

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 2, 1995 to June 16, 1995

Emergency

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

An Act to Extend the Workers' Compensation
Deficit Evaluation Proceeding
S.P. 579 L.D. 1556
(S "A" S-203)

In Senate Chamber
Thursday
June 1, 1995

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

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

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

Prayer by David Roberts of Bath.

ORDERED, the House concurring, that when the
House and Senate adjourn, they do so until Monday,
June 5, 1995, at 9:00 o'clock in the morning.
S.P. 581

DAVID ROBERTS: Good morning. This is indeed an
honor to be here. Most Merciful God, Supreme
Architect of Heaven and Earth who dost, from thy
throne, behold all the dwellers upon the earth, we
beseech thee to guide and protect those here
assembled. Teach us to know and serve thee aright.
Direct us, we beseech thee, in all our doings with
thy most gracious favour and further us with thy
continual help, that in all our works begun,
continued, and ended in thee. May we glorify thy
holy name. As thou hast taught us in thy holy word,
that all our doings, without charity, are worth
nothing. Send thy Holy Spirit and pour into our
hearts the most excellent gift of all, charity, the
very bond of peace, and of all virtues, without
which, whoever liveth is counted dead before thee.
Bless and prosper, we pray thee, every branch and
member of this assemblage here gathered. Bless us
and prosper us in all our laudible undertakings, and
grant that our conduct may tend to thy glory.
Finally, to our own salvation, in that blessed
kingdom where thy children shall find rest, may thy
kingdom of peace, love and harmony come. May thy
will be done, on earth, as it is in heaven. May the
whole world be filled with thy glory forever and
ever. Amen.

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

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

Out of order and under suspension of the Rules,
on motion by Senator **AMERO** of Cumberland, the
following Senate Order:

ORDERED, that a message be sent to the House of
Representatives proposing a Joint Convention of both
Branches in the Hall of the House at 8:45 o'clock in
the morning in honor of General Joshua L. Chamberlain.
S.O. 24

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

The Chair appointed the Senator from Cumberland,
Senator **AMERO** to deliver the message to the House.

Reading of the Journal of Yesterday.

Senate at Ease

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

Senate called to order by the President.

ENACTOR

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

Subsequently, the Senator from Cumberland,
Senator **AMERO** reported that she had delivered the
message with which she was charged.

At this point, a message was received from the House of Representatives, borne by Representative JACQUES of Waterville, informing the Senate that the House concurred in the proposition for a Joint Convention, to be held in the Hall of the House, at 8:45 o'clock in the morning in honor of General Joshua L. Chamberlain.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

**AFTER CONVENTION
IN SENATE**

Senate called to order by the President.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Require Firearm Hunters to Wear Blaze Orange"
H.P. 586 L.D. 796

In House, May 24, 1995, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264).**

In Senate, May 30, 1995, the Minority **UGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House that body having **ADHERED**.

On motion by Senator **KIEFFER** of Aroostook, the Senate **INSISTED**.

COMMUNICATIONS

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1452 An Act to Ban the Sale, Breeding or Possession of Canine Hybrids
- L.D. 1505 Resolve, to Identify Priorities for Public Acquisition of Interests in Land

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

Sincerely,

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

S.C. 205

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

The Following Communication:

**STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS**

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 650 An Act to Accelerate the Amortization of the Maine State Retirement System
- L.D. 932 An Act to Prohibit the Use of Unappropriated Surplus Funds to Balance the Budget

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

Sincerely,

S/Sen. Dana C. Hanley S/Rep. George J. Kerr
Senate Chair House Chair

S.C. 206

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1475 An Act to Promote Efficiency by Health Insurers of Maine

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

Sincerely,

S/Sen. I. Joel Abromson S/Rep. Marc J. Vigue
Senate Chair House Chair

S.C. 207

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 645 An Act Concerning Licensing of Clinical Counselors
- L.D. 903 An Act to Establish a Mobile Home Owners' Bill of Rights
- L.D. 1251 An Act to Regulate the Wholesale Sale of Cigarettes
- L.D. 1277 Resolve, Directing the Department of Professional and Financial Regulation to Review Continuing Education Requirements for Medical Professions
- L.D. 1361 An Act Concerning the Acupuncture Certificate of Licensure Laws
- L.D. 1374 An Act to Increase the Returnable Bottle Fee BY REQUEST
- L.D. 1481 An Act to Amend the Licensure Requirements for Psychologists

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

Sincerely,

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

S.C. 208

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 112 An Act to Require that Notification be Distributed Prior to the Release of a Convicted Child Molester
- L.D. 117 An Act to Require Mandatory HIV Testing for Assailants of Law Enforcement Officers
- L.D. 956 An Act Concerning the Protection of Privacy Data Regarding Sex Offenders
- L.D. 1023 An Act to Waive the Requirement for Background Checks of Those in Current Possession of a Permit to Carry Concealed Weapons
- L.D. 1087 An Act Concerning Concealed Firearms Permits
- L.D. 1409 An Act to Conform the Penalties for Crimes Relating to Reckless Conduct to the Maine Criminal Code
- L.D. 1435 An Act to Enhance the Penalties for Repeat Offenders of the Laws Governing Drinking and Driving
- L.D. 1506 An Act Regarding the Registration and Publication of Residences of Released Persons Convicted of Sexual Abuse of a Minor

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

Sincerely,

S/Sen. John W. Benoit
Senate Chair

S/Rep. Herbert E. Clark
House Chair

S.C. 209

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1414 Resolve, To Permit Aides to Work under the Direct Supervision of Speech Therapists in Public Schools
- L.D. 1425 Resolve, Directing the University of Maine System to Offer Evening and Interactive Television Courses for Students Pursuing a Masters Degree in Communication Disorders

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

Sincerely,

S/Sen. Mary E. Small
Senate Chair

S/Rep. John L. Martin
House Chair

S.C. 210

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 761 An Act to Establish a Lead Poisoning Fund
- L.D. 1139 An Act to Ensure Efficiency in Delivery of Home Health Care Services in Congregate Settings by Eliminating Unnecessary Regulation

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

Sincerely,

S/Sen. Joan M. Pendexter S/Rep. Michael J. Fitzpatrick
Senate Chair House Chair
S.C. 211

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1325 An Act to Allow Statewide Hunting of Upland Game and Migratory Waterfowl on Sundays BY REQUEST

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

Sincerely,

S/Sen. Stephen E. Hall
Senate Chair

S/Rep. Dorothy A. Rotondi
House Chair

S.C. 212

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 19 An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures
- L.D. 161 An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions
- L.D. 514 An Act to Improve the Operation of Prelitigation Screening Panels
- L.D. 643 An Act to Provide Better Information Concerning Tort Reform BY REQUEST
- L.D. 1092 Resolve, Directing the Attorney General's Office to Review the Current Definition and Judicial Interpretation of Harassment
- L.D. 1252 An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act
- L.D. 1321 An Act to Suppress the Release of Medical Records of Persons with Disabilities

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

May 30, 1995

Sincerely,

S/Sen. S. Peter Mills
Senate Chair

S/Rep. Sharon Anglin Treat
House Chair

S.C. 213

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

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 836 An Act to Promote the Beneficial Reuse of Residual Lime
- L.D. 875 An Act to Require the Board of Environmental Protection to Adopt Rules Relating to the Storage of Wood Wastes

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

Sincerely,

S/Sen. Willis A. Lord
Senate Chair

S/Rep. Richard A. Gould
House Chair

S.C. 215

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1373 An Act to Prohibit Fairs from Restricting Simulcasting at Off-track Betting Parlors

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

Sincerely,

S/Sen. Norman K. Ferguson, Jr.
Senate Chair

S/Rep. Guy R. Nadeau
House Chair

S.C. 214

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

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 1328 An Act to Limit the Length of Legislative Sessions
- L.D. 1465 Resolve, Establishing the Task Force on State Government Reorganization

The Following Communication:

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

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

Sincerely,

S/Sen. Jane A. Amero
Senate Chair

S/Rep. Beverly C. Daggett
House Chair

S.C. 216

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

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

The Following Communication:

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

May 30, 1995

The Following Communication:

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

May 30, 1995

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

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

Dear President Butland and Speaker Gwadosky:

Dear President Butland and Speaker Gwadosky:

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

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

- L.D. 70 An Act to Facilitate the Withholding of State Income Taxes from Federal Pensions
- L.D. 114 An Act to Require Indirect Economic Analysis of Tax Expenditures
- L.D. 1202 An Act to Guarantee That Tax Increment Financing Results in Net Gains
- L.D. 1280 An Act to Provide a Tax Credit for Small Businesses Providing Health Insurance Benefits for Employees
- L.D. 1453 An Act to Amend the Taxation System to Alleviate the Property Tax Burden and the Resulting Impact on School Funding

- L.D. 1312 Resolve, to Create the Maine 175th Anniversary of Statehood License Plate
- L.D. 1441 An Act Concerning Abandoned Cars
- L.D. 1446 An Act Promoting Bicycle Safety for Children and Adolescents BY REQUEST
- L.D. 1492 An Act to Authorize Inspection of Truck Weight Records by Maine State Police

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

Sincerely,

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

S.C. 218

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

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

Sincerely,

S/Sen. W. John Hathaway
Senate Chair

S/Rep. Susan E. Dore
House Chair

S.C. 217

The Following Communication:

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

May 30, 1995

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

Dear President Butland and Speaker Gwadosky:

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

- L.D. 627 An Act to Amend the Kennebec Water District Charter by Allowing the Town of Vassalboro and the Town of Benton to have a Permanent Member on the Board of Trustees
- L.D. 883 An Act to Enhance Networking Technology for Public Schools
- L.D. 911 An Act to Protect Existing Utility Service
- L.D. 1050 An Act to Encourage Competitiveness by Public Utilities
- L.D. 1473 An Act to Establish the State Telecommunications Network Coordination Commission
- L.D. 1502 An Act Concerning Municipal Electric Districts and the Development of a Competitive Energy Market

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

Sincerely,

S/Sen. David L. Carpenter S/Rep. Carol A. Kontos
Senate Chair House Chair

S.C. 219

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

The Following Communication:

117TH MAINE LEGISLATURE

May 31, 1995

Senator Stephen E. Hall
Representative Dorothy Rotondi
Chairpersons
Joint Standing Committee on Inland Fisheries and Wildlife
117th Legislature
Augusta, Maine 04333

Dear Senator Hall and Representative Rotondi:

Please be advised that Governor Angus S. King, Jr. has nominated Eric N. Davis of Vinalhaven as a member of the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA Section 7033-A, this nomination will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/Jeffrey H. Butland
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

S.P. 582

Which was READ and referred to the Committee on INLAND FISHERIES AND WILDLIFE.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Improve Bicycle Safety in This State"

S.P. 580 L.D. 1557

Presented by Senator BUSTIN of Kennebec
Cosponsored by Senators: GOLDTHWAIT of Hancock, MCCORMICK of Kennebec, PARADIS of Aroostook, RAND of Cumberland, Representatives: ADAMS of Portland, GREEN of Monmouth, HARTNETT of Freeport, MITCHELL of Vassalboro

Reference to the Committee on TRANSPORTATION suggested and ORDERED PRINTED.

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

Sent down for concurrence.

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator **BENOIT** for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Reduce the Amount of Good Time and Meritorious Good Time Available to Persons Sentenced to Terms of Imprisonment"

S.P. 201 L.D. 544

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-204)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-204) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act to Create the Northern New England Passenger Rail Authority" (Emergency)

S.P. 459 L.D. 1255

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-202)**.

Signed:

Senators:

PARADIS of Aroostook
CASSIDY of Washington

Representatives:

O'GARA of Westbrook
RICKER of Lewiston
BOUFFARD of Lewiston
BAILEY of Township 27
STROUT of Corinth
DRISCOLL of Calais
CHARTRAND of Rockland
FARNUM of South Berwick

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

Signed:

Senator:

STEVENS, JR. of Androscoggin

Representatives:

HEINO of Boothbay
LINDAHL of Northport

Which Reports were **READ**.

On motion by Senator **KIEFFER** of Aroostook, Tabled Unassigned, pending **ACCEPTANCE** of Either Report.

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

An Act to Extend the Workers' Compensation Deficit Evaluation Proceeding (Emergency)

S.P. 579 L.D. 1556
(S "A" S-203)

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

Pending - **ENACTMENT**

(In Senate, May 31, 1995, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-203) WITHOUT REFERENCE TO A COMMITTEE.**)

(In House, May 31, 1995 **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senator 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.

Off Record Remarks

SECOND READERS

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

House

Resolve, Authorizing the Town of Dennysville to Transfer a Certain Parcel of Property
H.P. 1030 L.D. 1449

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

House As Amended

Bill "An Act to Change the State's Air Quality Standard for Ozone to the Federal Standard"
H.P. 199 L.D. 258
(C "A" H-293)

Bill "An Act to Amend the Law Regulating 53-foot Semitrailers"
H.P. 508 L.D. 689
(C "A" H-305)

Bill "An Act to Amend the Motor Vehicle Laws"
H.P. 679 L.D. 930
(C "A" H-306)

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
(C "A" H-308)

Resolve, to Create the Teacher Retirement Advisory Committee
H.P. 761 L.D. 1035
(C "A" H-311)

Bill "An Act to Simplify the Licensure Requirements of the Board of Counseling Professionals Licensure"
H.P. 844 L.D. 1175
(C "A" H-317)

Bill "An Act Concerning Inspection at Sea"
H.P. 929 L.D. 1310
(C "A" H-320)

Bill "An Act to Make Changes to the Public Utilities Laws"
H.P. 1040 L.D. 1459
(C "A" H-307)

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

Senate

Bill "An Act to Transfer Responsibility for Approval of Employee Assistance Programs"
S.P. 350 L.D. 978

Bill "An Act to Preserve Deteriorating and Irreplaceable Historic Battle Flags and Banners"
S.P. 523 L.D. 1421

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Repeal Point-of-sale Fees for Future Disposal of Certain Items"
S.P. 84 L.D. 203
(C "A" S-190)

Bill "An Act to Amend the Laws Regarding Use and Acquisition of State Property"
S.P. 250 L.D. 647
(C "A" S-201)

Bill "An Act to Amend the Continuing Care Retirement Community Law"
S.P. 338 L.D. 919
(C "A" S-194)

Bill "An Act to Amend the Medical Examiner Act"
S.P. 438 L.D. 1206
(C "A" S-198)

Bill "An Act to Promote Long-term Economic Development through the Establishment of the Maine Technology Investment Fund" (Emergency)
S.P. 511 L.D. 1370
(C "A" S-196)

Bill "An Act to Require That Physicians Providing Services from Another State to Patients Located in Maine Be Licensed by the State"
S.P. 534 L.D. 1472
(C "A" S-197)

Bill "An Act to Prohibit the Sale of Firearms to Minors without Parental Approval"
S.P. 550 L.D. 1509
(C "A" S-199)

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

Sent down for concurrence.

Off Record Remarks

HELD BILL

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

Senator KIEFFER: Mr. President, is the Senate in possession of Resolve, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1995 (EMERGENCY) H.P. 1098 L.D. 1542?

THE PRESIDENT: The Chair would answer in the affirmative. The Bill having been held at the request of Senator **LAWRENCE** of York.

On motion by Senator KIEFFER of Aroostook, the Senate RECONSIDERED its action whereby it ADHERED on:

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1995 (EMERGENCY)

H.P. 1098 L.D. 1542

(In House, May 23, 1995, PASSED TO BE ENGROSSED.)

(In Senate, May 25, 1995, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-174), in NON-CONCURRENCE.)

(In House, May 30, 1995, ADHERED.)

(In Senate, May 31, 1995, ADHERED.)

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

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:

An Act to Enable the Department of Corrections to Share Information with Canadian Criminal Justice Agencies

H.P. 846 L.D. 1177

An Act to Expand Eligibility for the Maine Veterans' Homes

H.P. 938 L.D. 1327

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

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

PAPER FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES POSTAL SERVICE TO ISSUE A STAMP HONORING JOSHUA LAWRENCE CHAMBERLAIN

WHEREAS, Joshua Lawrence Chamberlain was a great and noble American from the State of Maine, a Civil War Hero who led the successful charge of the 20th Maine Volunteer Regiment at Little Round Top at Gettysburg, which was said to have turned the tide of the bloody and fearsome battle against the Confederate Army and saved the Northern armies from annihilation; and

WHEREAS, Joshua Lawrence Chamberlain was the Union General who was chosen by Ulysses S. Grant to formally accept the surrender of the Army of Northern Virginia at Appomattox and who ordered his soldiers to salute the vanquished Confederates, at the passing of the armies, who then returned that gesture, returning "honor with honor"; and

WHEREAS, Joshua Lawrence Chamberlain, who was born in Brewer, Maine in 1828 and who was a college professor when he volunteered for service in the 20th Maine Regiment; who was wounded 6 times and cited 4 times for heroism; who was awarded the Congressional Medal of Honor for his courage at Little Round Top; who was promoted to Brigadier General in a rare field promotion by General Ulysses S. Grant at Petersburg, where Chamberlain was so severely wounded that his death was reported in Northern newspapers; who was promoted to Major General; who was Governor of Maine for 4 terms; who was President of Bowdoin College; and who was admired by friend and foe alike for his great character, independence and vision; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully recommend and urge the United States Postal Service to issue a stamp honoring Joshua Lawrence Chamberlain; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each member of the Maine Congressional Delegation and to the Postmaster General of the United States Postal Service.

H.P. 1106

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

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

PAPER FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

**JOINT RESOLUTION RECOGNIZING THE PORTSMOUTH
NAVAL SHIPYARD AT KITTERY, MAINE**

WHEREAS, more than 3 centuries ago along the banks of the Piscataqua River, our nation's earliest settlers began chopping down trees and perfecting their skill at building ships; and

WHEREAS, from the construction of the frigate HMS Falkland for the Royal Navy in 1690 to present day overhauling of Los Angeles Class submarines, the tradition of building ships continues along the Piscataqua River at the Portsmouth Naval Shipyard at Kittery, Maine; and

WHEREAS, the Portsmouth Naval Shipyard at Kittery, Maine has provided an opportunity to generations of shipyard workers to practice their craftsmanship and develop the skills that have played a key role in the nation's defense for nearly 200 years; and

WHEREAS, due to the shipyard's continued modernization of its facilities and the technological expertise of its workforce, it has remained the premier facility for the repair and maintenance of submarines, which are the backbone of the fleet of the United States Navy; and

WHEREAS, June 2nd and 3rd will be observed as Portsmouth Naval Shipyard Days; now, therefore, be it

RESOLVED: That We, the members of the 117th Legislature of the State of Maine, now assembled in the First Regular Session, take this opportunity to commend all of the shipyard's workforce who remain second to none in the repair and modernization of submarines and offer our support for continued success in serving the United States Navy; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Commander Carl Strawbridge and to each member of the Maine Congressional Delegation.

H.P. 1114

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

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

Off Record Remarks

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

Senate at Ease

Senate called to order by the President.

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

On motion by Senator **CARPENTER** of York, **RECESSED** until 11:15 o'clock in the morning.

After Recess

Senate called to order by the President.

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

PAPER FROM THE HOUSE

Joint Order

The following Joint Order:

ORDERED, the Senate concurring, that Bill, "An Act to Amend the Kennebec Water District Charter by Allowing the Town of Vassalboro and the Town of Benton to have a Permanent Member on the Board of Trustees," H.P. 461, L.D. 627, and all its accompanying papers, be recalled from the Legislative Files to the House.

H.P. 1115

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

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

Off Record Remarks

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **FAIRCLOTH** of Penobscot, **ADJOURNED** until Monday, June 5, 1995, at 9 o'clock in the morning.