for concurrence.

Bill "An Act to Amend the Muzzle-loading Firearm  
Season on Deer by Allowing the Season To Begin One  
Week before the Open Firearm Season on Deer"

S.P. 51 L.D. 80

Presented by Senator **HALL** of Piscataquis  
Cosponsored by Senators: **BEGLEY** of Lincoln,  
**BENOIT** of Franklin, **CARPENTER** of York, **CASSIDY** of  
Washington, **FERGUSON, JR.** of Oxford, **HARRIMAN** of  
Cumberland, **HATHAWAY** of York, **LORD** of York,  
**STEVENS, JR.** of Androscoggin, Representatives:  
**BAILEY** of Township 27, **LEMONT** of Kittery, **MCELROY**  
of Unity

Reference to the Committee on **INLAND FISHERIES**  
**AND WILDLIFE** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **INLAND**  
**FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Increase the Limit on the  
Extradition Account"

S.P. 53 L.D. 82

Presented by Senator **HATHAWAY** of York  
Cosponsored by Senator: **BENOIT** of Franklin

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

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

Sent down for concurrence.

Bill "An Act to Require Binding Arbitration for  
Public Employees"

S.P. 39 L.D. 69

Presented by Senator **RAND** of Cumberland  
Cosponsored by Senator: **RUHLIN** of Penobscot,  
Representatives: **ADAMS** of Portland, **FITZPATRICK**  
of Durham, **JOSEPH** of Waterville, **LEMKE** of  
Westbrook, **MARTIN** of Eagle Lake, **MITCHELL** of  
Portland, **NADEAU** of Saco, **SHIAH** of Bowdoinham,  
**TOWNSEND** of Portland, **TREAT** of Gardiner, **VOLENIK**  
of Sedgwick

Bill "An Act to Clarify Liability of Employers of  
Domestic Employees Regarding Workers' Compensation"

S.P. 66 L.D. 95

Presented by Senator **RUHLIN** of Penobscot  
Cosponsored by Senators: **BEGLEY** of Lincoln, **RAND**  
of Cumberland, Representatives: **AIKMAN** of Poland,  
**CHASE** of China, **LIBBY** of Buxton

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

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

Sent down for concurrence.

Bill "An Act to Prohibit Voter Registration on  
Election Day"

S.P. 32 L.D. 62

Presented by Senator **HANLEY** of Oxford  
Cosponsored by Senators: **BENOIT** of Franklin, **HALL**  
of Piscataquis, **PENDEXTER** of Cumberland,  
Representatives: **BIRNEY** of Paris, **ROBICHAUD** of  
Caribou, **WATERHOUSE** of Bridgton, **WINSOR** of Norway

Bill "An Act to Require Closure of the Discount  
Liquor Store in Kittery If a Discount Liquor Store  
Opens in Saco"

S.P. 33 L.D. 63

Presented by Senator CAREY of Kennebec  
Cosponsored by Senators: HALL of Piscataquis,  
STEVENS, JR. of Androscoggin

Bill "An Act to Ensure Integrity in Maine  
Government by Prohibiting Involvement of  
Constitutional Officers and the State Auditor in  
Political Action Committees"

S.P. 43 L.D. 73

Presented by Senator HANLEY of Oxford  
Cosponsored by Senators: AMERO of Cumberland,  
BENOIT of Franklin, CARPENTER of York, FERGUSON,  
JR. of Oxford, HALL of Piscataquis, PENDEXTER of  
Cumberland, Representatives: BARTH, JR. of  
Bethel, BIRNEY of Paris, HARTNETT of Freeport,  
ROBICHAUD of Caribou, UNDERWOOD of Oxford,  
WATERHOUSE of Bridgton

Bill "An Act to Amend the Campaign Finance Laws  
by Limiting Contributions by Political Action  
Committees and Allowing Candidates to Voluntarily  
Limit Campaign Expenditures"

S.P. 44 L.D. 74

Presented by Senator HANLEY of Oxford  
Cosponsored by Senators: BENOIT of Franklin,  
PENDEXTER of Cumberland, Representatives: BARTH,  
JR. of Bethel, BIRNEY of Paris, HARTNETT of  
Freeport, ROBICHAUD of Caribou, UNDERWOOD of  
Oxford, WATERHOUSE of Bridgton, WINSOR of Norway

Bill "An Act to Change the Dates on Which Primary  
Elections are Held and Certain Nomination Papers May  
be Signed"

S.P. 48 L.D. 78

Presented by Senator HANLEY of Oxford.  
Cosponsored by Senators: BENOIT of Franklin,  
CARPENTER of York, FERGUSON of Oxford,  
Representatives: BARTH of Bethel, BIRNEY of  
Paris, ROBICHAUD of Caribou, WATERHOUSE of  
Bridgton, WINSOR of Norway.

Reference to the Committee on LEGAL AND VETERANS  
AFFAIRS suggested and ORDERED PRINTED.

Which were referred to the Committee on LEGAL AND  
VETERANS AFFAIRS and ORDERED PRINTED.

Sent down for Concurrence.

RESOLUTION, Proposing an Amendment to the  
Constitution of Maine to Require the Popular Election  
of the Secretary of State

S.P. 49 L.D. 79

Presented by Senator HANLEY of Oxford  
Cosponsored by Senators: AMERO of Cumberland,  
BENOIT of Franklin, CARPENTER of York, FERGUSON,  
JR. of Oxford, HALL of Piscataquis, PENDEXTER of  
Cumberland, Representatives: BARTH, JR. of  
Bethel, BIRNEY of Paris, LEMKE of Westbrook,  
ROBICHAUD of Caribou, UNDERWOOD of Oxford,  
WATERHOUSE of Bridgton, WINSOR of Norway

Bill "An Act to Make the Terms of Certain  
Commissioners Coterminous with the Term of the  
Governor"

S.P. 61 L.D. 90

Presented by Senator CAREY of Kennebec  
Cosponsored by Senator MICHAUD of Penobscot

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

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

Sent down for concurrence.

Bill "An Act to Facilitate the Withholding of  
State Income Taxes from Federal Pensions"

S.P. 40 L.D. 70

Presented by Senator LAWRENCE of York  
Cosponsored by Representative LEMONT of Kittery  
and Senators: HARRIMAN of Cumberland, LAWRENCE of  
York, Representatives: CARLETON, JR. of Wells,  
JONES, JR. of Pittsfield, MARSHALL of Eliot,  
MURPHY of Berwick, OTT of York, TOWNSEND of  
Portland, TUFTS of Stockton Springs

Bill "An Act to Aid the Administration of the  
Motor Vehicle Excise Tax by Ensuring that the  
Manufacturer's Suggested Retail Price is Made  
Available to the Excise Tax Collector"

S.P. 45 L.D. 75

Presented by Senator BERUBE of Androscoggin

Bill "An Act to Clarify the Property Tax Laws  
Related to Property Tax Exemptions Benefitting  
Nonresidents"

S.P. 54 L.D. 83

Presented by Senator CLEVELAND of Androscoggin

Bill "An Act to Increase the Fee Amount that an  
Unorganized Territory is Allowed to Retain as an  
Agent of the State Collecting Excise Taxes"

S.P. 57 L.D. 86

Presented by Senator MICHAUD of Penobscot

Bill "An Act to Reduce the Withdrawal Penalty for  
Certain Persons under the Maine Tree Growth Tax Law"

S.P. 63 L.D. 92

Presented by Senator HANLEY of Oxford  
Cosponsored by Senators: BENOIT of Franklin,  
CARPENTER of York, FERGUSON, JR. of Oxford, HALL  
of Piscataquis, PENDEXTER of Cumberland,  
Representatives: BARTH, JR. of Bethel, BIRNEY of  
Paris, WATERHOUSE of Bridgton, WINSOR of Norway

Bill "An Act to Amend the Maine Tree Growth Tax Law" (Emergency)

S.P. 64 L.D. 93

Presented by Senator CAREY of Kennebec  
Cosponsored by Representatives: DIPIETRO of South  
Portland, MURPHY of Berwick, SPEAR of Nobleboro

Reference to the Committee on TAXATION suggested  
and ORDERED PRINTED.

Which were referred to the Committee on TAXATION  
and ORDERED PRINTED.

Sent down for concurrence.

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Bill "An Act to Repeal the Sensible  
Transportation Policy Act"

S.P. 29 L.D. 59

Presented by Senator BEGLEY of Lincoln  
Cosponsored by Representative CAMPBELL of Holden  
and Senators: CIANCHETTE of Somerset, FERGUSON,  
JR. of Oxford, LORD of York, Representatives:  
BIGL of Bucksport, CLARK of Millinocket, DEXTER  
of Kingfield, GOULD of Greenville, HEINO of  
Boothbay, JONES, JR. of Pittsfield, KNEELAND of  
Easton, LIBBY of Buxton, LOOK of Jonesboro,  
MARVIN of Cape Elizabeth, MURPHY of Berwick,  
PLOWMAN of Hampden, POIRIER of Saco, REED of  
Falmouth, ROBICHAUD of Caribou, SIMONEAU of  
Thomaston, SPEAR of Nobleboro, TAYLOR of  
Cumberland, TRUE of Fryeburg, TUFTS of Stockton  
Springs, VIGUE of Winslow, WINN of Glenburn,  
YACKOBITZ of Hermon

Bill "An Act to Require Safety Seat Belts in New  
School Buses"

S.P. 42 L.D. 72

Presented by Senator CAREY of Kennebec  
Cosponsored by Senator BUSTIN of Kennebec

Reference to the Committee on TRANSPORTATION  
suggested and ORDERED PRINTED.

Which were referred to the Committee on  
TRANSPORTATION and ORDERED PRINTED.

Sent down for concurrence.

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Bill "An Act to Facilitate Charging Electric  
Utility Customers Based on Actual Usage"

S.P. 31 L.D. 61

Presented by Senator HANLEY of Oxford  
Cosponsored by Senators: AMERO of Cumberland,  
BENOIT of Franklin, CARPENTER of York, GOLDTHMAIT  
of Hancock, HALL of Piscataquis, HATHAWAY of  
York, SMALL of Sagadahoc, STEVENS, JR. of  
Androscoggin, Representatives: BARTH, JR. of  
Bethel, BIRNEY of Paris, HARTNETT of Freeport,  
UNDERWOOD of Oxford, WATERHOUSE of Bridgton,  
WINSOR of Norway

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

S.P. 41 L.D. 71

Presented by Senator PINGREE of Knox  
Cosponsored by Representative: SIMONEAU of  
Thomaston

Reference to the Committee on UTILITIES AND  
ENERGY suggested and ORDERED PRINTED.

Which were referred to the Committee on UTILITIES  
AND ENERGY and ORDERED PRINTED.

Sent down for concurrence.

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THE PRESIDENT moved to suspend the Rules to send  
all matters thus acted upon forthwith for concurrence.

Senator LAWRENCE of York requested a Division.

THE PRESIDENT: The pending question before the  
Senate is the motion of THE PRESIDENT to suspend the  
Rules.

A Division has been requested.

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

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

17 Senators having voted in the affirmative, and  
13 Senators having voted in the negative, and 17  
being less than two-thirds of the members present and  
voting, the motion of THE PRESIDENT to suspend the  
Rules, FAILED.

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Senate at Ease

Senate called to order by the President.

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ORDERS OF THE DAY

**Unfinished Business**

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

The Chair laid before the Senate the Tabled and Later Today Assigned (January 12, 1995) matter:

JOINT ORDER - relative to the Legislative Sentiment recognizing Marion Nutting.  
HLS 19

Tabled - January 12, 1995, by Senator LAWRENCE of York

Pending - **PASSAGE**

(In House, January 10, 1995, **READ** and **PASSED**.)

(In Senate, January 12, 1995, **READ**.)

Which was **PASSED**, in concurrence.

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Off Record Remarks

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On motion by **THE PRESIDENT**, **RECESSED** until the sound of the bell.

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After Recess

Senate called to order by the President.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Facilitate the Confirmation Process" (Emergency) H.P. 118 L.D. 153

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

Comes from the House, under suspension of the rules, **READ TWICE** and **PASSED TO BE ENGROSSED** without reference to a Committee.

Which was, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED** without reference to a Committee, in concurrence.

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

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Off Record Remarks

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On motion by **THE PRESIDENT**, **RECESSED** until the sound of the bell.

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After Recess

Senate called to order by the President.

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

**ENACTORS**

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

**Emergency**

An Act to Facilitate the Confirmation Process  
H.P. 118 L.D. 153

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.

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The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **KIEFFER** of Aroostook, **ADJOURNED** until Friday, January 20, 1995, at 2 o'clock in the afternoon.