

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
March 21, 1995

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

Prayer by the Reverend Jim Downey of the Calvary Bible Church in Stratton.

REVEREND JIM DOWNEY: I count it a privilege to be here this morning, and I thank you for the invitation. We bring you greetings from the six hundred residents and one thousand, more or less, moose of Stratton. I count it a privilege to have been a resident of Maine for the last six and a half years and I thank you for representing us here in this Chamber. Let's bow together as we pray.

Our Heavenly Father, we thank you that we can come to you this morning. I thank you Lord, that we can recognize you as Sovereign God and Creator and Sustainer. I thank you Lord, that we enter this springtime season, that even that brings to mind that the seasons of the year are only because you have so established them. Heavenly Father, grant that we might be faithful in always acknowledging you as sovereign. I thank you that not only are you our Sovereign Creator and Sustainer, but you are concerned about the affairs of man. So I pray, Heavenly Father, specifically today for your guidance and blessings. I pray, Lord, that as decisions are made by the honorable men and women in these chambers, that you would guide, and that the right things might be done for the good of the people. That we might live together peaceably, that we might serve you in freedom and faithfully. So, Heavenly Father, we would ask your blessing as each matter is considered. I pray that you would guide the thinking of each of our legislators, that they might do that which is right, according to your word, according to your nature, Heavenly Father.

Heavenly Father, there is one of our Senators, Senator Berube, who is in the hospital because of illness and difficulty. We would pray for your blessing upon her. I pray Lord, that you would guide and sustain and make your presence known to her and meet her every physical need, as well as every other need. Heavenly Father, we thank you for your goodness, your blessings, the abundance of good things that you have poured out upon this nation and this great State. I thank you Lord, that even as the scriptures declare, the heavens declare the glory of God, the firmament shows His handiwork. So as we look around us on a daily basis, let us acknowledge

your existence, your sovereignty, your governorship over our lives. We thank you Lord and we ask these blessings now in our Saviour, the Lord Jesus Christ's name. Amen.

Pledge of Allegiance led by SENATOR CLEVELAND of Androscoggin.

Reading of the Journal of Tuesday, March 14, 1995.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Dedicate a Percentage of the Actual Individual Income Taxes from Each Community to Be Returned to the Community for School Funding"
H.P. 613 L.D. 823

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.)

In House, February 14, 1995, referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

In Senate, February 14, 1995, referred to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

Comes from the House, that body having **INSISTED**.

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

Non-concurrent Matter

Bill "An Act to Protect Landlords from Certain Types of Fraud"
S.P. 298 L.D. 837

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested and **ORDERED PRINTED**.)

In Senate, February 14, 1995, referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **CRIMINAL JUSTICE**, in **NON-CONCURRENCE**.

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

House Papers

Bill "An Act to Amend the Laws Governing HIV Testing at the Request of Victims of Sexual Assault"
H.P. 589 L.D. 799

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

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Authorize the Dedication of a Portion of Vehicle Registration Fees to the Motor Vehicle Inspections Program
H.P. 628 L.D. 853

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

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

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

Joint Resolution

The following Joint Resolution: H.P. 634

JOINT RESOLUTION MEMORIALIZING THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO WITHHOLD SANCTIONS ON MAINE WHILE THE STATE IS IN THE PROCESS OF ATTAINING RECLASSIFICATIONS AND EXEMPTIONS

WHEREAS, Environmental Protection Agency Region I Administrator John deVillars has informed Maine that several Maine counties previously designated as ozone nonattainment areas are now in attainment of the federal standard for ozone and that other counties may be treated as rural ozone transport areas; and

WHEREAS, the Department of Environmental Protection is in the process of preparing an application to the Environmental Protection Agency to request such treatment and redesignation; and

WHEREAS, the State will not be required to operate certain air pollution control programs in areas that are rural transport areas or areas in attainment of the ozone standard; and

WHEREAS, it is not appropriate for the State to begin operating those programs when it is clear that the programs will not be required once the redesignation and rural transport decisions are made; and

WHEREAS, there is a question as to whether the Environmental Protection Agency will impose sanctions on the State for failure to operate programs such as the enhanced inspection and maintenance program in the counties eligible for redesignation or rural transport area classification; and

WHEREAS, the State wishes to secure written assurance from the Environmental Protection Agency that sanctions will not be imposed during the redesignation and classification process; now, therefore, be it

RESOLVED: That We, your Memorialists, the Members of the One Hundred and Seventeenth Legislature, now assembled in the First Regular Session, respectfully request that Carol Browner provide written assurance to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Commissioner of Environmental Protection that the Environmental Protection Agency will not seek to impose sanctions on the State of Maine for failure to operate air pollution control programs required of ozone nonattainment areas in those counties that are in attainment of the federal ozone standard or that qualify for treatment as rural transport areas; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Environmental Protection Agency Administrator, Carol Browner.

(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35.)

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

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

COMMUNICATIONS

The Following Communication: S.C. 96

**DEPARTMENT
of
ECONOMIC AND COMMUNITY DEVELOPMENT
33 Stone Street
State House Station 59
Augusta, Maine 04333**

March 15, 1995

Senator Jeffrey H. Butland, President, Maine Senate
Representative Dan A. Gwadosky, Speaker,
Maine House of Representatives
State House Station 2
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

It is my pleasure to submit, in accordance with Title 5 MRS-A §13058, the Biennial Report of the Department of Economic & Community Development.

I believe that economic and community development issues continue to be of critical importance to improving the health of Maine's economy and the well being of its citizens. The enclosed report outlines the major programs and activities carried out by this Department over the past two years to provide support to business and communities throughout the state.

In the interest of minimizing costs, I have enclosed sufficient copies of the report for you to distribute to leadership. Copies have already been provided directly to the members of the Joint Standing Committee on Business and Economic Development. Additional copies are available on request for any other members of the Legislature or general public.

Sincerely,

S/Michael W. Aube
Commissioner

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

The Following Communication: S.C. 97

**STATE OF MAINE
DEPARTMENT OF AGRICULTURE
FOOD AND RURAL RESOURCES**

March 9, 1995

Members, Maine State Legislature
Maine State Senate
State House Station #3
Augusta, ME 04333

Dear Members:

Enclosed for your review is the Annual Report of the Maine Harness Racing Commission. Harness racing in Maine is growing fast due to the advent of off-track betting and due to the efforts of the Harness Racing Promotional Board. The Promotional Board has developed calendars highlighting the racing program in Maine, a copy of which is also enclosed by the courtesy of the members of the Promotional Board.

The total amount of money wagered on harness racing in Maine in 1994 more than doubled — to almost \$60 million — and the harness horsemen report an increase in their membership and in the overall interest in owning and breeding race horses in Maine. We have the good work of the Maine Legislature, the Promotional Board, the industry and the Off-track Betting and Sire Stakes programs to thank for this upturn. We are beginning to realize our goal of returning harness racing to its original place of importance in Maine's culture and economy.

Should you have any questions or require assistance with any material contained in the report please let me know.

Sincerely yours,

S/Philip M. Tarr
Chairman

Which was **READ** and with Accompanying Report referred to the Committee on **LEGAL AND VETERANS AFFAIRS.**

The Following Communication: S.C. 98

**MAINE CRIMINAL JUSTICE ACADEMY
Department of Public Safety
93 Silver Street Waterville, Maine 04901**

March 13, 1995

May Ross
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Ms. Ross:

Please find enclosed a copy of the application and strategy submitted to the Bureau of Justice Assistance for funding of the FY95 Edward Byrne Memorial State and Local Law Enforcement Assistance Formula 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 obligations in this area.

Sincerely,

S/ALFRED SKOLFIELD
Commissioner

Which was READ and with Accompanying Report referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

The Following Communication: S.C. 99

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

March 17, 1995

The Honorable Jeffrey H. Butland
President of the Senate of Maine
117th Maine Legislature
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Business and Economic Development has had under consideration the nomination of Thomas D. McBrierty of Falmouth, for appointment as the Commissioner of the Department of Economic and Community Development.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Sen. 2	Harriman of Cumberland, Goldthwait of Hancock
	Rep. 9	Rowe of Portland, Kontos of Windham, Brennan of Portland, Davidson of Brunswick, Povich of Ellsworth, Sirosis of Caribou, Reed of Dexter, Cameron of Rumford, Birney of Paris
NAYS:	0	
ABSENT:	2	Sen. Cianchette of Somerset, Rep. Libby of Kennebunk

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Thomas D. McBrierty of Falmouth, for appointment as the Commissioner of the Department of Economic and Community Development be confirmed.

Signed:

S/Philip E. Harriman
Senate Chair

S/G. Steven Rowe
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** has recommended the nomination of Thomas D. McBrierty of Falmouth be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS:	Senators:	None
NAYS:	Senators:	ABROMSON, AMERO, BEGLEY, BENOIT, BUSTIN, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND
ABSENT:	Senators:	FAIRCLOTH, HATHAWAY
EXCUSED:	Senator:	BERUBE

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Thomas D. McBrierty, for appointment as Commissioner of the Department of Economic and Community Development, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

SENATE PAPERS

Bill "An Act to Ban the Tripping of Horses"
S.P. 316 L.D. 897

Presented by Senator **HANLEY** of Oxford

Bill "An Act to Establish Procedures for Entering
Property upon Receiving Complaints of Animal Cruelty"
S.P. 318 L.D. 899

Presented by Senator **CARPENTER** of York
Cosponsored by Senators: **CAREY** of Kennebec,
PARADIS of Aroostook, **STEVENS, JR.** of
Androscoggin, Representatives: **CHICK** of Lebanon,
DONNELLY of Presque Isle, **FARNUM** of South
Berwick, **JACQUES** of Waterville

Bill "An Act Authorizing the Director of the
Maine Forest Service to Dispose of Facilities and
Properties of the Bureau of Forestry in Order to
Streamline Operations"
S.P. 325 L.D. 906

Presented by Senator **CASSIDY** of Washington
Cosponsored by Senator: **PARADIS** of Aroostook,
Representatives: **CROSS** of Dover-Foxcroft,
KILKELLY of Wiscasset

Submitted by the Department of Conservation
pursuant to Joint Rule 24.

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

Which were referred to the Committee on
AGRICULTURE CONSERVATION AND FORESTRY and **ORDERED
PRINTED.**

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the
Constitution of Maine to Provide the Governor with
Line-item Veto Power Relating to Budget Legislation
S.P. 319 L.D. 900

Presented by Senator **FAIRCLOTH** of Penobscot
(GOVERNOR'S BILL)
Cosponsored by Senators: **BERUBE** of Androscoggin,
CIANCHETTE of Somerset, **FERGUSON, JR.** of Oxford,
HANLEY of Oxford, Representatives: **AIKMAN** of
Poland, **DIPIETRO** of South Portland, **KERR** of Old
Orchard Beach, **MORRISON** of Bangor, **OTT** of York,
SIMONEAU of Thomaston, **TUTTLE, JR.** of Sanford

Reference to the Committee on **APPROPRIATIONS AND
FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED.**

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

Sent down for concurrence.

Bill "An Act to Require Mortgage Insurers to
Offer a Policy Following the Cancellation of an
Original Policy"
S.P. 314 L.D. 895

Presented by Senator **CLEVELAND** of Androscoggin

Resolve, Directing the Bureau of Insurance to
Develop a Comparable List of Mandatory Insurance
Benefits for Health Maintenance Organizations
S.P. 329 L.D. 910

Presented by Senator **MCCORMICK** of Kennebec

Bill "An Act to Amend the Continuing Care
Retirement Community Law"
S.P. 338 L.D. 919

Presented by Senator **ABROMSON** of Cumberland

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 Establish a Mobile Home Owners'
Bill of Rights"
S.P. 322 L.D. 903

Presented by Senator **ESTY, JR.** of Cumberland
Cosponsored by Representative **NADEAU** of Saco and
Senators: **BENOIT** of Franklin, **BUSTIN** of Kennebec,
CAREY of Kennebec, **CLEVELAND** of Androscoggin,
FAIRCLOTH of Penobscot, **HALL** of Piscataquis,
LAWRENCE of York, **PARADIS** of Aroostook, **PINGREE**
of Knox, **RUHLIN** of Penobscot, Representatives:
ADAMS of Portland, **AHEARNE** of Madawaska, **BENEDIKT**
of Brunswick, **BERRY** of Livermore, **BRENNAN** of
Portland, **CHARTRAND** of Rockland, **CLOUTIER** of
South Portland, **ETNIER** of Harpswell, **FISHER** of
Brewer, **FITZPATRICK** of Durham, **GATES** of Rockport,
GREEN of Monmouth, **JOHNSON** of South Portland,
JONES of Bar Harbor, **LEMAIRE** of Lewiston, **LEMKE**
of Westbrook, **MARTIN** of Eagle Lake, **MITCHELL** of
Vassalboro, **O'GARA** of Westbrook, **RICHARDSON** of
Portland, **RICKER** of Lewiston, **SAMSON** of Jay,
SHIAH of Bowdoinham, **TREAT** of Gardiner, **TRUMAN** of
Biddeford, **WATSON** of Farmingdale

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

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

Bill "An Act to Amend the Laws Pertaining to the Regulation of Denturists"

S.P. 342 L.D. 947

Presented by Senator **MICHAUD** of Penobscot
Cosponsored by Representative: **HICHBORN** of LaGrange

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

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

Sent down for concurrence.

Bill "An Act to Increase the Penalties for Certain Crimes Involving Alcohol and Illegal Drugs"

S.P. 323 L.D. 904

Presented by Senator **O'DEA** of Penobscot
Cosponsored by Senators: **LAWRENCE** of York, **MILLS** of Somerset, **RAND** of Cumberland, Representatives: **AHEARNE** of Madawaska, **GREENLAW** of Standish

Bill "An Act to Extend the Time Period for a District Attorney to File a Petition in Order to Allow Time for Juveniles to Fulfill All Conditions of Informal Adjustment"

S.P. 326 L.D. 907

Presented by Senator **AMERO** of Cumberland
Cosponsored by Senator: **CAREY** of Kennebec,
Representative: **DIPIETRO** of South Portland

Submitted by the Department of Corrections pursuant to Joint Rule 24.

Bill "An Act to Increase the Authorized Penalties for Multiple OUI Offenders"

S.P. 334 L.D. 915

Presented by Senator **MILLS** of Somerset
Cosponsored by Senators: **GOLDTHWAIT** of Hancock, **O'DEA** of Penobscot, **RAND** of Cumberland,
Representative: **JONES** of Bar Harbor

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.

Bill "An Act to Provide Funding for Homeless Students"

S.P. 313 L.D. 894

Presented by Senator **BEGLEY** of Lincoln
Cosponsored by Senators: **ABROMSON** of Cumberland, **SMALL** of Sagadahoc, Representatives: **AULT** of Wayne, **CAMERON** of Rumford, **VIGUE** of Winslow

Resolve, to Revise the Reporting Date of the Home School Study Committee

S.P. 315 L.D. 896

Presented by Senator **SMALL** of Sagadahoc

Bill "An Act to Amend the Procedures for Conducting a School District Referendum"

S.P. 317 L.D. 898

Presented by Senator **HANLEY** of Oxford
Cosponsored by Senators: **ABROMSON** of Cumberland, **AMERO** of Cumberland, **BEGLEY** of Lincoln, **CARPENTER** of York, **ESTY, JR.** of Cumberland

Bill "An Act to Implement Recommendations of the Committee to Study Organizational and Tax Issues in Public Schools" (Emergency)

S.P. 321 L.D. 902

Presented by Senator **AMERO** of Cumberland
Cosponsored by Senators: **ABROMSON** of Cumberland, **BUTLAND** of Cumberland, **HANLEY** of Oxford, **HARRIMAN** of Cumberland, **LAWRENCE** of York, **RAND** of Cumberland, **SMALL** of Sagadahoc, Representatives: **CLOUTIER** of South Portland, **DIPIETRO** of South Portland, **KERR** of Old Orchard Beach, **LIBBY** of Kennebunk, **LIBBY** of Buxton, **MARVIN** of Cape Elizabeth, **REED** of Falmouth

Bill "An Act to Require Reimbursement to School Units for the Purchase of School Buses at the Time of Purchase"

S.P. 324 L.D. 905

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Senators: **CAREY** of Kennebec, **O'DEA** of Penobscot, **PINGREE** of Knox, Representatives: **ADAMS** of Portland, **DAGGETT** of Augusta, **FISHER** of Brewer, **GERRY** of Auburn, **GOULD** of Greenville, **GREEN** of Monmouth, **LEMKE** of Westbrook, **LUTHER** of Mexico, **RICHARDSON** of Portland, **TRIPP** of Topsham

Bill "An Act to Require the Department of Human Services to Consider the Effect on a School System before Placing a Child in Foster Care"

S.P. 327 L.D. 908

Presented by Senator **MICHAUD** of Penobscot

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.

Bill "An Act to Provide Greater Access to Health Care"

S.P. 343 L.D. 948

Presented by Senator **GOLDTHWAIT** of Hancock
Cosponsored by Senator **MCCORMICK** of Kennebec and
Senators: **BENOIT** of Franklin, **MILLS** of Somerset,
O'DEA of Penobscot, **PARADIS** of Aroostook, **RAND** of
Cumberland, Representatives: **CAMERON** of Rumford,
ETNIER of Harpswell, **KILKELLY** of Wiscasset,
PINKHAM of Lamoine, **TOWNSEND** of Portland, **TREAT**
of Gardiner, **WATSON** of Farmingdale

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

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

Sent down for concurrence.

(See Action Later Today)

Bill "An Act to Clarify the Use of the Power of Sale Foreclosures Regarding Limited Liability Corporations"

S.P. 320 L.D. 901

Presented by Senator **FAIRCLOTH** of Penobscot

Bill "An Act to Fully Fund the Maine Human Rights Commission and the Civil Rights Unit in the Attorney General's Office"

S.P. 333 L.D. 914

Presented by Senator **MCCORMICK** of Kennebec
Cosponsored by Representatives: **SAXL** of Portland,
TREAT of Gardiner

Bill "An Act to Improve the Function of the Maine Health Security Act"

S.P. 335 L.D. 916

Presented by Senator **MILLS** of Somerset
Cosponsored by Representative: **LAFOUNTAIN, III** of Biddeford

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

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

Sent down for concurrence.

Bill "An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals"

S.P. 336 L.D. 917

Presented by Senator **MCCORMICK** of Kennebec
Cosponsored by Senator: **BUSTIN** of Kennebec,
Representative: **BOUFFARD** of Lewiston

Bill "An Act Concerning Preference to Maine Workers and Contractors"

S.P. 341 L.D. 946

Presented by Senator **LONGLEY** of Waldo
Cosponsored by Representative **JACQUES** of Waterville and Senator: **RUHLIN** of Penobscot,
Representatives: **GATES** of Rockport, **MARSHALL** of Eliot, **SIMONEAU** of Thomaston

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 Allow Candidates to Donate Surplus Campaign Funds to Charitable and Educational Institutions"

S.P. 340 L.D. 945

Presented by Senator **LONGLEY** of Waldo
Cosponsored by Representative **GERRY** of Auburn and
Senators: **PARADIS** of Aroostook, **PINGREE** of Knox,
RUHLIN of Penobscot, **STEVENS, JR.** of Androscoggin,
Representatives: **DESMOND** of Mapleton, **MORRISON** of Bangor, **SAXL** of Bangor

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

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

Sent down for concurrence.

Bill "An Act to Make Owners Responsible for Their Abandoned Lobster Traps"

S.P. 331 L.D. 912

Presented by Senator **LAWRENCE** of York (By Request)

Bill "An Act to Ensure a Sustainable Urchin Fishery in the State and to Promote Competition in the Maine Sea Urchin Processing Industry"

S.P. 337 L.D. 918

Presented by Senator **RAND** of Cumberland
Cosponsored by Senators: **ABROMSON** of Cumberland, **BEGLEY** of Lincoln, **BUTLAND** of Cumberland, **HARRIMAN** of Cumberland, **PINGREE** of Knox, Representatives: **ADAMS** of Portland, **CLOUTIER** of South Portland, **DAVIDSON** of Brunswick, **SAXL** of Portland

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

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

Sent down for concurrence.

Bill "An Act to Establish Temperature Limits for Certain Existing Discharges" (Emergency)

S.P. 328 L.D. 909

Presented by Senator **CASSIDY** of Washington
Cosponsored by Senators: **FERGUSON, JR.** of Oxford, **HALL** of Piscataquis, **LORD** of York, **PARADIS** of Aroostook, Representatives: **DRISCOLL** of Calais, **STROUT** of Corinth

Bill "An Act to Study the Design of the Auto Emissions Testing Program and to Limit the Use of Credits Created by the Program"

S.P. 344 L.D. 949

Presented by Senator **MCCORMICK** of Kennebec
Cosponsored by Senators: **BERUBE** of Androscoggin, **STEVENS, JR.** of Androscoggin

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

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

Sent down for concurrence.

Bill "An Act Amending the Maine Residents Property Tax Program Allowing Persons Having Sole Responsibility for Property Maintenance the Entire Exemption"

S.P. 311 L.D. 892

Presented by Senator **MCCORMICK** of Kennebec
Cosponsored by Representative: **WATSON** of Farmingdale

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

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

Sent down for concurrence.

Bill "An Act to Extend the Period of Time an Operator May Operate a Motor Vehicle with a Temporary Registration Plate"

S.P. 312 L.D. 893

Presented by Senator **SMALL** of Sagadahoc

Bill "An Act to Conform Regulations of Off-system Railroads to Federal Standards"

S.P. 339 L.D. 944

Presented by Senator **LORD** of York
Cosponsored by Representative: **GOULD** of Greenville

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.

Bill "An Act to Repeal the Sunset Provision Regarding Drug Recognition Technicians and Amend the Definition of Drugs in the Operating-under-the-influence Statutes" (Emergency)

S.P. 332 L.D. 913

Presented by Senator **PENDEXTER** of Cumberland
Cosponsored by Representatives: **BAILEY** of Township 27, **CLUKEY** of Houlton, **VOLENIK** of Sedgwick

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

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

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

Senate at Ease

Bill "An Act to Protect Existing Utility Service"
S.P. 330 L.D. 911

Presented by Senator **CARPENTER** of York
Cosponsored by Representatives: **POIRIER** of Saco,
TAYLOR of Cumberland

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

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

Sent down for concurrence.

Senate called to order by the President.

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

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

On motion by Senator **LAWRENCE** of York, **RECESSED** until the sound of the bell.

ORDERS

Joint Resolution

WHEREAS, the Legislature has learned with deep regret of the death of:

Thomas F. Murphy, of York Harbor, who was the Treasurer for the Town of York. He served in the U.S. Navy during World War II and the Korean Conflict, retiring as a Lieutenant Commander after 22 years of service. He will be greatly missed by his family and many friends;

SLS 54

Presented by Senator **LAWRENCE** of York
Cosponsored by: Representative **MARSHALL** of Eliot,
Representative **OTT** of York

Which was **READ**.

On motion by Senator **LAWRENCE** of York, Tabled until Later in Today's Session, pending **ADOPTION**.

After recess

Senate called to order by the President.

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

Off Record Remarks

COMMITTEE REPORTS

House

Ought to Pass

On motion by Senator **LAWRENCE** of York, the Senate **RECONSIDERED** its action of earlier in the day whereby it **REFERRED** to the Committee on **HUMAN RESOURCES**:

Bill "An Act to Provide Greater Access to Health Care"

S.P. 343 L.D. 948

On motion by Senator **BUSTIN** of Kennebec, Tabled until Later in Today's Session, pending **REFERENCE**.

The Committee on **TRANSPORTATION** on Bill "An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1995" (Emergency)

H.P. 119 L.D. 154

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AND VETERANS AFFAIRS on Bill "An Act Concerning Tie Votes among Candidates in Municipal Secret Ballot Elections"

H.P. 247 L.D. 349

Reported that the same Ought to Pass.

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on TAXATION on 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

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-16).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-16) READ and ADOPTED, in concurrence.

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

The Committee on UTILITIES AND ENERGY on Bill "An Act to Remove the Debt Limit on the West Paris Water District"

H.P. 29 L.D. 23

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-17).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-17) READ and ADOPTED, in concurrence.

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

The Committee on UTILITIES AND ENERGY on Bill "An Act to Amend the Charter of the Sewer District of the Town of Kennebunk by Expanding Its Territorial Limits" (Emergency)

H.P. 44 L.D. 38

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-18).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-18) READ and 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 Bill "An Act to Reduce the Expense of the Legislative Process by Shortening the Length of Legislative Sessions"

H.P. 111 L.D. 146

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

Signed:

Senator:
LONGLEY of Waldo

Representatives:
DAGGETT of Augusta
AHEARNE of Madawaska
SAXL of Bangor
GERRY of Auburn
ROSEBUSH of East Millinocket
YACKOBITZ of Hermon

The Minority of the same Committee on the same subject reported that the same **Ought to Pass** as Amended by Committee Amendment "A" (H-12).

Signed:

Senators:
AMERO of Cumberland
CARPENTER of York

Representatives:
LEMKE of Westbrook
ROBICHAUD of Caribou
LANE of Enfield
SAVAGE of Union

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

Which Reports were **READ**.

Senator **AMERO** of Cumberland moved that the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

Senator **AMERO:** I want to let the Body know that this is a bill that, as you can see, was divided in the State and Local Government Committee. There is interest in the Committee in reducing the length of the session and realizing some savings from doing that. However, there are other vehicles that have since come to our attention that seem to be better vehicles for addressing the issue. For that reason, I move that we join in the action that has already been taken by the House and would support, at this time, the Ought Not to Pass Report.

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

Senator **HANLEY:** Thank you Mr. President, Men and Women of the Senate. For those of you who served in the other chamber with me, you realize that this is a bill that is near and dear to my heart. We did have an opportunity to discuss this in our Caucus, and in deference to the work in front of this Legislature, and not rehashing the same topic for two or three more times in the course of the session, I will go

along and concur with the motion of the good Senator from Cumberland, Senator Amero. But, I would like to make a few points before that. First, I would like to applaud, not only this chamber, but the entire Legislature for making some changes in the way we do business early on. Although some were brought towards that conclusion kicking and screaming, I think everyone will admit that the monies that we have saved in consolidating from twenty-one committees down to seventeen has been a beacon for the other departments in State Government to look at and say, "Yes, the Legislature itself is initiating changes for cost savings and to make the process more efficient."

I believe, not only, that we can do more, but that we must do more. We have an obligation, as leaders of the State of Maine, to bring our house in order before we ask other departments throughout State Government, before we ask other branches of State Government to make these savings. We have to lead by example. I think one of the results of returning to a citizen Legislature, and reducing the amount of time that we spend up here in Augusta, will not only result in cost savings but will also result in a focus on those issues which are most important to the people of the State, that we would come up here to Augusta, do the people's work and then go back to our homes, to our districts, to run our businesses, to live with the regulations that we have passed, rather than remaining insulated from those rules and regulations as we debate the issues up here in Augusta. Just for reference to the members of this chamber, the State of Massachusetts is just recently, for those of you who have read the Boston Globe or the Boston Herald, the State of Massachusetts is totally redoing their legislative calendar, not on their own impetus, but on the impetus of the people of the State of Massachusetts. They say, "No, we do not need the Massachusetts Legislature in session for as long as they have been." If you take a look at your calendars at how other states operate, Massachusetts is almost a full year round. The people have spoken. I think the people are ready for a change and it is time that we deliver.

I realize that there are other bills coming in front of the State and Local Government Committee. I look forward to having the opportunity to debate them on the floor. Hopefully, we can garner some support for reducing the length of the session, saving money, and I will also be looking through the legislative budget, on the Appropriations Committee, to see if we cannot realize some savings there as well. This will be a multi-faceted approach and I look forward to working with the members of this chamber and will leave this battle and this discussion for another day.

On motion by Senator **AMERO** of Cumberland, the Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Reinstate Funding for the Saco River Corridor Commission"
H.P. 125 L.D. 173

Reported that the same **Ought to Pass as Amended** by Committee Amendment "A" (H-13).

Signed:

Representatives:

KERR of Old Orchard Beach
SIMONEAU of Thomaston
DONNELLY of Presque Isle
POULIOT of Lewiston
TOWNSEND of Portland
DIPIETRO of South Portland
OTT of York

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

Signed:

Senators:

HANLEY of Oxford
BERUBE of Androscoggin
BEGLEY of Lincoln

Representatives:

JOSEPH of Waterville
MORRISON of Bangor
AIKMAN of Poland

Comes from the House with the Majority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-13)**.

Which Reports were **READ**.

Senator **HANLEY** of Oxford moved that the Senate **ACCEPT** the Minority **UGHT NOT TO PASS** Report in **NON-CONCURRENCE**.

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

Senator **HATHAWAY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would just like to say that the Saco River is three hundred miles of maybe the most precious, most beautiful, natural resource in this State. I can remember a time when all of our rivers in this State were as clean, and such a precious resource, as the Saco River. That is not necessarily true today. I know right outside our window, the Kennebec River, my grandfather used to cut ice on the Kennebec River, my father, as a kid, used to swim in it. When I was a kid it was so polluted that it wouldn't even freeze. Today I can take my kids from one end of the Saco River to canoe, and to the other end of the Saco River we can drink the water. This is definitely a precious resource that we have to maintain. This is one small way in which we can show, not only just by appropriating some money to the Saco River Corridor

Commission, but by giving them a vote of confidence that we support local control of these problems, that we will not penalize efficiency, that we will not penalize a local committee that is frugal. I ask you to vote against the pending motion, and realize that this is, again, just a small amount of money, that it is supported greatly by people in the local towns and cities, and is also supported financially by Biddeford, Saco and York County. So, I would just ask you once again, that if you would, give a vote of confidence to the people in the community who are trying to maintain a clean river and a precious resource of this State. Mr. President, I ask for a Division, please.

Senator **HATHAWAY** of York requested a Division.

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

Senator **BEGLEY:** Thank you Mr. President. I rise to ask you to support the **Ought Not to Pass** motion. The Saco River Corridor Commission has been in existence and the people who work on it certainly are dedicated. It has, however, come to a time when it is no longer needed. The number of regulations that are already on the books to cover the purity of any of our rivers is there. The Saco River Corridor Commission is a local issue. The previous speaker has commented about that. I agree wholeheartedly, it is a local issue, and therefore the local people, or their governments, should support it fully, and not necessarily ask for a stipend from the State, from my constituents, or other people's constituents, who do not live on it. The record of support locally does not point out that those people on the Saco River are interested in supporting this Commission. We had testimony from people who were simply saying that it is duplication, it is troublesome, and they will not support it. My point again, make it a local issue and make those people on the Saco River supply the money needed. Thank you.

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

Senator **LAWRENCE:** Thank you Mr. President, Men and Women of the Senate. I rise to ask you to vote against the motion of **Ought Not to Pass**, and to disagree with my good colleague from Lincoln, Senator Begley. The Saco River Commission is something that has strong local support, but also it is something that is a strong resource for the entire State. The Saco River Corridor Commission, and the Saco River itself, is a strong tourist attraction for people coming into the State of Maine. York County generates a tremendous amount of revenue for the State of Maine through tourism coming into our State. We have gone to great lengths to protect the Saco River and, through the Corridor Commission, have been able to do that. Why is a river any less important to spend State tax dollars on, than other historical monuments, like Fort Knox or any of the other parks that we use to bring people into this State. Why should it fall only upon the local authorities to do that? It is a natural resource of this State and deserves to be protected. I would sincerely appreciate your vote in opposition to the motion of **Ought Not to Pass**.

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

Senator CLEVELAND: Thank you Mr. President. Because there may be an appearance of a conflict of interest on this particular issue, I wish the Record to reflect that I have not participated, in any manner, in the discussion or debate of this issue. Further, when the vote is taken I wish the Record to reflect that I have abstained from voting.

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

Senator McCORMICK: Thank you Mr. President, Men and Women of the Senate. I will also be voting against this pending motion. I am on the Monmouth Planning Board, and I'm sure many of you are on your Planning Boards as well. It doesn't take long to deal with land use planning issues before you realize that we really ought to be dealing with them on a watershed level. I think, long ago when I first came to this body, a little newsletter came in front of me about the Saco River Commission. I was quite impressed by what they were doing, and how they were taking the watershed approach to a very valuable resource. So, whenever I get the chance to vote for any kind of regional aspect at planning, or land use, I am going to do it. Thank you.

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

Senator CARPENTER: Thank you Mr. President, Women and Men of the Maine Senate. You have to remember that this bill is a financing mechanism. It is not a bill relating to whether the Saco River Corridor should survive or die. It might seem that way because that is the way the debate has to progress. I just wanted everybody to know that in the Utilities and Energy Committee, yesterday, we heard L.D. 444, which is a funding mechanism localized in the Biddeford and Saco water districts. Somebody has submitted a bill that they place an assessment on their water users. To me this seems like it would be more logical than using general funds, part of it being that if you check the town meeting results through Newfield and Limington and that area, they voted not to raise any money whatsoever to support the Saco River Corridor. It is a beautiful river. It has been stated that you can drink the water in Biddeford. Of course they can drink it. They can't drink it right out of the stream, like several speakers might like you to think, it has to be treated. They are not subject to a lot of the treatment plants that maybe other parts of the State would have to be to drink the water. Therefore, I happen to know that they are probably reducing their cost of treatment by \$2 million to \$3 million per year by using the Saco River, and it is well worth their input to keep it as pure as possible. I know \$12,000 won't even pay for half of the Executive Director's salary. I urge you to support the pending motion. Thank you.

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

Senator LORD: For years the communities on the Saco River helped fund the Saco River Corridor

because we had no DEP, we had no Planning Boards, we had no Code Enforcement Officers, we didn't have shoreland zoning. Now we have shoreland zoning, we have Planning Boards, we have lot sizes. Last Saturday I talked to a number of people from a number of towns, and the towns that I talked to, a lot of them from up my way and above me, have minimum lot sizes of two acres. They go from two to three and, I believe in my town, it is either five or ten, because we are on the Little Ossipee River. The people feel that it is no longer needed. If a person has to get a permit just to get a permit from the town, they have to get a permit from the Saco River Corridor, they have to get a permit from the DEP, because anything that disturbs the land within one hundred feet of the Saco River has to have a DEP permit. It's duplication. This is being taken care of. In shoreland zoning you have to have two hundred feet on the river, which is lot more than what you need on the Saco River Corridor. The minimum lot size is forty thousand square feet, so that is two hundred by two hundred anyway. This is not needed folks. If we are going to cut back on some of the bureaucracy, we have to take a stand, and now is the time to do it. Thank you.

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

Senator RUHLIN: Thank you Mr. President, Honorable Senators of the State of Maine. I just want to point out that the Saco River is one of our jewels of the State of Maine in our crown. It is used, it is looked at as more than just a State resource, it is also a natural resource. We have people come from all over this nation to use and enjoy the beauty and the scenery and the water recreation of this river. It is a restoration river. It is a river that is presently undergoing the restoration of the Atlantic Salmon, which needs a special water quality and classification to protect it, and to go through that process. Certainly, Maine being the only state in the nation that can boast the Atlantic Salmon free-running, at this point, it is important that this river continue the restoration process. The fact is that the Commission is in place to oversee and protect, and to use the environmental protections to ensure that the river can be an Atlantic Salmon restoration river. So, this is a multi-faceted asset to the people of the State of Maine, not just the people who live on the corridor of the Saco River. I have enjoyed using the Saco River. I know many people who live to the east of me and to the north of me and to the west of me who have enjoyed using the Saco River. It is, in fact, an asset that belongs to all of the people of the State of Maine, as evidenced by the fact that we, as a state, classified its water usage, its recreation usage and made it an A classified river over much of its length. I certainly think this river is deserving of our care. It is deserving of the small amount of \$12,000 that we are going to spend here to support the Commission to oversee it, and I would speak strongly against the ought not to pass motion. I would add one other thing to that, the alternative that the good Senator from York mentioned that was before his Committee, it has also appeared on a bill before the Natural Resources Committee, not for the Committee to work on but how the funding mechanism would work. That \$25,000 as an alternative, and I

assure you it is germane to this issue, to this \$12,000 would be raised by a fee of a private industry. Stop and think now, funds for a private industry to do what should be a State trust? I would like to have you keep that in mind when you vote today. Thank you.

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

Senator **BEGLEY:** Thank you Mr. President. We are giving the Saco River Corridor Commission a halo. As if they are in full control of that river and its purity. In the deliberations about the Saco River Corridor Commission a question was asked of a member of the Commission, if the Commission were done away with would the river become polluted? His answer, quite honestly, had to be no, by no means. We asked the same question of water quality. Was the Saco River Corridor Commission responsible for the continuation of water quality? The answer came back no. There are agencies that have to do that by the State consistently. We are saying that this Corridor Commission is going to do all of these things, that is not true. They are concerned, and it is their right to do so, insofar as a setback greater than what the shoreland zoning has. There are people in the corridor that disagree with them vehemently on their position. Insofar as the comment of a private industry willing to pay, that is a point coming across to another committee whereby they, if the Legislature gives them the right, will assess a fee, without those members of that water district having any decision on whether or not they want that fee. This is going around in the Public Utilities Commission because the Public Utilities Commission has said if the legislature does it, we will not get involved. To me, that is not the way to raise money in any fashion. Again, if this concern is so great in that area, \$12,000 should be able to be raised by all of these advocates, all of these people who are telling me how glorious it is, and by the people who are there. Certainly it is still a local control. Thank you.

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

Senator **FERGUSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I am the Senator that probably represents more of the Saco River than any other Senator in this body. I have deliberately spoken to some of the selectmen and people that I represent, and they have informed me that they are opposed to this and have asked me to support the pending motion. As a County Commissioner years ago, the county supported the Saco River Corridor Commission, and we appropriated, if my memory serves me right, about \$10,000 at the county level for this endeavor. I would urge you to support the pending motion and vote against this article. Thank you.

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

Senator **HATHAWAY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would just like to respond to a couple of points made by my good friend, Senator Begley from Lincoln. I would just like to say that the Saco River Corridor Commission

was started over twenty years ago by local people who live on the river. I think the results of their effort speak for itself. I do not think that it is appropriate for this body, at a future date, to place a water use tax on the people in those communities who are already supporting, through their tax dollars, the Saco River Corridor Commission, when, in fact, in the next few months we are facing a budget where we are increasing the DEP funding by 33 1/2%. It seems to me that we could at least take \$12,000 to support these people's continued effort. On my campaign I walked door-to-door to all the people in my district who live on the Saco River. I am here because they support this effort. The editorials that I have read in all of the papers in southern Maine, including the feature editorial in the Portland Sunday paper, strongly support this effort. And the phone calls and the letters that I get from people all through my district support this effort. So, once again I would just like to ask you to support the people who live on the river, the people who use the river, and the people who drink the water from the river. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of the Senator from Oxford, Senator **HANLEY** that the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**.

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.

14 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator having abstained, the motion of Senator **HANLEY** of Oxford to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**, **FAILED**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-13) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **TAXATION** on Bill "An Act to Postpone the Date by Which Withdrawal from the Tree Growth Tax Laws Must Occur" (Emergency)
H.P. 632 L.D. 857

Reported that the same **Ought to Pass** pursuant to Public Law 1993, chapter 576, section 2.

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.

Which was, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Creating the New England Regional Commission on Fiscal and Public Policy
H.P. 216 L.D. 275

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

Signed:

Senators:

AMERO of Cumberland
LONGLEY of Waldo
CARPENTER of York

Representatives:

DAGGETT of Augusta
ROBICHAUD of Caribou
AHEARNE of Madawaska
GERRY of Auburn
LANE of Enfield
SAVAGE of Union

The Minority of the same Committee on the same subject reported that the same **Ought to Pass** as Amended by Committee Amendment "A" (H-23)

Signed:

Representatives:

LEMKE of Westbrook
ROSEBUSH of East Millinocket
YACKOBITZ of Hermon
SAXL of Bangor

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

Which Reports were **READ**.

On motion by Senator **AMERO** of Cumberland, the Majority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Allow Unenrolled Voters to Serve as Election Workers at Polls"
H.P. 293 L.D. 397

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

Signed:

Senators:

FERGUSON, JR. of Oxford
STEVENS, JR. of Androscoggin
MICHAUD of Penobscot

Representatives:

NADEAU of Saco
TRUMAN of Biddeford
FISHER of Brewer
LEMONT of Kittery
CHIZMAR of Lisbon
LABRECQUE of Gorham
GAMACHE of Lewiston
MURPHY of Berwick

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Representatives:

TRUE of Fryeburg
BUCK of Yarmouth

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

Which Reports were **READ**.

THE CHAIR moved that the Senate **ACCEPT** the Majority **UGHT NOT TO PASS** Report, in concurrence.

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

Senator **GOLDTHWAIT:** Thank you Mr. President. L.D. 397 is a bill that simply allows all registered voters to do what only some registered voters may do now, and that is to participate in the electoral process. In the 1994 election 29% of the registered voters were Republicans, 33% were Democrats, and 37% were unenrolled. So, the unenrolled voter represents the largest single group of registered voters in the State, as in 1994. Many people who are unenrolled do not vote only for Independent candidates. We are simply people who choose to wait until we have heard from all candidates to make up our minds on how we are going to vote, and very often we cast votes for party members. It would be difficult, I think, to explain to someone in your district who had perhaps voted for you, that you have voted not to allow them to participate fully in the electoral process. We urge public participation in that process, and in fact, not long ago, when we considered a bill to disallow registration for voting on election day, there were many speeches made on the floor of this body regarding the importance of encouraging people into the process. This is a bill that does just that, it allows all registered voters to assist in their communities on voting day. The bill does provide for equal representation, so you need not fear that the unenrolled voters will take over the monitoring of elections. I would like to point out that even those voters who are unenrolled in a political party take our civic responsibilities every bit as seriously as those voters who are enrolled in a party. I urge you to support L.D. 397. Thank you.

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

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

Senator **CAREY:** Mr. President. There is one major problem, I believe, with this if it were to pass. How would an unenrolled ballot counter work at primary elections when you either have to be registered as a Democrat or a Republican, and the day may come when even the Greens may have registration? I think the bill still needs a little further work. Thank you.

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

Senator **GOLDTHWAIT:** Thank you Mr. President. My understanding is that an unenrolled voter could simply submit their own name with that of another unenrolled voter to participate in that process, similar to the way the parties submit lists of party members to participate.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you Mr. President, Women and Men of the Senate. I think it comes down to is this really denying the unenrolled voters participation? On the one hand, they do vote that

day, if it is not a primary. On the other hand, there is provisions on the books that allow all parties to become official state parties and there are steps to go through. I have gone back and forth on this and I guess I'm going to err on the side of administrative convenience. I am not with Senator Goldthwait on this. I think that you have to have equal numbers, and if there are three parties, it just is an administratively inconvenient piece. For that reason I am just going to go as is, if you are an official party, you can be represented at the polls as counters. Thank you.

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

Senator **GOLDTHWAIT:** Thank you Mr. President. I would hardly call it an administrative inconvenience when we are talking about the largest single group of registered voters in the State of Maine. To describe those 37% of all registered voters as an administrative inconvenience is an offense to me. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you Mr. President. I apologize. I don't mean to be offensive, Senator Goldthwait. If you are the ballot clerk, and you have got to get an equal number, it seems to me it would be three, three, and three - three Democrats, three Republicans, and three unenrolleds. When I have gone to count ballots it seems like opposite to me is someone of the other party. What do you do with the ninth person, or the odd numbered person? If we had some guarantee that there would always be an equal number of parties represented, and possibly that is true with the Greens out there, but I'm not convinced. I take back the term "administrative inconvenience". Allow me to say that we have provisions that allow parties to become accepted major parties in this State and those provisions have been looked at time and again. There are a number of people in my family who happen to be Independent, and I hear what you are saying, but I believe in the two-party process as it is. If you want to become an official State party I applaud the effort. Thank you.

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

A vote of Yes will be in favor of **ACCEPTING** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators: AMERO, BEGLEY, BENOIT, BUSTIN, CAREY, CARPENTER, CASSIDY, CIANCHETTE, ESTY, FERGUSON, HALL, HANLEY, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

NAYS: Senators: ABROMSON, CLEVELAND, FAIRCLOTH, GOLDTHWAIT, HARRIMAN, RUHLIN

EXCUSED: Senator: BERUBE

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being Excused, the motion to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.

Ought to Pass As Amended

Senator CARPENTER for the Committee on UTILITIES AND ENERGY on Bill "An Act to Increase the Debt Limit of the Richmond Utilities District" (Emergency) S.P. 151 L.D. 337

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-22)

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-22) READ and ADOPTED.

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

Senate Ought to Pass

Senator MILLS for the Committee on JUDICIARY on Bill "An Act to Repeal the Sunset on the Grandparents Visitation Act"

S.P. 19 L.D. 50

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

Senate As Amended

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 (C. "A" S-20)

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 (C. "A" S-21)

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

Sent down for concurrence.

Senator MILLS for the Committee on JUDICIARY on Bill "An Act to Allow Liens on Claims Not Sounding in Tort"

S.P. 144 L.D. 330

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

ENACTORS

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

An Act to Restore Funding to the Department of Conservation that was Deappropriated Due to Loon Plate Revenue

S.P. 120 L.D. 295

On motion by Senator HANLEY of Oxford, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Emergency

An Act Regarding the Functioning of the Department of Mental Health and Mental Retardation and Several Professional Regulatory Boards
H.P. 483 L.D. 664

Comes from the House with the Bill and Accompanying Papers COMMITTED to the Committee on HUMAN RESOURCES, in NON-CONCURRENCE.

On motion by Senator CLEVELAND of Androscoggin, Tabled 1 Legislative Day, pending ENACTMENT.

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 continues with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the following Tabled and Later Today Assigned (Tuesday, March 14, 1995) matter:

Bill "An Act to Increase Access to Primary Care by Redefining the Practice of Advanced Nursing"
S.P. 282 L.D. 754

Tabled - March 14, 1995, by Senator HARRIMAN of Cumberland.

Pending - REFERENCE

(Reference to the Committee on BUSINESS AND ECONOMIC DEVELOPMENT suggested and ordered printed.)

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

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

Bill "An Act to Promote the Health of Maine's Children by Preventing Illegal Tobacco Sales"
S.P. 306 L.D. 845

Tabled - March 14, 1995, by Senator KIEFFER of Aroostook.

Pending - REFERENCE

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

(In Senate March 14, 1995, referred to the Committee on LEGAL AND VETERANS AFFAIRS. Subsequently, RECONSIDERED.)

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

Sent down for concurrence.

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

Bill "An Act to Clarify the Registration of Snowmobiles by Nonresidents"
H.P. 604 L.D. 814

Tabled - March 14, 1995, by Senator CAREY of Kennebec.

Pending - REFERENCE

(Reference the Committee on INLAND FISHERIES AND WILDLIFE suggested and ORDERED PRINTED.)

(In House March 14, 1995, referred to the Committee on INLAND FISHERIES AND WILDLIFE and ORDERED PRINTED.)

Senator HATHAWAY of York moved to REFER to the Committee on TAXATION in NON-CONCURRENCE.

On motion by Senator KIEFFER of Aroostook, Tabled 1 Legislative Day, pending the motion by Senator HATHAWAY of York to REFER to the Committee on TAXATION in NON-CONCURRENCE.

Senate at Ease
Senate called to order by the President.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Resolve, to Require the Department of Agriculture, Food and Rural Resources to Establish a Revolving Loan Fund to Increase Agricultural Growth in the State

H.P. 653 L.D. 876

Bill "An Act to Amend the Sheltering Requirements for Dogs and to Provide Funding for the Spaying and Neutering of Cats and Dogs"

H.P. 684 L.D. 935

Bill "An Act to Clarify the Board of Pesticides Control Authority Regarding Restricted Use Pesticides and Groundwater Contamination"

H.P. 690 L.D. 941

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

Come from the House, referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**.

Which were referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

Bill "An Act to Establish a Spaying and Neutering Program for Domestic Pets"

H.P. 665 L.D. 888

Reference to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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.

Bill "An Act to Prohibit the Use of Unappropriated Surplus Funds to Balance the Budget"
H.P. 681 L.D. 932

Bill "An Act to Provide for the Timely Passage of the State Budget"
H.P. 687 L.D. 938

Reference to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

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

Which were referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

Bill "An Act to Encourage Job Creation by Exempting Small Businesses from the Current Workers' Compensation System"

H.P. 664 L.D. 887

Reference to the Committee on **BANKING AND INSURANCE** 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 **LABOR** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

Sent down for concurrence.

(See Action Later Today)

Bill "An Act to Establish Tuition Rates for the Unorganized Territory Schools Based on a State Average"

H.P. 651 L.D. 874

Resolve, to Develop a Voluntary Firearm Safety Program for Use in Schools in the State
H.P. 655 L.D. 878

Bill "An Act Concerning Referendum Reform for School Budgets"
H.P. 657 L.D. 880

Bill "An Act to Amend the Education Funding Formula"
H.P. 658 L.D. 881

Bill "An Act to Create an Honorary Position of
Maine State Poet Laureate"

H.P. 692 L.D. 943

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

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

Which were referred to the Committee on **EDUCATION
AND CULTURAL AFFAIRS**, in concurrence.

Bill "An Act to Exempt the Charles A. Dean
Memorial Hospital and Nursing Home from the
Regulation of the Maine Health Care Finance
Commission"

H.P. 635 L.D. 858

Bill "An Act to Improve the Well-being of
Communities by Providing Adequate Services for
Victims of Sexual Assault, Incest, Rape and Child
Sexual Abuse and Enhance Community Education and
Prevention Programs Statewide"

H.P. 640 L.D. 863

Resolve, to Create a Task Force to Review the
State's Involuntary Commitment Law

H.P. 662 L.D. 885

Bill "An Act to Legalize the Use of Marijuana for
Medical Purposes"

H.P. 678 L.D. 929

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

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

Which were referred to the Committee on **HUMAN
RESOURCES**, in concurrence.

Bill "An Act to Amend the Deer Limits and
Licensing Fees for Bow Hunting"

H.P. 642 L.D. 865

Bill "An Act to Allow Hunting on the First Sunday
after the First Saturday of Hunting Season"

H.P. 649 L.D. 872

Bill "An Act to Ensure Equitable Participation in
Special Deer Hunting Seasons"

H.P. 661 L.D. 884

Bill "An Act to Authorize the Commissioner of
Inland Fisheries and Wildlife to Establish the Number
of Moose Hunting Permits Issued"

H.P. 674 L.D. 925

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

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

Which were referred to the Committee on **INLAND
FISHERIES AND WILDLIFE**, in concurrence.

Bill "An Act to Amend the Substance Abuse Testing
Law"

H.P. 645 L.D. 868

Bill "An Act to Repeal Laws Regarding Minimum
Wages on Construction Projects"

H.P. 673 L.D. 924

Bill "An Act to Prevent Impasse in Collective
Bargaining by Allowing Parties of Either Side to
Request Mediation"

H.P. 675 L.D. 926

RESOLUTION, Proposing an Amendment to the
Constitution of Maine to Establish a Contractual
Obligation for Members of the Maine State Retirement
System

H.P. 680 L.D. 931

Bill "An Act to Exclude Services Provided by Home
Stitchers from the Definition of Employment for
Purposes of Unemployment Compensation"

H.P. 688 L.D. 939

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

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

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

Bill "An Act to Provide Certain Renters in
Boarding Homes with the Status of Tenant at Will"

H.P. 644 L.D. 867

Bill "An Act to Revise Reapportionment
Guidelines"

H.P. 646 L.D. 869

Bill "An Act to Qualify the Secretary of State's
Ability to Invalidate a Petition"

H.P. 659 L.D. 882

Bill "An Act to Ensure That Landlords and Tenants Are Aware of the Right to a Court Hearing"
H.P. 669 L.D. 920

Bill "An Act to Clarify the Discretion of the Commission on Governmental Ethics and Election Practices in Assessing Penalties" (Emergency)
H.P. 685 L.D. 936

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**, in concurrence.

Bill "An Act to Grandfather Urchin Divers Who Held Valid Licenses in 1992"
H.P. 636 L.D. 859

Bill "An Act to Control Entry into the Lobster Fishery to Alleviate Pressure on That Resource"
H.P. 666 L.D. 889

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

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

Which were referred to the Committee on **MARINE RESOURCES**, in concurrence.

Bill "An Act to Amend the Laws Regarding Planning and Land Use Regulations of Villages to Allow Adoption of Local Growth Management Programs"
H.P. 641 L.D. 864

Bill "An Act to Clarify the Derivation of Metal Limitations for Waste Discharge Licenses" (Emergency)
H.P. 650 L.D. 873

Bill "An Act to Require the Board of Environmental Protection to Adopt Rules Relating to the Storage of Wood Wastes"
H.P. 652 L.D. 875

Bill "An Act Allowing Homeowners to Maintain Underground Oil Tanks"
H.P. 670 L.D. 921

Bill "An Act to Establish an Emissions Reduction Credit Trading Program"
H.P. 671 L.D. 922

Bill "An Act to Encourage Compliance with Environmental Laws Administered by the Department of Environmental Protection"
H.P. 677 L.D. 928

Bill "An Act to Clarify and Provide Municipal Authority to Implement Comprehensive Waste Management Services"
H.P. 682 L.D. 933

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**, in concurrence.

Bill "An Act to Establish the Interim Office on Volunteerism"
H.P. 638 L.D. 861

Bill "An Act to Dissolve the Northport Village Corporation"
H.P. 639 L.D. 862

Bill "An Act to Change the Department of Corrections' Lease Provisions to Conform with Statutes Regarding Leases of State Buildings by Other Departments"
H.P. 654 L.D. 877

Bill "An Act to Establish Procedures for Secession and Annexation of Territories"
H.P. 668 L.D. 891

Bill "An Act to Allow Peaks Island and Certain Other Islands in Casco Bay To Vote in a Referendum To Secede from the City of Portland"
H.P. 683 L.D. 934

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

Come 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**, in concurrence.

Bill "An Act to Make the Circuit-breaker Program a Credit under the Income Tax"
H.P. 667 L.D. 890

Bill "An Act Concerning Technical Changes to the Tax Laws" (Emergency)

H.P. 686 L.D. 937

Bill "An Act to Require that Information Recorded on the Real Estate Transfer Tax Form Be Kept on File in the Registry of Deeds"

H.P. 689 L.D. 940

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

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

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

Bill "An Act to Ensure the Integrity of the Maine Turnpike Electronic Toll System"

H.P. 637 L.D. 860

Bill "An Act to Amend the Motor Vehicle Laws"

H.P. 679 L.D. 930

Bill "An Act to Improve Highway Signing Information"

H.P. 691 L.D. 942

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**, in concurrence.

Bill "An Act Authorizing Work-restricted Drivers' Licenses for Certain Habitual Motor Vehicle Law Offenders"

H.P. 672 L.D. 923

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

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

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

Bill "An Act to Establish a Reduced Rate for Electric Utility Consumers on Life-support Equipment"

H.P. 643 L.D. 866

Bill "An Act to Allow Earlier Awarding of Funding of Intervenor in Cases before the Public Utilities Commission"

H.P. 647 L.D. 870

Bill "An Act Concerning the Calculation of Private Fire Protection Charges"

H.P. 648 L.D. 871

Bill "An Act to Enhance Networking Technology for Public Schools"

H.P. 660 L.D. 883

Bill "An Act to Improve the Business Climate in the State by Making Power Available at a Lower Rate"

H.P. 663 L.D. 886

Bill "An Act to Prohibit Retrofits of Nuclear Power Plants without Permission of the Public Utilities Commission"

H.P. 676 L.D. 927

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**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 694

JOINT RESOLUTION IN SUPPORT OF PEACE INITIATIVES IN NORTHERN IRELAND

WHEREAS, Northern Ireland has been torn by violence for at least the past two and a half decades; and

WHEREAS, many Maine citizens have family members who have been touched by this violence; now, therefore, be it

RESOLVED: That, We, the members of the 117th Legislature of the State of Maine now assembled in First Regular Session, extend our deep support for the recent peace initiatives that have taken place in Northern Ireland; and be it further

RESOLVED: That the President of the Senate and the Speaker of the House of Representatives transmit a letter to the appropriate organizations and governmental entities offering help from the Legislature of the State of Maine in support of the peace effort in Northern Ireland.

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

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

On motion by Senator **LAWRENCE** of York, the Senate **RECONSIDERED** its action of earlier in the day whereby it **REFERRED** to the Committee on **LABOR**:

Bill "An Act to Encourage Job Creation by Exempting Small Businesses from the Current Workers' Compensation System"

H.P. 664 L.D. 887

(In House, March 21, 1995, **REFERRED** to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.)

(In Senate, **REFERRED** to the Committee on **LABOR** and **ORDERED PRINTED** in **NON-CONCURRENCE**.)

On further motion by same Senator, Tabled 1 Legislative Day, pending **REFERENCE**.

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

ENACTORS

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

Emergency

An Act to Postpone the Date by Which Withdrawal from the Tree Growth Tax Laws Must Occur

H.P. 632 L.D. 857

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

Off Record Remarks

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

On motion by Senator **PENDEXTER** of Cumberland, **ADJOURNED** until Thursday, March 23, 1995, at 9:30 o'clock in the morning.