

# MAINE STATE LEGISLATURE

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**Senate Legislative Record**  
**One Hundred and Eighteenth Legislature**  
**State of Maine**

**Volume 2**

**First Special Session (Continued)**  
**May 20, 1997 to June 20, 1997**

**First Confirmation Session**  
**October 6, 1997**

**Second Regular Session**  
**January 7, 1998 to March 24, 1998**

**Pages 981 - 1977**

**STATE OF MAINE  
ONE HUNDRED AND EIGHTEENTH LEGISLATURE  
FIRST SPECIAL SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Friday  
May 30, 1997

Senate Called to Order by the President, Mark W. Lawrence of York.

Prayer by Reverend Bruce Felt of the Augusta Baptist Church in Augusta.

**REVEREND BRUCE FELT:** Our Father in Heaven, we give You thanks for the gift of life and the day we enter by Your grace. Give to Your servants in this Senate strength for their work, patience in the midst of difficulty, wisdom for hard decisions, and pure motives as they work to conclude Legislative business for our State. May each one know that they are of great value to You and that their work is worthwhile. Support them with Your love and power today. Through Jesus Christ our Lord, Amen.

Doctor of the Day, Ira W. Stockwell, D.O., Westbrook.

Reading of the Journal of Thursday, May 29, 1997.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Improve Transportation in Maine"  
S.P. 584 L.D. 1747  
(C "A" S-330)

In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-330).**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-330) AS AMENDED BY HOUSE AMENDMENT "B" (H-730)** thereto, in **NON-CONCURRENCE.**

On motion by Senator **PINGREE** of Knox, the Senate **RECEDED** and **CONCURRED.**

Off Record Remarks

**ENACTORS**

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

An Act to Clarify the Charitable Status of Nonprofit Hospital and Medical Service Organizations, to Permit Their Creation of Health Insurance Affiliates and Their Conversion to Stock Insurers and to Ensure Regulatory Equity

H.P. 1306 L.D. 1849  
(C "A" H-701)

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

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 Extend the Jurisdiction of the Maine Labor Relations Board to Employees of Public Higher Education Institutions Who Have Been Employed Fewer Than 6 Months

H.P. 123 L.D. 147  
(C "A" H-657)

An Act to Remove Restrictions on Items that May Be Auctioned by Public Broadcasting Stations

H.P. 953 L.D. 1316  
(C "A" H-270; S "A" S-190)

An Act to Improve the Administration of Animal Welfare Law

H.P. 982 L.D. 1362  
(C "A" H-492; H "A" H-717)

An Act to Amend the Site Location of Development Laws

H.P. 1065 L.D. 1503  
(C "A" H-609)

An Act to Improve the State's Child Support Enforcement and Overpayment Recovery Laws

H.P. 1289 L.D. 1834  
(C "A" H-700; S "A" S-339)

An Act to Amend the Insurance Premium Tax for Certain Large Domestic Insurers

H.P. 1336 L.D. 1885

An Act to Provide Warranty Reimbursement Protection for Retailers

H.P. 1340 L.D. 1889

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

An Act to Improve the State's Democracy by Increasing Access to the Ballot and Other Election Processes

S.P. 428 L.D. 1376  
(C "A" S-210)

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

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**Emergency**

An Act to Regulate Personal Sports Mobile Franchises  
H.P. 964 L.D. 1327  
(H "A" H-628; H "B"  
H-655; H "C" H-705  
to C "A" H-503)

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

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**Emergency**

An Act to Streamline Licensing and Reporting Requirements and Reduce Regulatory Burdens for Licensed Insurance Professionals and Insurers  
S.P. 535 L.D. 1640  
(C "A" S-313)

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

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**Emergency**

An Act to Establish Family Development Accounts  
H.P. 1216 L.D. 1716  
(C "A" H-704)

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

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**Resolve**

Resolve, Directing the Commissioner of Transportation to Propose an Adopt-A-Highway Program S.P. 556 L.D. 1682

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

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**Emergency Resolve**

Resolve, to Establish 2 Pilot Projects to Promote Innovations in and Improve Long-term Care  
S.P. 558 L.D. 1684  
(H "A" H-708 to C "A"  
S-256)

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**.

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

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

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Provide for Removal of a State Auditor Who Fails to Meet the Statutory Qualifications for the Office"  
S.P. 440 L.D. 1414  
(C "A" S-279)

In Senate, May 28, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-279)**.

Comes from the House, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Senator **PINGREE** of Knox moved the Senate **RECEDE** and **CONCUR**.

Senator **HARRIMAN** of Cumberland requested a Division.

On motion by Senator **PINGREE** of Knox, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: CAREY, CATHCART,  
LAFOUNTAIN, MICHAUD, O'GARA, PARADIS,  
PENDLETON, PINGREE, RAND, TREAT, THE  
PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT,  
BENOIT, BUTLAND, CASSIDY, FERGUSON,  
GOLDTHWAIT, HALL, HARRIMAN, KIEFFER,  
LIBBY, LONGLEY, MACKINNON, MILLS,  
MITCHELL, NUTTING

ABSENT: Senators: CLEVELAND, DAGGETT, JENKINS,  
KILKELLY, MURRAY, RUHLIN, SMALL

11 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 7 Senators being absent, the motion by Senator **PINGREE** of Knox to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **HARRIMAN** of Cumberland, the Senate **INSISTED**.

Sent down for concurrence.

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

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Off Record Remarks

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Senate at Ease

Senate called to order by the President.

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### ORDERS OF THE DAY

#### Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (5/29/97) Assigned matter:

JOINT ORDER - relative to establishing the Joint Select Committee to Oversee Maine Yankee Atomic Power Company  
H.P. 1345

Tabled - May 29, 1997, by Senator **PINGREE** of Knox.

Pending - **PASSAGE**

(In House, May 29, 1997, **READ** and **PASSED**.)

(In Senate, May 29, 1997, **READ**.)

On motion by Senator **CAREY** of Kennebec, Senate Amendment "A" (S-347) **READ**.

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

Senator **CAREY:** Thank you Mr. President, members of the Senate. The Joint Order originally called for a new committee of seven people and this amendment wipes that out. This is on the Maine Yankee's continuing study and it would have the Utility Committee do the work. We realize that there is a shortage of funds and that the Legislative Council has, in fact, limited the amount of money that could be spent on it and the Utility Committee is in agreement with that. We would also, then have a subcommittee of the Utility Committee do the work and report when its work is done to the full Committee, so that we can come back to the Legislature with any information that we can gather, realizing that much of the information that Maine Yankee is going through is going to be rather confidential. Thank you Mr. President.

On motion by Senator **AMERO** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **CAREY** of Kennebec to **ADOPT** Senate Amendment "A" (S-347).

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Off Record Remarks

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Senate at Ease

Senate called to order by the President.

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Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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

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Off Record Remarks

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On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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Off Record Remarks

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Senate at Ease

Senate called to order by the President.

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Off Record Remarks

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Senate at Ease

Senate called to order by the President.

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### ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (5/29/97) Assigned matter:

Bill "An Act Regarding Health and the Prevention of Smoking"  
H.P. 1338 L.D. 1887  
(H "C" H-723)

Tabled - May 29, 1997, by Senator **PINGREE** of Knox.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**,  
in concurrence

(In House, May 28, 1997, **PASSED TO BE ENGROSSED AS  
AMENDED BY HOUSE AMENDMENT "C" (H-723).**)

(In Senate, May 29, 1997, **READ A SECOND TIME.**)

On motion by Senator **MILLS** of Somerset, the Senate  
**SUSPENDED THE RULES.**

On further motion by same Senator, the Senate  
**RECONSIDERED** whereby it **ADOPTED** House Amendment "C"  
(H-723).

On further motion by same Senator, Senate Amendment "A"  
(S-349) to House Amendment "C" (H-723) **READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from  
Somerset, Senator Mills.

Senator **MILLS:** Mr. President and men and women of the  
Senate, thank you. The proposed amendment, you may recall  
that the bill in its form with House Amendment "C" appended to it,  
would represent a 37 cent tax on every package of cigarettes,  
that is an increment of 37 cents and, as a matter of interest, that  
also generates an increase in the sales tax. As you may recall,  
our sales tax is superimposed on the final price of the product so  
that when you increase an excise tax that is part of the price of  
the product, you also increase the sales tax revenue by 6% of the  
increase in the excise tax. Both of those elements are reflected  
in the fiscal information that is provided with the bill. The  
amendment, both House Amendment "C" and my amendment to  
it, both address what disposition to make of the funds that are  
generated. The Fiscal Office projects that a 37 cent tax will  
generate approximately \$30.8 million in the second full year, the  
first full year that it will be in effect which is the second year of the  
biennium. So it's an annual revenue producer of just under \$31  
million. Both versions deal in the first instance with how to fund a  
smoking cessation program and how much to allocate to such a  
program. In the amendment that I lay before you, I am proposing  
that we spend \$2.9 million per year, or just under \$6 million per  
biennium on such a program. I am informed that the media  
portion of that program which is one element that practically  
everyone seems to agree on, would cost on the order of \$1.6  
million per year. That is money spent beyond that would  
probably constitute a super saturation, or an unnecessary  
saturation, of the media market, but a program that would be  
funded at a level of \$1.6 million would do a very adequate job of  
circulating to the public and revealing to the public these rather  
phenomenal video ads that are available to us virtually free of  
charge from the other states that have spent tens of thousands of  
dollars in development costs to produce them. And so it seems a  
shame for us not to spend some amount of money to give  
circulation to these products that are so readily available to us.  
The other \$1.3 million per year would be allocated to the  
Department of Human Services to do field work in smoking  
cessation along lines that are very similar to what was proposed  
in the original bill.

Now, how would the amendment that's before you dispose of  
the other revenue? And that's the key here. We have presently

a low cost drug program for elderly folks with only a few diseases  
that receive any honorable mention as being qualified for  
disposition or for participation in the program. The bill that I lay  
before you would add certain diseases that many of us would  
recognize, but I think would be surprised to know, are not  
covered by our present Low Cost Drug Program. They are  
Multiple Sclerosis, Parkinson's Disease, Thyroid, Glaucoma and  
bone density loss treatments. By adding these five rather  
notorious diseases to the current program, it will cost only  
\$330,000 per year. This is a program that is partially subsidized  
by the pharmaceutical manufacturers and it has a co-pay  
provision so that the participant actually pays, I think it is \$2 per  
prescription to participate. This is in place of creating a rather  
large and wholly new effort to create a Medicaid-funded program  
that is outlined in the original bill.

The other element of this bill is a \$4.1 million cost that would  
be associated with raising the federal, the Medicaid eligibility  
criteria for coverage for children. On the yellow sheet that was  
handed out to you earlier, there's a thorough outline of our  
current program. The proposed amendment here would simply  
raise the family income eligibility requirements to an even 150%  
of poverty. So that we don't have the situation that we have now  
where we have in some families, the older children are not  
covered even though the children under 6 are covered. And you  
have a rather, I think, awkward difficulty in administration of the  
program so that the proposal before you would elevate the  
eligibility slightly to a level of 150% and make it uniform for all  
children over 1 year old. My own sense is that the elevated  
above that as the bill itself proposes, that is to go to 185% of  
poverty, would get you into a category where many people might  
elect to take public assistance in preference to the group health  
insurance that is more commonly available at those income  
levels. And this would represent a public erosion of the private  
efforts that are already in place.

The final and fourth element involved in the spending side of  
this amendment is to add \$5.1 million per year to the Circuit  
Breaker Program by expanding eligibilities at lower income  
levels, so that both more people would be qualified for Circuit  
Breaker assistance and those who do qualify would be entitled to  
a somewhat larger benefit. The details of the formula are spelled  
out in the bill. Leftover in residual is about \$19 million that is not  
spent by this amendment and would, as I understand it, flow into  
surplus and be available in the General Fund. That's the  
amendment in outline and thank you for your attention.

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

Senator **LONGLEY:** Thank you very much Mr. President,  
colleagues in the Senate. I applaud the efforts of my colleague  
from Somerset County, Senator Mills, but in Politics 101, about  
Chapter 3, is usually about coalition building and bringing in all  
the parties. And, absent the Governor's interest in any  
healthcare whatsoever, I will be voting against this motion right  
now because we just haven't accomplished our task of building a  
coalition that can make anything related to healthcare happen.  
Thank you.

The Chair ordered a Division. 1 Senator having voted in the  
affirmative and 16 Senators having voted in the negative, the  
motion by Senator **MILLS** of Somerset to **ADOPT** Senate  
Amendment "A" (S-349) to House Amendment "C" (H-723),  
**FAILED.**

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ADOPTION** of House Amendment "C" (H-723), in concurrence.

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Senate at Ease

Senate called to order by the President.

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The Chair laid before the Senate the following Tabled and Later (5/19/97) Assigned matter:

SENATE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Amend the Off-track Betting Laws as They Pertain to Reduced Payments for Small Market Licensees" S.P. 188 L.D. 606

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-258)** (4 members)

Tabled - May 19, 1997, by Senator **DAGGETT** of Kennebec.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, May 19, 1997, Reports **READ**.)

Senator **DAGGETT** of Kennebec moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President, could I ask for anyone who might care to answer to have a brief explanation of what the Minority report would do?

**THE PRESIDENT:** The Senator from Somerset, Senator Mills poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator Daggett.

Senator **DAGGETT:** Thank you Mr. President. The bill in front of us deals with off-track betting laws and the Minority report, as amended by Committee Amendment "A", has a series of payments that would allow for reduced payments to off-track betting, from off-track betting parlors depending on the amount of money they raised.

On motion by Senator **CASSIDY** of Washington, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

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

Senator **DAGGETT:** Thank you Mr. President. I hope that the Senate will vote to accept the Minority report so that we can then amend the bill, to send forth a bill that will be more

appropriate. I'll be glad to speak to that at the time, but I do hope that we will accept this Minority report.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: **CAREY, CATHCART, CLEVELAND, DAGGETT, JENKINS, KIEFFER, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

**NAYS:** Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CASSIDY, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, LIBBY, MACKINNON, MILLS, MITCHELL**

**ABSENT:** Senator: **RUHLIN**

Senator **BENNETT** of Oxford requested and received leave of the Senate to change his vote from YEA to NAY.

Senator **ABROMSON** of Cumberland requested and received leave of the Senate to change his vote from YEA to NAY.

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **DAGGETT** of Kennebec to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-258) **READ**.

On motion by Senator **DAGGETT** of Kennebec, Committee Amendment "A" (S-258) **INDEFINITELY POSTPONED**.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **DAGGETT** of Kennebec, Senate Amendment "A" (S-348) **READ**.

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

Senator **SMALL:** Thank you Mr. President. I hope we will defeat Senate Amendment "A". What this does is basically take care of off-track betting parlors that are in financial difficulty in one part of the state and exclude another off-track betting parlor in another part of the state that is also facing financial difficulty. The whole point of lowering the fees that they pay in was the idea that, well, better to receive some money from these off-track betting parlors than to have them go out of business and then the state receives no money instead of getting all the money, a sliding scale, according to how much you take in. This will narrow it down to just a couple of off-track betting parlors and I don't think that that's fair. I think if we're going to do a policy for

off-track betting parlors in one part of the state then those guidelines should be available for all off-track betting parlors across the state, so I would move indefinite postponement of this amendment and I request a roll call.

Senator **SMALL** of Sagadahoc moved to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-348).

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you Mr. President, men and women of the Senate. Mr. President, as I recall the history of this legislation, two years ago we were concerned about two off-track betting parlors located in Aroostook County that were in smaller communities and had difficulty paying the state the state's share of the revenues from their activities and one of the reasons they had difficulty was because they were serving a relatively low-density population area. My understanding of current law is that the state relieved these two establishments from any obligation to pay a major fraction of their revenues over to the state coffers. We did it in the first instance on an experimental basis with a sunset. A year or so ago we passed a law that repealed the sunset so that these entities that we had in mind that were in existence as of April 1st of 1995 would have a perpetual entitlement to retain these revenues that have to be paid by other establishments that are more profitable and are doing better. I also understand that one of these establishments has since ceased doing business, the one in Madawaska, and that there is only one such establishment remaining that has any continuing entitlement to this preference. If I understand the floor amendment that's being offered at this juncture, it consists of repealing the phrase "January 1, 1995" and inserting in its place the date, "April 1, 1997" with what I assume to be the intention of capturing as eligible for this program all such establishments that were in existence still on April 1, 1997, which I would take to mean the one remaining establishment in Aroostook County. My question for anyone who may have the ability to respond is, what other establishments would be captured by changing the date in the fashion that is proposed by the amendment just recently offered?

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

Senator **FERGUSON:** Thank you very much, Mr. President. It is my understanding that there is an off-track betting facility in Bath that would be able to take advantage of the Minority report but they would not be able to take advantage of the amendment.

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

Senator **DAGGETT:** Thank you Mr. President and members of the Senate. I'd like to back up just a moment to talk about the issue of off-track betting. Having been on the Committee that originally set up the law that established off-track betting, I'd just like to remind members that this was set up as a mechanism to help preserve and enhance the harness-racing industry. That

was one of the reasons for doing this in the first place. As we set up legislation and move forward, sometimes we find it's necessary to make certain kinds of adjustments for certain reasons and several years ago an additional adjustment was made in the off-track betting laws. That was to allow certain facilities that were in an area, a geographical area of the state that did not have the same size market area that other geographic areas had access to, and that is the northern part of the state. There simply is not the population in that area to support the original numbers that were necessary to have an off-track betting facility. So there was an exception made. I think it was an appropriate exception. Unfortunately, what happened was when that law was written the exception was tied in the law to the license and the license then changed to someone else and it meant that the law no longer applied there. Now when this issue came in front of the Committee, there was quite a lot of discussion as to how to preserve that and how to deal with it. There were concerns about the way the legislation was written. There were a number of issues that were raised in front of the Committee and frankly there was quite a lot of discussion. The amendment that has been indefinitely postponed rewrote the off-track betting percentages so that it could be applied to the entire state and, in fact, would be devastating to the industry. The industry would then be subsidizing and could be subsidizing off-track betting parlors in all parts of the state. There was never, never any assumption that an off-track betting parlor could support itself if there were one in every community. These are business decisions and it's unfortunate that, or fortunate, depending on your point of view, but there simply is not the kind of activity, there are not the numbers, there's not the population here to support an off-track betting facility everywhere. So in the discussions with the Committee, I was on the Ought Not to Pass because it was of concern to me that the off-track betting piece not be opened up for the entire state, so that the industry, in fact, subsidized what was going on. These are private businesses. However, when there's a small geographic area, I do not think it's inappropriate to make an exception for geography and market areas and that's what it did. And in fact, the amendment that is in front of you does continue, that's all it does is continue, a policy that was set by the Legislature a couple of years ago, and I think that policy was meant to stay in place. I think there are appropriate reasons for that to stay in place, and I hope that you will support the amendment that's in front of you now, because it is healthy and the best for our harness-racing industry. Thank you very much.

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

Senator **FERGUSON:** Thank you very much, Mr. President, ladies and gentlemen of the Senate. The amendment which we have before us now is an amendment where we're going to have to pick and choose who survives in business. I personally don't like to be in that position and I also signed on the Ought Not to Pass committee report which would have reverted back to the original legislation that we had before we put this legislation in two years ago to support these, or to make it viable for these off-track betting parlors in Aroostook County. I did support that legislation at that time, but I think probably we were wrong in doing it in hindsight. So what I would urge the Senate to do is defeat this amendment and give the operator in Bath an opportunity to survive and he would survive, possibly, at the reduced amount. I would urge the Senate to vote against, as a



matter of fairness, basic fairness, to vote against this amendment. Thank you ladies and gentlemen.

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

Senator **SMALL:** Thank you Mr. President. May I pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose her question.

Senator **SMALL:** If this is indeed a geographic amendment that applies to geography and off-track betting parlors where there's less population to support them, would this amendment enable someone in, say, rural western Maine or eastern Maine to start an off-track betting parlor and be able to come under these reduced rates?

**THE PRESIDENT:** The Senator from Sagadahoc, Senator Small poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator Daggett.

Senator **DAGGETT:** Thank you Mr. President. The language in the law is that it would affect those that have a market area, a market area, with a population of less than 50,000 and there is no reference to the northern part of the state or any other part. It is defined as a market area, actually as described in section 275D, subsection 4, with a population of "less than 50,000."

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

Senator **PARADIS:** Thank you Mr. President, men and women of the Senate. I would urge your support for this issue because this is long-term, and I appreciated the history that people have provided. Indeed, there are circumstances that are always beyond our control. When the original off-track betting parlor owners decided to go into that business in the County, they found out shortly after that there were many things that changed that caused them to have major, major problems. We did lose the Madawaska one because this original legislation took literally a long, long time and it took us so long to get it through that we lost one in the meantime. What is wonderful about this is the fact that all the players came together on this issue and they came together on a very narrow, specific rule which is to allow this basic geography, and so it was a wonderful thing because everybody knew that if they insisted on having the same standard statewide that they would lose every dime. They would not get a dime from this operation. This way we have a possibility of allowing this business to survive and that's why it's very, very important and I urge your support. Thank you.

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

Senator **SMALL:** Thank you Mr. President. I'd like to pose another question through the Chair.

**THE PRESIDENT:** The Senator may pose her question.

Senator **SMALL:** Thank you Mr. President. I'm confused because I see here in the amendment a line that says "strikes out January 1, 1995 and puts in April 1, 1997." Could I please have explained to me what that language does?

**THE PRESIDENT:** The Senator from Sagadahoc, Senator Small poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator Daggett.

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

Senator **DAGGETT:** Thank you Mr. President, men and women of the Senate. I would be happy to read the bill and substitute that language and here it is. "Eligible Licensees. This section grants reduced payments to licensees of Off-track Betting facilities that were licensed and open for business before April 1, 1997, and that have a market area as described in section 275D, subsection 4, with a population of less than 50,000." To the best of my ability, that is substituting the phrase "April 1, 1997," amending that into the bill.

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

Senator **KIEFFER:** Thank you Mr. President, ladies and gentlemen of the Senate. Many of us were here two years ago when this legislation was introduced and it was quite specific to two off-track betting parlors, one located in Madawaska and the other in Presque Isle. I think what we did then has showed the correctness of what we did because one of the parlors in northern Maine, even though we did reduce the requirement of them, has also since gone bankrupt. I believe that the other facility that is left in Presque Isle has had some difficult times, but they recently moved to a new location. I believe it is far to their advantage as to what they did have before, and I believe they are entitled to an opportunity to continue a venture that they have invested a lot of money in. I also feel strongly that if the same set of circumstances applies in any other location in the state, where these off-track betting parlors are fairly new by time standards, I believe we should be flexible enough to make some changes wherever they are located and that would be the position I would have. It doesn't matter to me if it were located in Kittery or Fort Kent or Norway, my position on it would be the same. If this bill requires additional changes, so be it, but I still have to support the provision that does allow some flexibility in applying this law. Thank you Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you Mr. President. If I could pose a question through the Chair, another one.

**THE PRESIDENT:** The Senator may pose his question.

Senator **MILLS:** Thank you Mr. President. Exactly what facilities and where are they that would be specifically covered by this amendment that's being proposed? We're talking about adding, I take it, as eligible participants in this reduced commission program a certain number of licensees who came

into existence between January 1, 1995 and April 1, 1997. I have to assume that's a relatively small, finite number and I have to assume that someone in this Chamber knows exactly who they are and where they are located and what the reason is for this amendment in tangible, practical terms. That's my question.

**THE PRESIDENT:** The Senator from Somerset, Senator Mills poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Oxford, Senator Ferguson.

Senator **FERGUSON:** Thank you very much, Mr. President. I'll attempt to answer this. There's two betting parlors being affected here by this amendment. One is located in Presque Isle and the other one in Bath. We did accept the Minority report. If we stop right there, both will be covered, both will continue to operate. If we adopt the amendment, Amendment "A", the one in Bath will not be able to continue operating because they don't meet the proper date. The one in Presque Isle would be able to operate. That's why I am suggesting that we defeat the amendment. Let the one in Bath continue to operate. They'll both be able to continue to operate. It's the only fair thing to do at this particular time.

**THE PRESIDENT:** The Senator from Oxford, Senator Ferguson, requests unanimous consent of the Senate to address the Senate a third time on this matter. The Senator may proceed.

Senator **FERGUSON:** Thank you Mr. President. I thought I was only responding to a question rather than being charged for a speech.

**THE PRESIDENT:** Clearly the Chair has a different interpretation.

Senator **FERGUSON:** Well, I'm sure your interpretation is the correct one, Mr. President, so I'll sit down. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Small, who requests unanimous consent of the Senate to address the Senate a fourth time on this question. The Senator may proceed.

Senator **SMALL:** Thank you Mr. President, men and women of the Senate. I, too, am answering a question but unfortunately it's a question I posed earlier when I asked whether or not an off-track betting parlor that was created next year in rural western Maine, would be taken care of by this language, this amendment, and the answer is because of that date, "No." It only is for licensees that have already had their license and have been in operation, so that means that there's only one that this will be helping. I just feel that when we set policy here in the Legislature, we should try to set policy that takes care of all parts of the state, that doesn't single out individuals and make judgments on it that way, so, you know, if this one took care of all of the rural off-track betting parlors, then at least that might have some credibility as far as not being self-serving to just one area. But if you're going to not only limit it to what the size population is, but when you came into existence and that's retroactive, then I just don't think that that's something that is fair and prudent for us to pass. So, I hope you will go ahead and defeat this amendment and then, as the good Senator from Aroostook,

Senator Kieffer, said, the original bill would take care of the off-track betting parlor in his area which I absolutely, wholeheartedly support. I just don't support doing that at the exclusion of others that are in equally distressed situations. Thank you.

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

Senator **MICHAUD:** Thank you Mr. President. I hope that you support Senator Daggett's amendment. I was on the Legal and Veterans Affairs Committee when we had dealt with this issue a couple of years ago and what the Committee had done was, as has been stated earlier, it was very narrowly defined to take care of two off-track betting parlors, one in Madawaska, one in Presque Isle, and the industry supported that. They were all behind that, taking care of those two, because if they went under then the industry would lose money. By the time we finally got that bill through the legislative process and implemented, the one in Madawaska went under. Since then what has happened is the one in Presque Isle where the partnership had broken up, the Attorney General's office interprets the language we put in the law about licensees as changed. So granted, the good Senator Mills has mentioned, they had been receiving this benefit. They received it for a very few short months because the Attorney General's office said that they no longer qualified, because the management had changed at Champs in Presque Isle. There's a big difference, when you look at off track betting parlors around the state. There's only one up north. I sympathize with the one in Bath. However, the industry does not support that because what you have is, you have one in Bath, you have one in Brunswick, you have one in Waterville, you have one in Lewiston, you have one in Scarborough. They're all clustered together and clearly, they cannot deal with that many in such a small area. There's only one up north, one in Presque Isle. And because the language, and we voted it out and the Legislature passed it a couple of years ago in the Legal and Veterans Affairs Committee, the Attorney General ruled that they no longer qualify because of a quirk in that language. This bill was submitted this year to try to address that issue. We did not want to open it up to any more parlors. We wanted to correct an error that had occurred and the industry did support the Presque Isle issue and, to the best of my knowledge, they still do. They do not support opening it up to everyone because when you open it up further, the industry will lose. The reason why they supported it for Presque Isle and Madawaska at that time, it was only those two and they thought it very important because when the economy started going down and the Canadian dollar, that had a drastic effect. So I hope that you would support the good Senator from Kennebec, Senator Daggett's amendment so we could move forward, and the facility up in Presque Isle can hopefully continue to operate.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: AMERO, BENOIT, BUTLAND, CASSIDY, FERGUSON, GOLDTHWAIT, LIBBY, LONGLEY, MACKINNON, MILLS, SMALL

**NAYS:** Senators: ABROMSON, BENNETT, CAREY, CATHCART, CLEVELAND, DAGGETT, HALL, HARRIMAN, JENKINS, KIEFFER, KILKELLY, LAFOUNTAIN, MICHAUD, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

Senator **AMERO** of Cumberland requested and received leave of the Senate to change her vote from NAY to YEA.

Senator **HALL** of Piscataquis requested and received leave of the Senate to change his vote from YEA to NAY.

Senator **KIEFFER** of Aroostook requested and received leave of the Senate to change his vote from YEA to NAY.

Senator **MITCHELL** of Penobscot requested and received leave of the Senate to change her vote from YEA to NAY.

11 Senators having voted in the affirmative and 24 Senators having voted in the negative, the motion by Senator **SMALL** of Sagadahoc to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-348) **FAILED**.

On motion by Senator **DAGGETT** of Kennebec, Senate Amendment "A" (S-348) **ADOPTED**.

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

Sent down for concurrence.

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

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The Chair laid before the Senate the following Tabled and Later (5/28/97) Assigned matter:

Bill "An Act to Regulate the Use of Personal Watercraft"  
S.P. 137 L.D. 416  
(C "A" S-311)

Tabled - May 28, 1997, by Senator **PINGREE** of Knox.

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-311) AS AMENDED BY HOUSE AMENDMENT "A" (H-689) AND SENATE AMENDMENT "A" (S-338)** thereto, in **NON-CONCURRENCE** (Roll Call Ordered)

(In Senate, May 23, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-311)**.)

(In House, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-311) AS AMENDED BY HOUSE AMENDMENT "A" (H-689)** thereto, in **NON-CONCURRENCE**.)

(In Senate, May 28, 1997, on motion by Senator **HALL** of Piscataquis, **RECEDED** from **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-311)**. **RECEDED** from **ADOPTION OF COMMITTEE AMENDMENT "A" (S-311)**. House Amendment "A" (H-689) to Committee Amendment "A" (S-311) **READ** and **ADOPTED**, in concurrence. Senate Amendment "A" (S-338) to Committee Amendment "A" (S-311) **READ**. Motion by Senator **KILKELLY** of Lincoln to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-338) to Committee Amendment "A" (S-311), **FAILED**. Subsequently, Senate Amendment "A" (S-338) to Committee Amendment "A" (S-311), **ADOPTED**.)

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

Senator **LONGLEY:** Thank you Mr. President. Having voted on the prevailing side, I move the Senate reconsider its action whereby it failed to indefinitely postpone Senate Amendment "A" to Committee Amendment "A".

Senator **LONGLEY** of Waldo moved to **SUSPEND THE RULES** for the purpose of **RECONSIDERATION**.

At the request of Senator **AMERO** of Cumberland a Division was had. 20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **LONGLEY** of Waldo to **SUSPEND THE RULES** for the purpose of **RECONSIDERATION**, **FAILED**.

Senator **KILKELLY** of Lincoln moved to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers.

Senator **AMERO** of Cumberland requested a Division.

On motion by Senator **KILKELLY** of Lincoln, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, ladies and gentlemen of the Senate. No one would be any happier to get rid of this bill and get on with my life. I've been dealing with this for over two years, but I do feel that we need to do something. I have had probably 200 letters and phone calls in that two-year period of time from people who want something done. I know we haven't done enough in this L.D. to satisfy everybody but it is a start. It is an enforcement tool. It will help these people who despise personal watercraft, but it does not hinder those who love to operate them. You are going to see more of these on our waters in the future, guaranteed. The industry is making them quieter. We need to give them a little time. They've come a long way. They're doing their own training courses when they sell one of these to an individual, but I do think we need to do something. And I think this bill is in the right direction. We have watered it down some. I know all of you obviously are not happy or you wouldn't be trying to kill it. I don't really think you mean to kill it, though. You're going to be back with it again next year on another bill that's been held over. Now you can pretty well take care of most of that or it will be taken care of very shortly if we

pass this L.D. If you kill this L.D., I guarantee you next April you're going to be talking about this for at least three weeks. Do yourselves a favor and vote against the pending motion and let's put this thing down, pass it and move on. Thank you.

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

Senator **KILKELLY:** Thank you Mr. President, men and women of the Senate. I can only concur with Senator Hall that I think we probably both will be very happy to have this issue behind us. And I also agree that actually, whether this bill lives or dies, we will be back dealing with this issue in January. I think there's no question about that. My concern is that doing something and doing something well and doing something reasonable are not all the same things. There are technical issues right now with the two amendments that we've accepted. The bill is unengrossable as it stands. There's also the issue of enforcement. Having served on the Inland Fisheries and Wildlife Committee for the first time and having a much better understanding about the ability of Game Wardens, and I use that term almost in quotes, because the poor folks that we call Game Wardens have little time to enforce game laws because they're enforcing snowmobile laws and boating laws and ATV laws and lots of other things. Their ability to take on enforcement in this situation is not there if we're going to have them do any kind of enforcement on fish and game issues. One of the amendments that's been adopted to this bill, from the other body, includes coastal waters. I have had people talk to me that were interested in coastal issues who expressed the same concern in terms of the Marine Patrol wardens, that they don't have the time or the manpower or capacity to, in fact, do this enforcement. We are going to be back on this issue in January, there isn't any question about that.

We have the Great Ponds Task Force bill that's still before us. We have a number of issues that need to be addressed in terms of personal watercraft. This bill came out of Committee as a unanimous report. It was, in fact, reported to this body by Senator Hall and it has been through the mill since then. We struggled with this issue for days. We worked very hard to do what we thought was finding common ground, to find some issues that we could all agree on that, in fact, were reasonable, that did provide an opportunity for folks who had complaints to deal with those complaints, to not completely tie up our patrol whether it's Marine Patrol or Inland Fisheries and Wildlife enforcement staff, in order to deal with this issue. We looked at some very, very minor kinds of changes. Obviously those changes are not acceptable to the bodies. My concern is that if we pass this bill in its current form, aside from the technical issue that it is unengrossable, that we are going to be really encumbering our enforcement people and we are going to be causing more complaints than we're going to be resolving. I'm concerned about that happening.

I think we do need to deal with personal watercraft. I think we do need to come up with some reasonable standards that looks at the age of operation, that looks at the kinds of behavior that we consider not acceptable, that provides enforcement capacity and provides an opportunity for people to express their concerns. The education piece that's been referred to is going to happen anyway. It's already happening now. The warden service will, in fact, when they're checking personal watercraft, be asking the question, "Have you participated in an education program?" The Committee will get that information. We will still have that part of

the bill even though it won't be in statute. We will have that information when we have an opportunity in January to look at the aspects of the Great Ponds Task Force. Granted, it's in another Committee but dealing with personal watercraft.

So, I think that many of the agreements that we've reached that are, in fact, included in this bill are things that we can accomplish. It's information that will be gathered. It's information that will come back to us. I think it would be a complete fantasy to think that passing this bill will avoid this discussion in January. It's my concern that when we do discuss this in January, and I believe we will one way or the other, that we have the discussion in January with the information that we need and with as little muddying as we possibly can get. I do believe that this bill in its current form would, in fact, muddy the waters more than clear it. So I would urge you to indefinitely postpone it, knowing that the education piece is happening regardless of your action, knowing that the wardens will be doing some check on that to determine what's happening and that we will, in fact, be back in January to deal with this issue. Thank you very much.

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

Senator **PENDLETON:** Thank you Mr. President, men and women of the Senate. I hope you will join me in voting against the indefinite postponement of this particular piece of legislation. This piece of legislation came to my attention from a constituent who is also a member of the other body. We have a big problem in the coastal area with personal watercraft buzzing and whizzing around commercial watercraft, for example, lobstermen. So, I do hope that we can do something about it this year before an accident happens and we're all real sorry that we didn't take the issue up head on. So, I do hope that you will join with me and vote no for indefinite postponement. Thank you.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

#### ROLL CALL

**YEAS:** Senators: CATHCART, CLEVELAND, DAGGETT, JENKINS, KILKELLY, LIBBY, LONGLEY, MICHAUD, MITCHELL, MURRAY, O'GARA, PARADIS, PINGREE, RAND, RUHLIN, THE PRESIDENT - MARK W. LAWRENCE

**NAYS:** Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CAREY, CASSIDY, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, KIEFFER, LAFOUNTAIN, MACKINNON, MILLS, NUTTING, PENDLETON, SMALL, TREAT

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **KILKELLY** of Lincoln to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers, **FAILED**.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CAREY, CASSIDY, CATHCART, CLEVELAND, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, JENKINS, KIEFFER, LAFOUNTAIN, MACKINNON, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PENDLETON, PINGREE, SMALL, TREAT

**NAYS:** Senators: DAGGETT, KILKELLY, LIBBY, LONGLEY, MICHAUD, PARADIS, RAND, RUHLIN, THE PRESIDENT - MARK W. LAWRENCE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, **COMMITTEE AMENDMENT "A" (S-311) AS AMENDED BY HOUSE AMENDMENT "A" (H-689) AND SENATE AMENDMENT "A" (S-338)** thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later (5/29/97) Assigned matter:

Bill "An Act to Revise Certain Provisions of Fish and Wildlife Laws" (Emergency) S.P. 520 L.D. 1604 (H "A" H-619 to C "A" S-281)

Tabled - May 29, 1997, by Senator **PINGREE** of Knox.

Pending - **FURTHER CONSIDERATION**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-281) AS AMENDED BY HOUSE AMENDMENT "A" (H-619)** thereto, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-281) AS AMENDED BY HOUSE AMENDMENT "A" (H-619)** thereto, **AND HOUSE AMENDMENT "A" (H-659)** in **NON-CONCURRENCE**.)

On motion by Senator **KILKELLY** of Lincoln, the Senate **RECEDED** and **CONCURRED**.

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

The Chair laid before the Senate the following Tabled and Later (5/29/97) Assigned matter:

Bill "An Act to Amend the Membership of the Maine Land Use Regulation Commission" S.P. 347 L.D. 1166 (C "A" S-244)

Tabled - May 29, 1997, by Senator **PINGREE** of Knox.

Pending - motion by same Senator to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**

(In Senate, May 22, 1997, Bill and Accompanying Papers **INDEFINITELY POSTPONED**.)

(In House, May 28, 1997, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-244)** in **NON-CONCURRENCE**.)

(In Senate, May 28, 1997, **RECEDED** and **CONCURRED**.)

At the request of Senator **AMERO** of Cumberland a Division was had. 15 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **PINGREE** of Knox to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED, PREVAILED**.

Senator **AMERO** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

The Chair ordered a Division.

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

Senator **KILKELLY:** Thank you Mr. President. Mr. President, I would hope that you would vote against the pending motion to recede and concur so we can go along and adhere to our previous position. As you may recall, this is an issue that many of us feel has, in fact, been addressed in current law and through the confirmation process and, in fact, a majority of the folks that are serving on the LURC Commission are already residents of the LURC territory. What this would exclude for two more positions, it's two required from the jurisdiction now, this would raise it to four. So those two positions would be prohibited from being filled by a person, say, from Millinocket or a person from Jackman or a person from Greenville and those are folks, many of whom have a great deal of interest or business connection within the LURC jurisdiction. So we feel that this is, in fact, a solution in search of a problem and would hope that you would vote against the pending motion so that we could adhere.

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

Senator **CAREY:** Thank you Mr. President. I would ask of anyone, how many members there are on the Commission, please?

**THE PRESIDENT:** The Senator from Kennebec, Senator Carey poses a question through the Chair to anyone who may

wish to answer. The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY**: Thank you Mr. President. There are seven.

On motion by Senator **PINGREE** of Knox, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

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

Senator **BENOIT**: Thank you Mr. President, may it please the Senate. As you all know, I have talked at some length on this issue and I'm not going to be making any long, drawn-out statement again. You remember what we said about this. It's really just a matter of fairness. That's all it boils down to. All we're asking in the Unorganized Area where I live, and where I have many of my constituents, is a matter of fairness. You have your Planning Board. The membership is made up of those folks within the jurisdiction of the Board, 100%. All we're asking of seven members on LURC is that four members, just four members, come from the area that LURC represents and works with. You can have the other three, we're not asking for 100%. We think we should have 100% in fairness, the same as you do, but we're not asking for that. We're asking for four of the seven members. Can't you bring yourself, please, please, to recognize fairness here? That's what it's about. LURC is our Planning Board. We have two members now under law from our jurisdiction, two members of seven. You've got five and you know the history of LURC, because the law is drawn as it is, for 25 years, ladies and gentlemen of this august body, for 25 years Franklin County has yet to have a member on LURC. We're heavily LURC'ed. We have a division office of LURC in Rangeley. We live with LURC 24 hours a day. Can't you bring yourselves to give us four members of seven on this important board, please? Thank you Mr. President.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CAREY, CASSIDY, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, O'GARA, SMALL

NAYS: Senators: CATHCART, CLEVELAND, DAGGETT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, NUTTING, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **AMERO** of Cumberland to **RECEDE** and **CONCUR**, **PREVAILED**.

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

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

**Off Record Remarks**

On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

**After Recess**

Senate called to order by the President.

**ORDERS OF THE DAY**

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

Bill "An Act Regarding Health and the Prevention of Smoking" H.P. 1338 L.D. 1887 (H "C" H-723)

Tabled - May 30, 1997, by Senator **PINGREE** of Knox.

Pending - **ADOPTION OF HOUSE AMENDMENT "C" (H-723)**, in concurrence (In House, May 28, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-723)**.)

(In Senate, May 30, 1997, on motion by Senator **MILLS** of Somerset, under **SUSPENSION OF THE RULES, RECONSIDERED** whereby House Amendment "C" (H-723) was **ADOPTED**. On further motion by same Senator, Senate Amendment "A" (S-349) to House Amendment "C" (H-723) **READ** and **FAILED ADOPTION**.)

On motion by Senator **GOLDTHWAIT** of Hancock, Senate Amendment "C" (S-413) to House Amendment "C" (H-723) **READ**.

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

Senator **GOLDTHWAIT**: Thank you Mr. President, ladies and gentlemen of the Senate. When I testified on the cigarette tax bill in Committee, I told a short story about my grandfather who actually drowned, but he drowned in his bed. He was a lifetime smoker and the end-stage results of that were that his lungs filled up with fluid. Unfortunately, drowning that way takes a lot longer than drowning at sea, so he spent a long and difficult night when I was a five-year-old and I remember that quite clearly. And it was only many years later when I became a nurse that I started understanding something of the physiology that went into that.

The point is that that process takes time, and the earlier you start as a smoker, the earlier you die as a smoker, so one of

three kids who start smoking will not come anywhere close to their life expectancy. Your body has a system designed to, in fact it has several systems designed as cleaning systems and the one that operates in your lungs starts out with Plan A. I don't know if there's a Joint Order about talking about nasal hairs on the floor of the Senate but I'm going to do that for just a minute, because that is Plan A in the defense of your body from particulate matters that might get into your lungs. If that system is overcome, the next system are also hairs, very tiny, almost microscopic ones that are in your respiratory tract that act in a sort of a sweeping motion to clean out any particulate matter that happens to get past the first line of defense. One of the effects of cigarette smoke is that it kills off those little hairs and leaves you without your natural cleaning system and so, Plan C for your body is to cough, and that becomes the cleaning mechanism and that's what smokers' cough is all about. When you end up in the end stages of lung cancer as a result of smoking, the best analogy I can make is your lungs look like that last piece of chicken that you forget to take off the barbecue grill and it sits there for a couple of hours and turns into a kind of shriveled-up black thing, and that's where your lungs go if you're a lifetime smoker. And so, as I looked at the various options for increasing the cigarette tax, they looked pretty good to me.

Strangely enough, the piece of this issue that has caused all the problems is that it raises some money, so even though many people here agree that increasing the cost of cigarettes, if it's going to keep kids from smoking is a good idea, it all fell apart when we started talking about how to spend the money. And the two major proposals had to do either with tax relief or with healthcare. But even within those proposals, there was not a lot of agreement on what kind of tax relief, which program, how much. Or regarding healthcare, do we put more kids on Medicaid, do we increase Medicaid reimbursement, do we do it through mental health, dental health, medical health, what exactly are we talking about? Again, there was relatively little consensus. At this point my feeling is that since we really have some good evidence that says that if the cost of cigarettes increases, the amount of smoking, particularly youth smoking, goes down. I don't care what we spend the money on. I don't care if we spend it on tax relief or healthcare or BIW or periwinkle management or whale disentanglement. I just want to raise the cost of cigarettes. The intent of the program was not to raise revenue. It was to decrease smoking, so the revenue is sort of an accidental by-product of this effort to do that. We know that smoking causes health problems, serious health problems, expensive health problems. We know that if we increase the cost of cigarettes, youth smoking will decrease. We know that there is public support for an increase in the cost of tobacco products and we know that there is public support for a prevention program. What this amendment does is it retains the original proposal for an increase on the tax on tobacco products. It retains the proposal for the prevention program, funded at \$5 million for the biennium and it puts all the rest of the revenue into the Tax Relief Fund, which means that when we come back next year, we get to start over again deciding on the allocation of that, but it does get protected by certain parameters. Now there are people who say that you shouldn't raise a tax and then use it to reduce taxation. Well, the purpose of this bill and this amendment is not to offer property tax relief. It is to get kids to stop smoking. We have to do something with that revenue and probably the most brilliant feature of this amendment is it is the only one out there which will pass the next step of this process. This amendment will not be vetoed.

**THE PRESIDENT:** The Chair would warn the Senator that she cannot refer to possible future actions by either the House or the Governor.

Senator **GOLDTHWAIT:** Thank you Mr. President. I apologize. This plan, if supported, will meet the original goal of this amendment which is to reduce youth smoking. You have a choice now and that choice is to either uphold the goal of reducing smoking among our young people or to go on for some indefinite period of time arguing about the various merits and options of what to do with the money. I would prefer, since we are the grown-ups, to put that arguing off for a while and to simply begin the piece of the program which would cause a decrease in youth smoking. And we can do that today. We can do that by voting for this amendment. The consequences of not doing that are very serious for our children, and so as we are sort of drawing the lines in the sand here about who is where on this issue, it's important to remember that we're really drawing a circle and our kids are in that circle. The choice that you're looking at today would offer protection for our kids against the availability of tobacco products with the resultant improvement in their lifetime health. I think it is so important that it is an issue on which we need to overcome our differences about exactly how some of the pieces of this program would ultimately work and take that step today to make sure that we have done everything possible we can do to reduce youth smoking. That is my one and only goal in this. It has been my goal since these bills started being introduced. I honestly believe that this amendment will do that job and I urge you to support the amendment, not to put it off, not to wait, not to go through long series of further refinement. We can do this today. We can make this difference today and I hope you'll join me in supporting the amendment. Thank you.

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

Senator **LONGLEY:** Thank you Mr. President, colleagues in the Senate. Although I genuinely respect all efforts such as my colleague from Hancock County, Senator Goldthwait, all efforts to reach agreement, I've got four words in response. Been there, tried that. A version presented before us right now came out of Taxation with a minority of four in support, went to the House, went down 109 to 33.

**THE PRESIDENT:** The Chair would caution the Senator that she cannot refer to actions of the other body.

Senator **LONGLEY:** Oh. And then came to the Senate.

**THE PRESIDENT:** That, she may refer to.

Senator **LONGLEY:** Twenty-five to ten, against. We've been there. We've tried that. Thanks for trying again, but no thanks.

The Chair ordered a Division.

On motion by Senator **HARRIMAN** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.



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

Senator **CLEVELAND:** Thank you Mr. President, men and women of the Senate. I rise today because I want to commend Senator Goldthwait on her diligence and commitment to this issue. I want to commend her for a sincere and honest effort to try to find some middle ground to succeed at the primary goal of passing this legislation so that we can prevent our young people, encourage our young people, from beginning to smoke. It's an extremely laudable effort.

I am not going to support the amendment at this time because I recognize that there is great sentiment and a desire to proceed forward to request the Governor to enact the bill as it's been developed to date. And as the bill's been developed, it's a very worthy goal within that bill, goals to provide funding for insurance for children who have no health coverage, provisions to expand the Drug Protection Plan for the elderly senior citizens. All of which are necessary, all of which are worthy and all which, I hope, are succeeded to be done. But I want to speak for a minute because I think that central element of looking for common ground may become critically important as we proceed. I hope that the effort put forward here succeeds. If for some reason it does not, if for some reason the Governor finds that he cannot support this legislation,

**THE PRESIDENT:** The Chair would, again, have to caution the members. We cannot discuss possible action of the Chief Executive.

Senator **CLEVELAND:** Thank you Mr. President. If we should not be successful, I want to encourage the body, the members of this Chamber, to recognize the importance of succeeding at the goal of increasing the tax on tobacco for the explicit purpose, the explicit purpose of discouraging the use of tobacco by our young people. We know that we have one of the highest rates in the country of young people who are smoking. We have the highest rate of young adults between 18 and 30 who smoke tobacco. We know that as many as 100,000 young people may begin to smoke tobacco in this state. We know by fact that 1/3 of those who do smoke and begin as youngsters will die of smoking-related illnesses, one-third of the young people here. One out of every three of those young people sitting right there will die of cancer if they begin to smoke. We know that we spend \$50 million a year in Medicaid, public dollars, for smoking-related illnesses. \$50 million a year in Medicaid and tens of millions of dollars more in private insurance funds every single year for smoking-related illnesses.

I've had some personal experience, some constituents of mine, Germaine Ashley, a woman who began to smoke in her early years as a teenager, in her older years found that she had to have her lung removed. Sometime later, she found that cancer had spread to her throat and she had to have surgery on her throat. The cancer became so severe that she found it difficult to eat and ultimately even swallow water. For months and weeks, she went without food and dropped to 67 pounds and died of cancer. Irene Bernier, another constituent, a woman who began to smoke when she was a youngster, smoked all of her life, developed emphysema, wound up in a long-term health facility, attached to a breathing machine and oxygen, died an excruciating death from lung cancer. Cecile Brown, another woman, smoked when she was a teenager, started young because it was the thing to do, has developed severe

emphysema, can barely walk up a flight of stairs without stopping. Carmen Cleveland started smoking when she was a teenager, smoked for 50 years, cannot walk up a flight of stairs without stopping several times because her lung capacity is so diminished and her emphysema is so bad that she is literally out of breath. All of these people have something in common. They started smoking when they were youngsters. Every single one of them is a member of my family. And they have either died, or the quality of their life has been dramatically diminished. And I have seen them die in agony asking for death to come sooner because the morphine couldn't keep the pain away. That is how insidious nicotine is.

The consequences to our young people are death and debilitating disease. The consequences to our public treasury is ranked in the fifty millions of dollars. These are no small matters. Yes, it's important what we do with the tax revenue as it comes in and those decisions have to be made. They have to be made by us and they have to be made by other members of this government, but those are secondary, as important as they are, to the primary goal of encouraging our young people never to get addicted to this treacherous drug. Common ground can be found on this issue. We must not let those well-meaning goals of how to spend the money become so paramount that we don't find the common ground.

Today I want to encourage each one of us who have that decision to be made because I know each of us are compassionate. I know every one of us care. I know the members of the other branch of this government care. And to be leaders means that we must find ways to come to solutions and resolutions. We cannot accept as an outcome that it was someone else's fault, that someone else wasn't willing to compromise, that someone else wasn't willing to see our point of view. When my constituents and yours are in the hospital attached to oxygen bottles, it is little comfort to know that it was someone else's fault. It does not have helped the quality of their life one iota to say, "This was a good program but someone else didn't make it happen, so I couldn't support this laudable goal." The only winners in that kind of strategy are the tobacco companies, the merchants of death and their advocates. They're the only ones who will win in that strategy. I rise to speak one small voice for those individuals, the young people, that we may put in law a tax increase that will prevent some of them, not all, but some of them from ever getting addicted to this monstrous drug. I will be voting for this proposal because it's a good proposal, not that the amendment isn't good as well, but I'll be voting for the bill as it is. But I plead with you, I beg you that if we don't succeed, don't accept any excuse that it was someone else's responsibility. It is our responsibility. None of our constituents can come and sit in our seats. We are the only ones whom they have entrusted to do that, this seat and the single seat of the Executive Branch. Those are the ones they have entrusted to do this. We must not give them any excuses why we have not succeeded. We can succeed. It only requires the will to do that.

When I listened to the State of the State Address and the impassioned plea of the Governor's friend, Henry Jones, who died and suffered from cancer and pleaded with that young man, Angus King, if ever he should have a chance to do something in his life, if ever he should be given the privilege to act on this enormous problem in our society, that he should do so. I hope his pledge to succeed isn't an empty promise on his tombstone that it was someone else's fault that I didn't succeed. He and all of us have a responsibility to succeed at this task. We cannot



allow the tobacco industry to win this by default. I beg you never to give up and, before we adjourn finally, to find a resolution to this, even if it means compromising some of our principles so that we can come back and fight the good fight in a future budget, in a future appropriation to achieve the secondary goals that we wish to achieve as well, additional health service, additional drug coverage for those people who desperately need those services as well. We can do both. It is not mutually exclusive to do them separately.

**THE PRESIDENT:** While we are debating, I just want to refresh members on the rules as referring to actions of the House or the Executive or a court. Mason's Manual says, "It is unparliamentary and inconsistent with the independence of a legislative body to refer to the name or the office of the Executive in order to influence the vote. It is irregular and unparliamentary for a member in one House of a legislative body to quote or refer to a vote by which a measure passed in another house. Any matter awaiting adjudication in a court should not be debated or discussed in a legislative body." Mason's also says, "It is inappropriate for a member in debate to use the name of an Executive for influencing the votes of members."

What this essentially means is that we are an independent body. We make our decisions on our own. We should not be influenced by whether the House, a court or the Chief Executive is going to take a different opinion. That opinion is irrelevant. We are to decide issues on the merits as we see them. Mason's does say, "It is in order in debate to refer to the Executive or the Executive's opinion whether either in approval or criticism when such references are relevant to the subject under discussion and otherwise conforms to the rules." So it is in order to refer to the Executive's opinions but we should not and cannot discuss possible actions by the Executive, by a House, by a court in our deliberations. We are an independent body and we decide issues on their merits.

The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator **BENOIT:** Thank you Mr. President, may it please the Senate. I rise in opposition to the amendment, and given the way the amendment's applying on this piece of legislation, we've got the wrong title, here, that we're working with. It's not a tobacco tax at all. It's a luxury tax. Senator Goldthwait from Hancock hit the nail on the head when a moment ago she said what we're trying to address here is a problem of a high incidence of smoking among our youth here in Maine, and that is an unfortunate statistic, and so we're trying to get to the problem. Trying to get to the problem. We're putting 37 more cents on the tax thinking that perhaps that will deter our youth from purchasing cigarettes and we'll then address the problem. It's already been argued here and I believe it to be the case that the 37 additional cents will not do the trick. And the example I use is the fact that we also have our youth in Maine using a lot of marijuana. We're near the top in the country there as well, and marijuana is illegal. Illegality doesn't do the trick, therefore, how will 37 more legal pennies do the trick? So what we have here is an effort to come at some kind of an educational program so that our youth will be advised not to smoke. Instead of adding four or five pennies to the price and coming up with enough money for that program, we're adding 37 cents. That's why I call this a luxury tax. We've got too much money now. We don't even know how to spend it. Some want to spend it one way for tax relief, some another way for insurance for children and some, still another way, for the

elderly. We're in a quandary. It's ironic to me, being in the top 10 in the nation on tax burden, concerning our citizens, that we put on what I call a luxury tax now to come up with money, and here we are arguing how we're going to spend this money. It's a luxury we can't afford. There are some who have the dreaded legislative malady that I call "taxitis" here, who will not be satisfied until we're closer to first place in the nation concerning tax burden on our citizens. I think that's real unfortunate. So, here we are talking about money. On the one hand and, I guess we're between a rock and a hard place, on the one hand we feel we've got to jack the price up so high that youngsters may not purchase the cigarettes, thereby giving us so much money we don't know how to spend it. Now if we really want to attack the situation, add four or five or six pennies to the price, to the tax, and come up with enough money to address the problem we're trying to address, which is an education program, because to me this is a smoke screen. Thirty-seven cents, all this money for new programs? And I can tell you from where I'm coming, I will not be voting for any tax increase on cigarettes because my constituents have had it. The tax burden is high enough, and here we are trying to determine how we're going to spend money. It's ironic. What a luxury to be in, I suppose. It's unfortunate to see what we're trying to do concerning the tax burden on our citizens. It just isn't right. That's why I shall be opposing this amendment and any effort to raise a tax in any event. Thank you Mr. President.

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

Senator **MACKINNON:** Thank you Mr. President, women and men of the Senate. As I left yesterday, after I said that I could not vote on any, obviously I'm like the rest of you. We go home and we think of what we're doing and where we're going and what's best for the people that we represent. As a former principal of a high school with 1100 students, and I think that if you've been in the buildings you know that the bathrooms are probably one of the biggest issues we have with smoking. And I'd be foolish if I sat here today and said, "Well, I can't raise taxes. I can't do this."

Senator Benoit has just given an alternative that I like, personally, to say that we only have to raise enough money for the prevention, because that's what we said we were going to do is to stop smoking for our youth and hopefully preserve them. As we know, 10 years ago we weren't saying anything about secondary smoke. Secondary smoke kills too. Today I'm going to vote for this amendment because I think it gives an alternative. The things that I heard were, "Yes, don't raise taxes, but also give us some relief." If we can at least give some of the money back, because I don't know why we're raising more money than we have to, to start the prevention program, because I'm certainly in support of that, but at least it would go back to the taxpayers of the State of Maine in a relief. Not for new programs, I hope, but for a relief program for property taxes and property taxes only or to raise the income tax. I don't care how we do that but I would hope that we'd support some type of measure to stop youth smoking, to make sure that we do preserve ourselves for the next century, to make sure our children have a place to survive and have a smoke-free environment, and because of that, I will support this amendment. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Cassidy.

Senator **CASSIDY**: Thank you Mr. President, men and women of the Senate. I've sat here for the last couple of days and listened to this debate and you know, just thinking about the time I had when I was smoking. You know, if you raised the taxes on cigarettes to \$5 a pack, if a person is addicted to nicotine they're going to pay \$5 a pack. It's as simple as that. This whole intent of this bill, to deter smokers, I just don't think it's going to have a whole lot of effect no matter what we put on for tax. I do think though, that the key and the most important part of this whole issue is to stop our young folks from beginning to smoke in the first place. Unfortunately this tax that we have, we're talking about the 37 cents per pack and, then of course as you remember, you also have to add 6% to that increase because you pay sales tax as well when you purchase the cigarettes. Some of the statistics that I have read unfortunately, it seems as though there's a distinction in income levels as to the number and percentage of people that smoke. And unfortunately, the lower income people tend to smoke more than higher income people, and all we're doing here is just putting another burden on those folks.

We need to continue to educate people on smoking. I think during the debate last week on some of the other issues pertaining to the accessibility of smoking in restaurants, we saw some statistics where a few years ago, 75% of seats in restaurants were smoking seats and today 80% of the seats in restaurants are non-smoking. I mean, people have the message. Obviously as you know, hopefully we can no longer smoke on the verandah here. I mean, you know, people are getting the message that smoking is bad. Folks that don't smoke don't like to have smoke around and so on and so forth. I have four children. They grew up in a house where I smoked for twenty-some years and not one of my children smoke because they knew how terrible it was and they were into sports and their teachers at school told them. The education that we've done through television, through the state, we need to continue to do that, but I'm not going to support a tax increase. I don't care whether it's five cents or \$5 on cigarettes. I think it's just another scam to the folks no matter what we do, whether we raise this tax to lower another tax, we're still taxing them. I think we need to put some money aside through our budget to continue to educate our youth, and I think that's our hope to curtail this throughout the state. So I'll not be supporting this amendment or any increase on any tax, here, this session. Thank you.

**THE PRESIDENT**: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS**: Thank you Mr. President and men and women of the Senate. Just briefly, the people who have been studying the smoking phenomena for the last 30 to 50 years, down at the Center for Disease Control and other public entities, have spent literally millions of dollars studying the relative impact of price versus usage and have concluded, with some reliability, that a 37 cent increase in our market price for cigarettes, plus the sales tax increase, would reliably result in about a 14% reduction in usage by youth. Is that a lot? I don't know. It's not going to solve the problem entirely by any means, but it's a significant step and it becomes even more significant when you put it in these terms. About 4500 kids a year take up smoking. Of those that take it up, one-third will die of a smoking-related illness, that is an illness like lung cancer that is a direct product of habitual use of cigarettes. So, if we put a price of 37 cents a pack on

cigarettes as an increase, it will result in saving approximately 200 lives per year. So the issue is, "Is it worth 37 cents a pack to save the lives of 200 kids per year?" I think, put in those terms, there's only one answer to the question. I do urge you to vote for the amendment.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

#### ROLL CALL

**YEAS**: Senators: FERGUSON, GOLDTHWAIT, HARRIMAN, LIBBY, MACKINNON, MILLS, RUHLIN, SMALL

**NAYS**: Senators: ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CAREY, CASSIDY, CATHCART, CLEVELAND, DAGGETT, HALL, JENKINS, KIEFFER, LAFOUNTAIN, LONGLEY, MICHAUD, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, TREAT, THE PRESIDENT - MARK W. LAWRENCE

**ABSENT**: Senator: KILKELLY

8 Senators having voted in the affirmative and 26 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **GOLDTHWAIT** of Hancock to **ADOPT** Senate Amendment "C" (S-413) to House Amendment "C" (H-723), **FAILED**.

On motion by Senator **PARADIS** of Aroostook, Senate Amendment "B" (S-412) to House Amendment "C" (H-723) **READ**.

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

Senator **PARADIS**: Thank you Mr. President, men and women of the Chamber. The purpose of this amendment is to put to rest the discussion about staff and return the focus to where it belongs, making sure Maine children and the elderly get the healthcare they desperately need. I share your concerns regarding having one dime more than necessary to be spent on administration. We want the cost of administering the extended benefits to our children to be as little as possible so that the healthcare providers, the ones who are really needing these services are going to be there. There's no doubt in my mind that we are trying to stay within the scope of this issue. Many, many times over the history of this Legislature, we have tried to get things to pay for themselves. We charge fees for people who get services. There's no doubt, again I want to repeat that a lot of what is the cost of the Department of Health and Human Services are these hospitals, these healthcare provider costs. Anything we can do to lower that is definitely going to lower the taxes of the people of the State of Maine. So the connection is really very clear here. The amendment requires the Department of Human Services to provide the Medicaid coverage in the bill with 34 staff. Twenty-four to provide for the expanded children's Medicaid and 10 for the prescription drugs for the elderly. Only half of these are paid for with state funds. The 24 staff are the same number

as the Department estimated it needed last year to cover the same children. In Massachusetts, Medicaid coverage using the tobacco tax covered over 300,000 new people and used fewer staff than this. We rarely have to reinvent the wheel in Maine because usually larger states surrounding us usually beat us to the punch. We are asking the Department to do more with less staff than they asked for, but we all have to do more with less and we think that this is sufficient, so I urge your support of this amendment. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, ladies and gentlemen. I thought there were probably six or seven more people who were going to speak, so there was no hurry to push my button. But my button was pushed when I read on the back of this amendment, 17 new staff. Well, that's state-funded positions but total on this was 36 new job positions, but it's interesting to see that we're not supposed to count the ones that perhaps the federal government may pay for. You know that federal government, that's down quite a long way from here. They keep sending us millions and millions of dollars and I don't know, a lot of people forgot where they get all that money, I guess, but I haven't because I notice that I not only have to send a great big check to the State of Maine for income taxes, but I send a great big check to Washington, D.C. also. I consider that's part of my money. It just kind of feels ironic that we don't always include it in the right places. This is still a jobs bill and I do appreciate the fact that it's been slimmed down from 132 to 36 and maybe if I keep harping about it, we can get it down even further. I noticed in some material that I read here a little while ago, Massachusetts, you remember that "Taxachusetts," down very close to us, we go through that little strip of New Hampshire where we pay a dollar first and get into that state, how bad they were on taxes. And I never thought I'd see the day when we'd be higher than Massachusetts. They instituted a similar program, so I'm told, down there with zero staff people and, I think maybe, it's hard to believe that we should look at Massachusetts for our guidance but that's how far we've gone. Really folks, I'll be voting against the pending amendment and any more that you can come up with. Thank you.

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

Senator **PINGREE:** Thank you Mr. President, men and women of the Senate. I just wanted to address that concern briefly and I am one of the people who's very happy to see these numbers go down from 132 to 36. I, too, asked the Department if they thought they could do with no new people. I would be happy to do this with no new people. It was their consideration that given the work that they had to do, they had to add these people and, of course, I wish we were able to do it for less cost because it would mean that we could provide more direct service to those people who need it. I am concerned that we called this a jobs bill. Job creation is actually something that is done for very different reasons. I think we have to think about this as the means to do something that we want to do and that is increase availability of drugs to senior citizens, healthcare to children who no longer have it. Those are the issues that are addressed in the bill. The amendment is just a fiscal note for that bill. It is not a bill to provide jobs for people, to fill out eligibility forms, that's not

what we're talking about today. We're talking about healthcare for children. We're talking about drugs for senior citizens. We're talking about smoking cessation and we're talking about a tax on cigarettes. I think it's important we focus our discussion on that. We do not look at other departments and say, for instance, that we hire game wardens to provide them with jobs. We hire them to do something in the field that we need to have done. That's all we're asking for here today and I hope people will support the addition of a far-improved fiscal note and give their congratulations to the Committee and the people who worked very hard to do the work that had to be done to change this as significantly as it's been changed.

The Chair ordered a Division. 17 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **PARADIS** of Aroostook to **ADOPT** Senate Amendment "B" (S-412) to House Amendment "C" (H-723), **PREVAILED**.

**THE PRESIDENT:** Is it now the pleasure of the Senate to adopt House Amendment "C" as amended by Senate Amendment "B" thereto, in non-concurrence?

On motion by Senator **AMERO** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: **CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

**NAYS:** Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CASSIDY, FERGUSON, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MICHAUD, MITCHELL, SMALL**

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, **HOUSE AMENDMENT "C" (H-723) AS AMENDED BY SENATE AMENDMENT "B" (S-412) thereto, ADOPTED in NON-CONCURRENCE.**

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

Sent down for concurrence.

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

On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

**ORDERS OF THE DAY**

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

JOINT ORDER - relative to establishing the Joint Select Committee to Oversee Maine Yankee Atomic Power Company  
H.P. 1345

Tabled - May 29, 1997, by Senator **AMERO** of Cumberland.

Pending - motion by Senator **CAREY** of Kennebec to **ADOPT SENATE AMENDMENT "A" (S-347)**

(In House, May 29, 1997, **READ** and **PASSED**.)

(In Senate, May 30, 1997, on motion by Senator **CAREY** of Kennebec, Senate Amendment "A" (S-347) **READ**.)

On motion by Senator **CAREY** of Kennebec, Senate Amendment "A" (S-347) **ADOPTED**.

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

Sent down for concurrence.

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

**COMMUNICATIONS**

The Following Communication: S.C. 351

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

May 30, 1997

Honorable Mark W. Lawrence, President of the Senate  
Honorable Elizabeth H. Mitchell, Speaker of the House  
118th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Appropriations and Financial Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1821 An Act to Provide Funding for the Southern York County Business Resource Center

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

Sincerely,

S/Sen. Michael H. Michaud  
Senate Chair

S/Rep. George J. Kerr  
House Chair

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

**COMMITTEE REPORTS**

**House**

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act to Establish the Local Option Lodging Tax"  
H.P. 1243 L.D. 1763

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-727)**.

Signed:

Senators:

DAGGETT of Kennebec  
MILLS of Somerset

Representatives:

TRIPP of Topsham  
GREEN of Monmouth  
ROWE of Portland  
GAGNON of Waterville  
SPEAR of Nobleboro  
LEMONT of Kittery  
TUTTLE, JR. of Sanford  
MORGAN of South Portland

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

Signed:

Senator:

RUHLIN of Penobscot

Representatives:

BUCK of Yarmouth  
CIANCHETTE of South Portland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-727) AS AMENDED BY HOUSE AMENDMENT "A" (H-738)** thereto.

Which Reports were **READ**.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER** Report.

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 Establish the Uniform Unclaimed Property Act  
H.P. 1116 L.D. 1559  
(C "A" H-682; H "A" H-733)

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

An Act to Establish the Maine Economic Improvement Fund  
S.P. 637 L.D. 1854  
(H "B" H-720 to C "A" S-326)

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

An Act Concerning Acceptance of Campaign Contributions during Legislative Sessions  
S.P. 662 L.D. 1882  
(H "A" H-724 to H "A" H-649)

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ENACTMENT**.

**Emergency**

An Act Concerning Technical Changes to the Tax Laws  
H.P. 601 L.D. 792  
(C "A" H-732)

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

**Mandate**

An Act to Assist the Law Enforcement Community in Locating Missing Children  
S.P. 553 L.D. 1679  
(H "A" H -707 to C "A" S-276)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

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 Provide That the Operator of a Motor Vehicle Is Not Responsible for Securing in a Seat Belt a Passenger 18 Years of Age or Older  
H.P. 303 L.D. 367  
(S "A" S-343 to S "C" S-218; C "A" H-334)

An Act to Provide Continuity and Flexibility for Long-term Care  
S.P. 357 L.D. 1176  
(C "A" S-233)

An Act to Amend the Retirement System as it Pertains to Qualified Survivors  
S.P. 367 L.D. 1226  
(C "A" S-238)

An Act to Make the Workers' Compensation System More Equitable  
S.P. 491 L.D. 1523  
(H "E" H-719 to C "B" S-302)

An Act to Review Registration of Certified Nursing Assistants  
H.P. 1206 L.D. 1706

An Act Regarding the Economic Security and Safety of Harness Horsepersons  
H.P. 1239 L.D. 1756  
(H "A" H-706 to H "A" H-683)

An Act to Criminalize Unpermitted Visual Surveillance under the Clothing of a Person in a Public Place by Mechanical or Electronic Equipment"  
S.P. 664 L.D. 1892

An Act Regarding Child Care Regulation  
S.P. 667 L.D. 1893

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

An Act to Establish the Maine Center for Arts Education  
S.P. 388 L.D. 1273  
(C "A" S-310)

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

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**Emergency**

An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients  
S.P. 453 L.D. 1427  
(C "A" S-342)

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.

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**Resolve**

Resolve, to Direct the State Board of Education to Study the School Funding Formula  
H.P. 1344 L.D. 1895

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

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

**COMMITTEE REPORTS**

**House**

**Ought to Pass As Amended**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Fund the Collective Bargaining Agreements and Benefits for Certain Employees Excepted from Collective Bargaining for the Judicial Branch" (Emergency)  
H.P. 1343 L.D. 1894

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-739)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-739)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-739) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

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**Off Record Remarks**

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**ORDERS OF THE DAY**

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Encourage Art Education in the State  
H.P. 29 L.D. 54  
(C "A" H-349)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-349)**, in concurrence.)

(In House, May 28, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-349)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-349).

On further motion by same Senator, Senate Amendment "A" (S-370) to Committee Amendment "A" (H-349) **READ**.

On motion by Senator **AMERO** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: BENNETT, CAREY, CATHCART, CLEVELAND, DAGGETT, HALL, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MITCHELL, MURRAY, PARADIS, PENDLETON, PINGREE, RAND, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENOIT, CASSIDY, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MILLS, O'GARA, RUHLIN, SMALL

ABSENT: Senators: BUTLAND, NUTTING

Senator **PINGREE** of Knox requested and received leave of the Senate to change her vote from NAY to YEA.

19 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **MICHAUD** of Penobscot to **ADOPT** Senate Amendment "A" (S-370) to Committee Amendment "A" (H-349), **PREVAILED**.

On motion by Senator **AMERO** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

YEAS: Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MILLS, MITCHELL, SMALL

ABSENT: Senator: BUTLAND

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being absent, **COMMITTEE AMENDMENT "A" (H-349) AS AMENDED BY SENATE AMENDMENT "A" (S-370)** thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-349) AS AMENDED BY SENATE AMENDMENT "A" (S-370)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings  
H.P. 122 L.D. 146  
(C "A" H-10)

Tabled - March 25, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, March 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-10)**, in concurrence.)

(In House, March 25, 1997, **FINALLY PASSED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-10)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-10) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-396) to Committee Amendment "A" (H-10) **READ** and **ADOPTED**.

Committee Amendment "A" (H-10) as Amended by Senate Amendment "A" (S-396) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-10) AS AMENDED BY SENATE AMENDMENT "A" (S-396)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Impose a Surcharge on Documents Recorded in a Registry of Deeds to Fund Preservation of Registry Documents  
S.P. 47 L.D. 157  
(C "B" S-94)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 2, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-94).**)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-94)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "B" (S-94) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-360) to Committee Amendment "B" (S-94) **READ** and **ADOPTED.**

Committee Amendment "B" (S-94) as Amended by Senate Amendment "A" (S-360) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-94) AS AMENDED BY SENATE AMENDMENT "A" (S-360)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Expand Access to Maine's Technical Colleges  
H.P. 263 L.D. 327  
(H "A" H-564 to  
C "A" H-348)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-348) AS AMENDED BY HOUSE AMENDMENT "A" (H-564)** thereto, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-348) AS AMENDED BY HOUSE AMENDMENT "A" (H-564)** thereto, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-348) as Amended by House Amendment "A" (H-564) thereto, was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-367) to Committee Amendment "A" (H-348) **READ** and **ADOPTED.**

Committee Amendment "A" (H-348) as Amended by Senate Amendment "A" (S-367) and House Amendment "A" (H-564) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-348) AS AMENDED BY SENATE AMENDMENT "A" (S-367) AND HOUSE AMENDMENT "A" (H-564)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish the Commission to Study the Unemployment Compensation System  
H.P. 268 L.D. 332  
(C "A" H-549)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE** in **NON-CONCURRENCE**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549)**, in concurrence.)

(In House, May 7, 1997, **FAILED FINAL PASSAGE.**)



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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-549) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-358) to Committee Amendment "A" (H-549) **READ** and **ADOPTED.**

Committee Amendment "A" (H-549) as Amended by Senate Amendment "A" (S-358) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549) AS AMENDED BY SENATE AMENDMENT "A" (S-358)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish Maine as a Sponsor of the Women in Military Service for America Memorial in Arlington National Cemetery  
H.P. 275 L.D. 339  
(C "A" H-171)

Tabled - May 1, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 16, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-171)**, in concurrence.)

(In House, April 30, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-171)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-171) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-352) to Committee Amendment "A" (H-171) **READ** and **ADOPTED.**

Committee Amendment "A" (H-171) as Amended by Senate Amendment "A" (S-352) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-171) AS AMENDED BY SENATE AMENDMENT "A" (S-352)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish a Task Force to Study the Feasibility of a Single Claims Processing System for 3rd-party Payors of Health Care Benefits  
H.P. 286 L.D. 350  
(C "A" H-89)

Tabled - April 2, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, March 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**, in concurrence.)

(In House, April 1, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-89) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-394) to Committee Amendment "A" (H-89) **READ** and **ADOPTED.**

Committee Amendment "A" (H-89) as Amended by Senate Amendment "A" (S-394) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89) AS AMENDED BY SENATE AMENDMENT "A" (S-394)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Encourage the Use of Motor Vehicles That Use Alternative Sources of Fuel for the Purpose of Reducing Air Pollution  
H.P. 300 L.D. 364  
(S "A" S-337 to  
C "A" H-680)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680) AS AMENDED BY SENATE AMENDMENT "A" (S-337)** thereto.)

(In House, May 29, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680) AS AMENDED BY SENATE AMENDMENT "A" (S-337)** thereto.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-680) as Amended by Senate Amendment "A" (S-337) thereto, was **ADOPTED**.

On further motion by same Senator, Senate Amendment "C" (S-414) to Committee Amendment "A" (H-680) **READ** and **ADOPTED**.

Committee Amendment "A" (H-680) as Amended by Senate Amendments "A" (S-337) and "C" (S-414) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680) AS AMENDED BY SENATE AMENDMENTS "A" (S-337) AND "C" (S-414)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Allow the Maine Forest Service to Retain Funds from the Sale of Real Estate  
S.P. 117 L.D.: 396  
(C "A" S-23)

Tabled - March 26, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-23)**.)

(In House, March 26, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-23)**.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-23) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-359) to Committee Amendment "A" (S-23) **READ** and **ADOPTED**.

Committee Amendment "A" (S-23) as Amended by Senate Amendment "A" (S-359) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-23) AS AMENDED BY SENATE AMENDMENT "A" (S-359)** thereto, in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Family Medical Leave Laws  
S.P. 123 L.D. 402  
(C "A" S-88)

Tabled - April 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 7, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-88).**)

(In House, April 14, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-88).**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-88) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-379) to Committee Amendment "A" (S-88) **READ** and **ADOPTED.**

Committee Amendment "A" (S-88) as Amended by Senate Amendment "A" (S-379) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-88) AS AMENDED BY SENATE AMENDMENT "A" (S-379)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Include Operation and Maintenance in the Life-cycle Costs Analysis Required for Public Improvements  
S.P. 129 L.D. 408  
(C "A" S-62)

Tabled - April 1, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 25, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-62).**)

(In House, March 31, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-62).**

On further motion by same Senator, Senate Amendment "A" (S-391) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-62) AND SENATE AMENDMENT "A" (S-391)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish a Tuition Rate for Education in the Unorganized Territory  
H.P. 360 L.D. 505  
(C "A" H-229)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 2, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**, in concurrence.)

(In House, May 6, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-361) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229) AND SENATE AMENDMENT "A" (S-361)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish the Commission to Determine the Adequacy of Services to Persons with Mental Retardation  
H.P. 431 L.D. 581  
(C "A" H-273)

Tabled - May 8, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 5, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-273)**, in concurrence.)

(In House, May 8, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-273)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H- 273) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-403) to Committee Amendment "A" (H-273) **READ** and **ADOPTED.**

Committee Amendment "A" (H-273) as Amended by Senate Amendment "A" (S-403) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-273) AS AMENDED BY SENATE AMENDMENT "A" (S-403)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Ensure Funding for Snowmobile Law Enforcement Activities  
S.P. 193 L.D. 611  
(C "A" S-270; S "A" S-306)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-270) AND SENATE AMENDMENT "A" (S-306).**)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

Senator **MICHAUD** of Penobscot moved to **SUSPEND THE RULES** for the purpose of **RECONSIDERATION.**

Senator **HALL** of Piscataquis requested a Division.

On motion by Senator **RAND** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

**NAYS:** Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, FERGUSON, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MILLS, MITCHELL, SMALL

**ABSENT:** Senator: BUTLAND

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES, FAILED.**

Senator **MICHAUD** of Penobscot moved to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers in **NON-CONCURRENCE.**

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

Senator **MICHAUD:** Thank you Mr. President, men and women of the Senate. We heard a lot about balanced budgets and clearly if this bill is not indefinitely postponed it's going to cause the budget to be unbalanced. I supported the bill originally. This money comes out of the General Fund. It's \$49,000, roughly. The amendment that the Appropriation Committee put on, through the Legislative Council by Representative Donnelly, took this out of the Carrying Account. By not suspending the rules, it comes out of the General Fund,

so I cannot support this bill because it puts the budget out of balance, so Mr. President, when the vote is taken I request a roll call.

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, ladies and gentlemen. This particular amendment that was trying to be put onto this bill was a back door approach to do even worse than what the Minority report out of Committee did. As you remember the bill well, because we've debated it several times in here, it was to spend the money where it had been appropriated to spend and that was increase law enforcement on snowmobiling. We had been promised that originally, it was the first year I think it was \$28,000 had not been spent, it got up to \$42,000. That money was spent this last winter. Under the Majority report out of Committee, that money would be reimbursed to the Maine Warden Service from the Fish and Wildlife Carrying Account, so-called, like a savings account. That was indeed the plan. The other part of the bill set up a special snowmobile enforcement fund so that the non-resident registration money, a part of it coming in, would be set aside and guaranteed for every winter to come to be spent for that purpose, the purpose it was raised for. Had we gone forward, they would not have been reimbursed. If we allowed the new amendment, they would not be reimbursed from that \$42,000 for this past year. The new amendment called for spending for the next two years \$24,000 each year and then stop. The non-residents' money then would just go into the General Fund pot. You, I'm sure, remember the discussion well, because we've had it a couple of times already. There are two amendments on this bill. One took the Emergency off and the other was to appropriate the \$42,000 back for the years '96-'97 which will end June 30, that's the money that's already been spent. The bill also transfers \$42,000 from the carrying balances. It doesn't say anything about coming out of the General Fund, therefore, it does not put a hole in your budget. If you want to check it, it's S-270. It then sets up the special snowmobile enforcement fund within the department. Transfer will result in additional dedicated revenue to the snowmobile fund for '96-'97, from the Department's Carrying Account, their savings account, not the General Fund. No harm done. All we have to do now, this bill passed both houses, all we have to do is enact it. So I will strongly urge you to vote against the present motion of indefinite postponement. Thank you.

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

Senator **KIEFFER:** Thank you Mr. President, ladies and gentlemen of the Senate. This money will have absolutely no bearing on current budget. In a letter dated September 11, 1996, addressed to John R. Nicholas, State Budget Officer, Bureau of the Budget, 58 State House Station, Augusta, Maine, the letter reads, "Dear Jack, this is a follow-up to my telephone conversation and your letter dated August 26, 1996. I want to confirm, as we discussed, that it is within my authority to begin expanded snowmobile enforcement program for the 1996-97 season prior to any legislative action initiating the transfer of

funds from our Carrying balance in the amount of \$42,000." In another letter dated September 26, 1996, in the second paragraph, again signed by Ray B. Owen, Jr. and John R. Nicholas it says, "First, the Maine Warden Service, prior to December 1, 1996, will set aside \$42,000 from their current operating budget for the additional snowmobile law enforcement activity for the 1997 winter snowmobile season." Now, how in the world can that affect next year's budget? Thank you Mr. President.

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

Senator **MICHAUD:** Thank you Mr. President. The Appropriation Committee did kill this bill because when we asked our staff where that money came from, they checked and it was General Fund money. So the Committee killed the bill. What happened then was the Legislative Council went over the list. Representative Donnelly at that time proposed this amendment, that I tried to offer and it was adopted, I believe, unanimously by members of the Council that were present that evening. The Senator from Aroostook, Senator Kieffer, was not there so he didn't vote on it, but there were three members of the Minority Party and the Democratic leadership from both bodies were there, and that was the amendment that I tried to offer but, unfortunately the rules were not suspended, so I'm going to have to stick with my motion to indefinitely postpone this bill and all its accompanying papers.

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Off Record Remarks

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**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President. I am delighted to hear the Senator from Penobscot, Senator Michaud's explanation. Therefore, if you disapprove his motion, I have just saw fit to give you some money back onto the table, \$24,000 a year. From your explanation, your amendment would give \$48,000 over the next two years out of the General Fund. I'm giving it back to you, not asking for it. You don't need it, so if we don't put your amendment on, this bill passes now. All we'll need is enactment and I'm giving you back \$48,000 to your table to spend elsewhere. How can you refuse an offer like that? Thank you.

**THE PRESIDENT:** The Chair would inform members that all comments are to be directed at the Presiding Officer and are not to be directed to individual Senators.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

**NAYS:** Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, FERGUSON, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MILLS, MITCHELL, SMALL

**ABSENT:** Senator: BUTLAND

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator MICHAUD of Penobscot to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers in **NON-CONCURRENCE, PREVAILED.**

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

On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Expand the Family Medical Leave Laws  
S.P. 196 L.D. 624  
(C "A" S-235)

Tabled - May 21, 1997, by Senator MICHAUD of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 16, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235).**)

(In House, May 21, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235).**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-235) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-371) to Committee Amendment "A" (S-235) **READ** and **ADOPTED.**

Committee Amendment "A" (S-235) as Amended by Senate Amendment "A" (S-371) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235) AS AMENDED BY SENATE AMENDMENT "A" (S-371)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Protect the Rights of Children Who Have Been Victims of Sexual Abuse by a Juvenile  
S.P. 234 L.D. 803  
(H "A" H-537 to  
C "A" S-207)

Tabled - May 21, 1997, by Senator CLEVELAND of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 19, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-207) AS AMENDED BY HOUSE AMENDMENT "A" (H-537)** thereto, in concurrence.)

(In House, May 21, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-207) AS AMENDED BY HOUSE AMENDMENT "A" (H-537)** thereto, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-207) as Amended by House Amendment "A" (H-537) thereto, was **ADOPTED.**

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

On further motion by same Senator, **RECONSIDERED** whereby House Amendment "A" (H-537) to Committee Amendment "A" (S-207) was **ADOPTED.**

On further motion by same Senator, House Amendment "A" (H-537) to Committee Amendment "A" (S-207) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-382) to Committee Amendment "A" (S-207) **READ** and **ADOPTED**.

Committee Amendment "A" (S-207) as Amended by Senate Amendment "A" (S-382) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-207) AS AMENDED BY SENATE AMENDMENT "A" (S-382)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Provide Reimbursement to Spouses Serving as Personal Care Attendants H.P. 626 L.D. 851 (C "A" H-455)

Tabled - May 20, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 15, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-455)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-455)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-455) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-377) to Committee Amendment "A" (H-455) **READ** and **ADOPTED**.

Committee Amendment "A" (H-455) as Amended by Senate Amendment "A" (S-377) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-455) AS AMENDED BY SENATE AMENDMENT "A" (S-377)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish a Task Force to Determine the Tuition Rates of a Receiving School for a Student from Another School District H.P. 632 L.D. 857 (H "A" H-448 to C "A" H-305)

Tabled - May 19, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-305) AS AMENDED BY HOUSE AMENDMENT "A" (H-448)** thereto, in concurrence.)

(In House, May 19, 1997, **FINALLY PASSED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-305) AS AMENDED BY HOUSE AMENDMENT "A" (H-448)** thereto, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-305) as Amended by House Amendment "A" (H-448) thereto, was **ADOPTED**.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby House Amendment "A" (H-448) to Committee Amendment "A" (H-305) was **ADOPTED**.

On further motion by same Senator, House Amendment "A" (H-448) to Committee Amendment "A" (H-305) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-397) to Committee Amendment "A" (H-305) **READ** and **ADOPTED**.

Committee Amendment "A" (H-305) as Amended by Senate Amendment "A" (S-397) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-305) AS AMENDED BY SENATE AMENDMENT "A" (S-397)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Additional Operating Funds for Homeless Shelters  
H.P. 660 L.D. 913  
(C "A" H-409)

Tabled - May 20, 1997, by **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 15, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-409)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-409)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-409) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-372) to Committee Amendment "A" (H-409) **READ** and **ADOPTED**.

Committee Amendment "A" (H-409) as Amended by Senate Amendment "A" (S-372) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-409) AS AMENDED BY SENATE AMENDMENT "A" (S-372)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish a Commission to Study Insurance Fraud  
H.P. 681 L.D. 933  
(C "A" H-238)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 1, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**, in concurrence.)

(In House, May 6, 1997, **FINALLY PASSED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-238) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-357) to Committee Amendment "A" (H-238) **READ** and **ADOPTED**.

Committee Amendment "A" (H-238) as Amended by Senate Amendment "A" (S-357) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238) AS AMENDED BY SENATE AMENDMENT "A" (S-357)** thereto, in **NON-CONCURRENCE**.

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



On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, Establishing a Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities  
S.P. 293 L.D. 944  
(C "A" S-152)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-152).**)

(In House, May 6, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-152)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-152) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-409) to Committee Amendment "A" (S-152) **READ** and **ADOPTED.**

Committee Amendment "A" (S-152) as Amended by Senate Amendment "A" (S-409) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-152) AS AMENDED BY SENATE AMENDMENT "A" (S-409)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify the Laws Relating to Backyard Burning  
H.P. 703 L.D. 967  
(H "A" H-555 to  
C "A" H-392)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-392) AS AMENDED BY HOUSE AMENDMENT "A" (H-555)** thereto, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-392) AS AMENDED BY HOUSE AMENDMENT "A" (H-555)** thereto, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-392) as Amended by House Amendment "A" (H-555) thereto, was **ADOPTED.**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby House Amendment "A" (H-555) to Committee Amendment "A" (H-392) was **ADOPTED.**

On further motion by same Senator, House Amendment "A" (H-555) to Committee Amendment "A" (H-392) was **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-408) to Committee Amendment "A" (H-392) **READ** and **ADOPTED.**

Committee Amendment "A" (H-392) as Amended by Senate Amendment "B" (S-408) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-392) AS AMENDED BY SENATE AMENDMENT "B" (S-408)** thereto, in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Establish the Commission to Study the Certificate of Need Laws  
H.P. 734 L.D. 998  
(C "A" H-414)

Tabled - May 19, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**, in concurrence.)

(In House, May 19, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-414) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-351) to Committee Amendment "A" (H-414) **READ** and **ADOPTED.**

Committee Amendment "A" (H-414) as Amended by Senate Amendment "A" (S-351) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414) AS AMENDED BY SENATE AMENDMENT "A" (S-351)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish a Task Force to Review the Applied Technology Centers and Applied Technology Regions  
H.P. 771 L.D. 1048  
(S "A" S-226 to  
C "A" H-320)

Tabled - May 7, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 14, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AS AMENDED BY SENATE AMENDMENT "A" (S-226)** thereto.)

(In House, May 20, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AS AMENDED BY SENATE AMENDMENT "A" (S-226)** thereto.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-320) as Amended by Senate Amendment "A" (S-226) thereto, was **ADOPTED.**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Senate Amendment "A" (S-226) to Committee Amendment "A" (H-320) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-226) to Committee Amendment "A" (H-320) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-398) to Committee Amendment "A" (H-320) **READ** and **ADOPTED.**

Committee Amendment "A" (H-320) as Amended by Senate Amendment "B" (S-398) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AS AMENDED BY SENATE AMENDMENT "B" (S-398)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Require Legislative Review of Revisions to the State's Clean Air Strategy  
S.P. 318 L.D. 1058  
(C "A" S-189)

Tabled - May 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 8, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-189).**)

(In House, May 15, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-189).**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-189) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-393) to Committee Amendment "A" (S-189) **READ** and **ADOPTED.**

Committee Amendment "A" (S-189) as Amended by Senate Amendment "A" (S-393) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-189) AS AMENDED BY SENATE AMENDMENT "A" (S-393)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase Access to Education, Training and Employment for Displaced Homemakers S.P. 328 L.D. 1106 (C "A" S-142)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142).**)

(In House, May 6, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142).**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-142) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-373) to Committee Amendment "A" (S-142) **READ** and **ADOPTED.**

Committee Amendment "A" (S-142) as Amended by Senate Amendment "A" (S-373) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142) AS AMENDED BY SENATE AMENDMENT "A" (S-373)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Concerning Authorization of Educational Technicians  
H.P. 890 L.D. 1207  
(C "A" H-688)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-688)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-688)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-380) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-688) AND SENATE AMENDMENT "A" (S-380)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Create a Task Force to Develop a Single Payment System for State and Federal Taxes for Small Businesses  
H.P. 988 L.D. 1368  
(H "B" H-565 to  
C "A" H-240)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240) AS AMENDED BY HOUSE AMENDMENT "B" (H-565)** thereto, in concurrence.)

(In House, May 23, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240) AS AMENDED BY HOUSE AMENDMENT "B" (H-565)** thereto, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-240) as Amended by House Amendment "B" (H-565) thereto, was **ADOPTED.**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby House Amendment "B" (H-565) to Committee Amendment "A" (H-240) was **ADOPTED.**

On further motion by same Senator, House Amendment "B" (H-565) to Committee Amendment "A" (H-240) was **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "A" (S-399) to Committee Amendment "A" (H-240) **READ** and **ADOPTED.**

Committee Amendment "A" (H-240) as Amended by Senate Amendment "A" (S-399) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240) AS AMENDED BY SENATE AMENDMENT "A" (S-399)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Reestablish the State Compensation Commission  
H.P. 999 L.D. 1391  
(C "A" H-309; H "A"  
H-440)

Tabled - May 19, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309) AND HOUSE AMENDMENT "A" (H-440)**, in concurrence.)

(In House, May 19, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309) AND HOUSE AMENDMENT "A" (H-440)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-309) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-383) to Committee Amendment "A" (H-309) **READ** and **ADOPTED.**

Committee Amendment "A" (H-309) as Amended by Senate Amendment "A" (S-383) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309) AS AMENDED BY SENATE AMENDMENT "A" (S-383)** thereto, **AND HOUSE AMENDMENT "A" (H-440)** in **NON-CONCURRENCE.**

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Mandate**

An Act to Redistrict Knox County and Provide for 5 County Commissioners  
H.P. 1016 L.D. 1408  
(C "A" H-475)

Tabled - May 21, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 19, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-475)**, in concurrence.)

(In House, May 21, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-475)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-475) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-356) to Committee Amendment "A" (H-475) **READ** and **ADOPTED**.

Committee Amendment "A" (H-475) as Amended by Senate Amendment "A" (S-356) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-475) AS AMENDED BY SENATE AMENDMENT "A" (S-356)** thereto, in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish Additional Funding for the University of Maine System  
H.P. 1018 L.D. 1410  
(C "A" H-590)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-590)**, in concurrence.)

(In House, May 23, 1997, **FINALLY PASSED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-590)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-590) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-362) to Committee Amendment "A" (H-590) **READ** and **ADOPTED**.

Committee Amendment "A" (H-590) as Amended by Senate Amendment "A" (S-362) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-590) AS AMENDED BY SENATE AMENDMENT "A" (S-362)** thereto, in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify the Application of the Sales Tax on Hay, Horses and Horse Farms  
S.P. 445 L.D. 1419  
(C "A" S-261)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-261)**.)

(In House, May 27, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-261)**.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-261) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-378) to Committee Amendment "A" (S-261) **READ** and **ADOPTED**.

Committee Amendment "A" (S-261) as Amended by Senate Amendment "A" (S-378) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-261) AS AMENDED BY SENATE AMENDMENT "A" (S-378)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Maine Apprenticeship Program  
S.P. 455 L.D. 1429  
(C "A" S-298)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-298)**.)

(In House, May 29, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-298)**.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-298) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-375) to Committee Amendment "A" (S-298) **READ** and **ADOPTED**.

Committee Amendment "A" (S-298) as Amended by Senate Amendment "A" (S-375) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-298) AS AMENDED BY SENATE AMENDMENT "A" (S-375)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish a Committee to Review the Asbestos Hazard Emergency Response Act of 1986

H.P. 1030 L.D. 1447  
(C "A" H-544)

Tabled - May 29, 1997, by Senator **BENNETT** of Oxford.

Pending - **FINAL PASSAGE**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-544)**, in concurrence.)

(In House, May 28, 1997, **FINALLY PASSED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-544)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-544) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-381) to Committee Amendment "A" (H-544) **READ** and **ADOPTED**.

Committee Amendment "A" (H-544) as Amended by Senate Amendment "A" (S-381) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-544) AS AMENDED BY SENATE AMENDMENT "A" (S-381)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish the Task Force to Study Equal Economic Opportunity for All Regions of the State H.P. 1035 L.D. 1452 (C "A" H-504)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-504)**, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-504)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H- 504) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-400) to Committee Amendment "A" (H-504) **READ** and **ADOPTED**.

Committee Amendment "A" (H-504) as Amended by Senate Amendment "A" (S-400) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-504) AS AMENDED BY SENATE AMENDMENT "A" (S-400)** thereto, in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Prevailing Wage Laws  
H.P. 1037 L.D. 1454  
(C "A" H-551)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-551)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED**.)  
Senator **MICHAUD** of Penobscot moved to **SUSPEND THE RULES** for the purpose of **RECONSIDERATION**.

On motion by Senator **AMERO** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

#### ROLL CALL

YEAS: Senators: CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, FERGUSON, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MITCHELL, SMALL

ABSENT: Senators: BUTLAND, HALL

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES**, **FAILED**.

On motion by Senator **MICHAUD** of Penobscot, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Promote Adult Education H.P. 1095 L.D. 1538  
(C "A" H-246)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 1, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**, in concurrence.)

(In House, May 6, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-246) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-368) to Committee Amendment "A" (H-246) **READ** and **ADOPTED**.

Committee Amendment "A" (H-246) as Amended by Senate Amendment "A" (S-368) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246) AS AMENDED BY SENATE AMENDMENT "A" (S-368)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Improve the Child Development Services System and Encourage Collaboration in Early Childhood Programs with School Administrative Units  
H.P. 1125 L.D. 1581  
(C "A" H-703)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 28, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-703)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-703)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-703) was **ADOPTED**.

On further motion by same Senator, Senate Amendment "A" (S-374) to Committee Amendment "A" (H-703) **READ** and **ADOPTED**.

Committee Amendment "A" (H-703) as Amended by Senate Amendment "A" (S-374) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-703) AS AMENDED BY SENATE AMENDMENT "A" (S-374)** thereto, in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Composition of the Information Services Policy Board and Establish a Task Force on Information Technology in the Public Sector  
H.P. 1133 L.D. 1589  
(C "A" H-357)

Tabled - May 15, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-357)**, in concurrence.)

(In House, May 14, 1997, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-357)**, in concurrence.



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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-357) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-387) to Committee Amendment "A" (H-357) **READ** and **ADOPTED.**

Committee Amendment "A" (H-357) as Amended by Senate Amendment "A" (S-387) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-357) AS AMENDED BY SENATE AMENDMENT "A" (S-387)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Assist the Maine Potato Industry  
S.P. 516 L.D. 1600

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 29, 1997, **PASSED TO BE ENGROSSED.**)

(In House, May 6, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED.**

On further motion by same Senator, Senate Amendment "A" (S-363) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-363)** in **NON-CONCURRENCE.**

Under suspension of the Rules, ordered sent down forthwith.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

Resolve, to Foster Economic Growth through the Recognition and Development of Maine's Franco-American Resource  
S.P. 519 L.D. 1603  
(S "A" S-283 to C  
"A" S-275)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-275) AS AMENDED BY SENATE AMENDMENT "A" (S-283)** thereto.)

(In House, May 23, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-275) AS AMENDED BY SENATE AMENDMENT "A" (S-283)** thereto.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-275) as Amended by Senate Amendment "A" (S-283) thereto, was **ADOPTED.**

On further motion by same Senator, Senate Amendment "D" (S-405) to Committee Amendment "A" (S-275) **READ** and **ADOPTED.**

Committee Amendment "A" (S-275) as Amended by Senate Amendments "A" (S-283) and "D" (S-405) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-275) AS AMENDED BY SENATE AMENDMENTS "A" (S-283) AND "D" (S-405)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Amend the Maine Health Data Organization Laws  
S.P. 560 L.D. 1693  
(H "A" H-206)

Tabled - April 30, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 17, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-206)**, in concurrence.)

(In House, April 29, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-206)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-369) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-206) AND SENATE AMENDMENT "A" (S-369)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Plan for Services for Children with Mental Health Needs  
S.P. 579 L.D. 1744  
(C "A" S-334)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-334).**)

(In House, May 29, 1997, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-334).**

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (S-334) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-401) to Committee Amendment "A" (S-334) **READ** and **ADOPTED.**

Committee Amendment "A" (S-334) as Amended by Senate Amendment "A" (S-401) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-334) AS AMENDED BY SENATE AMENDMENT "A" (S-401)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Provide Funding for Mental Retardation Day Services for Nonclass Members  
H.P. 1285 L.D. 1830

Tabled - May 20, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 15, 1997, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-386) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-386)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement Federal Welfare Reform Mandates for State Child Support Enforcement Laws  
H.P. 1290 L.D. 1835  
(C "A" H-699)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 28, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-699)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-699)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-699) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-355) to Committee Amendment "A" (H-699) **READ** and **ADOPTED.**

Committee Amendment "A" (H-699) as Amended by Senate Amendment "A" (S-355) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-699) AS AMENDED BY SENATE AMENDMENT "A" (S-355)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Appropriate Funds for the Education Research Institute  
H.P. 1298 L.D. 1841

Tabled - May 19, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 19, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED.**

On further motion by same Senator, Senate Amendment "A" (S-402) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-402)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Allow the Town of Chester to Annex a Certain Parcel of Land  
S.P. 633 L.D. 1850  
(C "A" S-296)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-296).**)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-296).**

On further motion by same Senator, Senate Amendment "A" (S-364) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-296) AND SENATE AMENDMENT "A" (S-364)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

#### Emergency

An Act to Protect Victims of Domestic Violence  
H.P. 1317 L.D. 1867  
(C "A" H-687)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-687)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-687)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-389) **READ** and **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-687) AND SENATE AMENDMENT "A" (S-389)** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Harness Racing Task Force  
H.P. 1318 L.D. 1868  
(C "A" H-690)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-690)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-690)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby Committee Amendment "A" (H-690) was **ADOPTED.**

On further motion by same Senator, Senate Amendment "A" (S-410) to Committee Amendment "A" (H-690) **READ** and **ADOPTED.**

Committee Amendment "A" (H-690) as Amended by Senate Amendment "A" (S-410) thereto, **ADOPTED** in **NON-CONCURRENCE.**

Which was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-690) AS AMENDED BY SENATE AMENDMENT "A" (S-410)** thereto, in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase the Period of Probation for Sex Offenders  
H.P. 49 L.D. 74  
(C "A" H-517)

Tabled - May 23, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-517)**, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, Establishing the Commission to Review the Effectiveness of Statewide Confidentiality Laws Dealing with the Care of People with Mental Illness  
H.P. 81 L.D. 106  
(C "A" H-158)

Tabled - April 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, April 15, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158)**, in concurrence.)

(In House, April 17, 1997, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase Health Insurance Benefits for Retired Educators  
H.P. 132 L.D. 174  
(C "A" H-154)

Tabled - May 7, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 14, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-154)**, in concurrence.)

(In House, April 17, 1997, **PASSED TO BE ENACTED**.)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding Balances Remaining in General Purpose Aid for Local Schools  
H.P. 73 L.D. 98  
(C "A" H-424)

Tabled - May 20, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-424)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

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

Senator **PENDLETON:** Thank you Mr. President, men and women of the Senate. I would like to say to you, this Act regarding balances remaining in General Purpose Aid for Local Schools is an issue that we discussed at length in the Education and Cultural Affairs Committee. It came to our attention during the budget process that balances that lapse that are in the General Purpose Aid are put back into the General Fund. We also found that in the last couple of years, \$9 million were actually lapsed in General Purpose Aid and put back into the General Fund. We've argued and debated about school funding. We've talked about how we were not funding the pie and it just

seems to me that this piece of legislation would help us solve that problem. What we tried to do in this piece of legislation is say that any lapsed balances in the General Purpose Aid that goes to our schools would go back into General Purpose Aid. So I hope that you will join with me and vote to enact this piece of legislation. Thank you.

On motion by Senator **MICHAUD** of Penobscot, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTMENT**.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Give an Antlerless Deer Permit to a Person Who Kills 5 or More Coyotes  
S.P. 63 L.D. 182  
(C "A" S-65)

Tabled - April 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED** in **NON-CONCURRENCE** (Roll Call Ordered)

(In Senate, April 2, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-65)**.)

(In House, April 15, 1997, Bill and Accompany Papers **INDEFINITELY POSTPONED**.)

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

**ROLL CALL**

**YEAS:** Senators: **ABROMSON, AMERO, BENOIT, BUTLAND, CASSIDY, FERGUSON, HALL, HARRIMAN, KIEFFER, LIBBY, MACKINNON, MILLS, MITCHELL, NUTTING, SMALL**

**NAYS:** Senators: **BENNETT, CAREY, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, JENKINS, KILKELLY, LAFOUNTAIN, LONGLEY, MICHAUD, MURRAY, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

**ABSENT:** Senator: **RUHLIN**

Senator **CASSIDY** of Washington requested and received leave of the Senate to change his vote from **NAY** to **YEA**.

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being absent, **PASSAGE TO BE ENACTED** in **NON-CONCURRENCE**, **FAILED**.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide That Students Receiving Any Services from a School Be Counted as Students for Purposes of State Aid  
H.P. 144 L.D. 187  
(C "A" H-321)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 7, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-321)**, in concurrence.)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding the Funding of Search and Rescues by the Department of Inland Fisheries and Wildlife H.P. 274 L.D. 338  
(C "A" H-315)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 7, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-315)**, in concurrence.)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Preserve Senior Volunteerism S.P. 115 L.D. 394  
(C "A" S-61)

Tabled - April 1, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 25, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61).**)

(In House, March 31, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Create an Historic Preservation Tax Credit  
S.P. 126 L.D. 405  
(H "A" H-372; C "A" S-139)

Tabled - May 20, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-139) AND HOUSE AMENDMENT "A" (H-372)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

(See action later today.)

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Allow a Greater Share of the Transfer Tax to Remain in the Counties Where it is Collected

S.P. 91 L.D. 271  
(H "B" H-374; C "A" S-126)

Tabled - May 20, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 14, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-126) AND HOUSE AMENDMENT "B" (H-374)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish a Part-time Liquor License  
H.P. 381 L.D. 526  
(C "A" H-94)

Tabled - April 2, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-94)**, in concurrence.)

(In House, April 1, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Change the Reimbursement for Law Enforcement Personnel Testifying in Court  
H.P. 404 L.D. 549  
(H "A" H-672 to C "A" H-639)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639) AS AMENDED BY HOUSE AMENDMENT "A" (H-672)** thereto, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Concerning the Fees Charged by the Secretary of State for Copies  
H.P. 410 L.D. 555  
(C "A" H-138)

Tabled - April 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 10, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-138)**, in concurrence.)

(In House, April 14, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

---

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Exempt Nonprofit Ambulance and Fire Emergency Services from the State's Sales Tax  
S.P. 189 L.D. 607  
(C "A" S-260)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-260)**.)

(In House, May 27, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Veteran's Estate Tax Exemption  
H.P. 312 L.D. 434  
(C "A" H-243; H "A" H-373)

Tabled - May 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 12, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243) AND HOUSE AMENDMENT "A" (H-373)**, in concurrence.)

(In House, May 15, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

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

Senator **HARRIMAN:** Thank you Mr. President. Is the Senate in possession of L.D. 405?

**THE PRESIDENT:** The Chair would answer in the affirmative. The Bill having been held at the Senator's request.

Senator **HARRIMAN** of Cumberland moved the Senate **RECONSIDER** its action whereby it **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** the following:

An Act to Create an Historic Preservation Tax Credit  
S.P. 126 L.D. 405  
(H "A" H-372; C "A"  
S-139)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

(In Senate, May 30, 1997, on motion by Senator **MICHAUD** of Penobscot, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.)

At the request of Senator **RAND** of Cumberland a Division was had. 13 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **HARRIMAN** of Cumberland to **RECONSIDER** whereby the Bill and Accompanying Papers were **INDEFINITELY POSTPONED**, **FAILED**.

Sent down for concurrence.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Permit Forest Rangers to Carry Weapons  
H.P. 472 L.D. 643  
(H "B" H-489 to C  
"A" H-395)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395) AS AMENDED BY HOUSE AMENDMENT "B" (H-489)** thereto, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED**.)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Create an Elder Abuse and Fraud Unit in the Department of the Attorney General  
H.P. 476 L.D. 647  
(CC "A" H-662)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 23, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (H-662)**, in concurrence.)

(In House, May 28, 1997, **PASSED TO BE ENACTED**.)

On motion by Senator **MICHAUD** of Penobscot, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Maine Criminal Code to Include the Loss of a Pregnancy  
H.P. 541 L.D. 732  
(C "A" H-604)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 23, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-604)**, in concurrence.)

(In House, May 28, 1997, **PASSED TO BE ENACTED**.)

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding the Obligation of the State to Fund Adult Education  
H.P. 629 L.D. 854  
(C "A" H-306)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.



Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 6, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-306)**, in concurrence.)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish a Coordinated Information Referral System and a Single Intake System for the Department of Corrections, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Public Safety.  
H.P. 664 L.D. 917  
(C "A" H-685)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-685)**, in concurrence.)

(In House, May 29, 1997, **FINALLY PASSED.**)

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Tax against Certain Casual Sales  
H.P. 671 L.D. 923  
(S "A" S-285 to C  
"A" H-547)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547) AS AMENDED BY SENATE AMENDMENT "A" (S-285)** thereto.)

(In House, May 23, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Judicial Compensation Commission  
S.P. 322 L.D. 1062  
(C "A" S-286)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 23, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-286)**.)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Legal Counsel for Legislative Investigating Committees  
H.P. 847 L.D. 1152  
(C "A" H-488)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-488)**, in concurrence.)

(In House, May 27, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Mandate**

An Act to Amend the Victims' Rights Laws  
H.P. 879 L.D. 1196  
(C "A" H-691)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-691)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED**.)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Improve the Delivery and Financing of Long-term Care  
S.P. 382 L.D. 1241  
(C "A" S-208)

Tabled - May 20, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 12, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-208)**.)

(In House, May 20, 1997, **FINALLY PASSED**.)

On further motion by same Senator, Resolve and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Define the Permissible Duties of Part-time and Full-time Law Enforcement Officers  
H.P. 938 L.D. 1285  
(C "A" H-623)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623)**, in concurrence.)

(In House, May 27, 1997, **PASSED TO BE ENACTED**.)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

#### Emergency

Resolve, Establishing a Blue Ribbon Commission to Study the Effect of Government Regulation on Small Businesses in Maine  
S.P. 422 L.D. 1343  
(C "A" S-183)

Tabled - May 15, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **FINAL PASSAGE**

(In Senate, May 7, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-183)**.)

(In House, May 14, 1997, **FINALLY PASSED**.)

Senator **MICHAUD** of Penobscot moved to **INDEFINITELY POSTPONE** the Resolve and Accompanying Papers in **NON-CONCURRENCE**.

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

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

Senator **MACKINNON:** Thank you Mr. President. This bill was a 13 to 0 bill that came out of the Business and Economic Development Committee. It was a bill which was passed 13 to 0. It's a study of the small businesses, 25 and under, 50 and under, to look at the regulations of government effects on the regulations. We think it's very important. I ask your support of this. Thank you.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending the motion by Senator **MICHAUD** of Penobscot to **INDEFINITELY POSTPONE** the Resolve and Accompanying Papers in **NON-CONCURRENCE**. (Division Requested)

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding the Division of Safety and Environmental Services in the Bureau of General Services  
S.P. 518 L.D. 1602  
(C "A" S-288)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-288).**)

(In House, May 23, 1997, **PASSED TO BE ENACTED.**)

On motion by Senator **DAGGETT** of Kennebec, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, to Establish a Commission to Designate Outstanding Maine Citizens Whose Portraits Are to Be Displayed in the State House  
H.P. 1145 L.D. 1610  
(H "A" H-452 to C "A" H-328)

Tabled - May 19, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-328) AS AMENDED BY HOUSE AMENDMENT "A" (H-452)** thereto, in concurrence.)

(In House, May 19, 1997, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Optimize the Utility of the 5 Maine Veterans' Homes  
H.P. 1173 L.D. 1650  
(C "A" H-651)

Tabled - May 28, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 23, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-651)**, in concurrence.)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Simplify the Process for Applying for State Services for People with Disabilities  
H.P. 1200 L.D. 1700  
(C "A" H-702)

Tabled - May 29, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 28, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-702)**, in concurrence.)

(In House, May 29, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Promote Higher Education  
H.P. 1223 L.D. 1735  
(C "A" H-542)

Tabled - May 29, 1997, by Senator **BENNETT** of Oxford.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-542)**, in concurrence.)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Emergency**

An Act to Amend the Laws Regarding the Expanded Archery  
Deer Hunting Season H.P. 28 L.D. 53  
(C "A" H-318)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 7, 1997, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (H-318)**, in  
concurrence.)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the  
affirmative vote of 29 Members of the Senate, with no Senators  
having voted in the negative, and 29 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.

On motion by Senator **MICHAUD** of Penobscot, the Senate  
removed from the **SPECIAL APPROPRIATIONS TABLE** the  
following:

**Emergency**

An Act to Authorize the Extension of Needed Positions at the  
Augusta Mental Health Institute S.P. 307 L.D. 1015  
(C "A" S-191)

Tabled - May 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 8, 1997, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (S-191)**.)

(In House, May 15, 1997, **PASSED TO BE ENACTED.**)

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**

On motion by Senator **MICHAUD** of Penobscot, the Senate  
removed from the **SPECIAL APPROPRIATIONS TABLE** the  
following:

**Emergency**

An Act to Increase Home Ownership H.P. 1171 L.D. 1648  
(C "A" H-281)

Tabled - May 8, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 5, 1997, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (H-281)**, in  
concurrence.)

(In House, May 8, 1997, **PASSED TO BE ENACTED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate  
removed from the **SPECIAL APPROPRIATIONS TABLE** the  
following:

**Emergency**

An Act to Extend the Electric Rate Stabilization Program  
H.P. 1252 L.D. 1771  
(C "A" H-354)

Tabled - May 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 12, 1997, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (H-354)**, in  
concurrence.)

(In House, May 15, 1997, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the  
affirmative vote of 29 Members of the Senate, with no Senators  
having voted in the negative, and 29 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.

On motion by Senator **MICHAUD** of Penobscot, the Senate  
removed from the **SPECIAL APPROPRIATIONS TABLE** the  
following:

**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution  
of Maine to Clarify Voting Rights H.P. 639 L.D. 864  
(C "A" H-129)

Tabled - April 14, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, April 8, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-129)**, in concurrence.)

(In House, April 10, 1997, **FINALLY PASSED.**)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 28 Members of the Senate, with 2 Senators having voted in the negative, and 28 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Allow Field Testing of Unregistered Snowmobiles Repaired by Licensed Snowmobile Repair Shops

H.P. 57 L.D. 82  
(C "A" H-99; S "A"  
S-255)

Tabled - May 22, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 19, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-99) AND SENATE AMENDMENT "A" (S-255).**)

(In House, May 22, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Protect Deer H.P. 99 L.D. 123  
(C "A" H-97)

Tabled - May 8, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 1, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-97)**, in concurrence.)

(In House, April 7, 1997, **PASSED TO BE ENACTED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Fund Research Regarding the Reinstatement of a Meat Inspection Program S.P. 50 L.D. 160

Tabled - April 30, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 15, 1997, **PASSED TO BE ENGROSSED.**)

(In House, April 29, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Require the Department of Inland Fisheries and Wildlife to Provide Transportation Tags with Big Game Hunting Licenses S.P. 64 L.D. 183  
(C "A" S-187)

Tabled - May 15, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 8, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-187).**)

(In House, May 15, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Create the Position of Director of Econometric Research within the Bureau of Taxation S.P. 74 L.D. 213  
(C "A" S-141)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-141).**)

(In House, May 6, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase the Funding for School Construction  
H.P. 184 L.D. 237  
(C "A" H-574)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-574)**, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish the Crime of Elevated Aggravated Assault  
H.P. 208 L.D. 261  
(C "A" H-101)

Tabled - April 2, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-101)**, in concurrence.)

(In House, April 1, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Maine Apiary Laws S.P. 85 L.D. 265  
(C "A" S-78)

Tabled - April 14, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 2, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-78)**.)

(In House, April 10, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Create a Repeat Offender Provision Addressing Crimes of Violence against Persons  
H.P. 229 L.D. 293  
(C "A" H-554)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554)**, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Make Unlawful Possession of Firearms for Nonviolent Juvenile Offenses Either a Crime or a Juvenile Offense Depending upon the Age of the Violator  
H.P. 233 L.D. 297  
(C "A" H-22)

Tabled - March 25, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, March 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)**, in concurrence.)

(In House, March 25, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase the Penalty for Burglary When the Actor has Prior Convictions for Certain Enumerated Crimes

H.P. 264 L.D. 328  
(C "A" H-384)

Tabled - May 15, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-384)**, in concurrence.)

(In House, May 14, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Waste Management Laws Regarding Landfill Closure  
H.P. 351 L.D. 474  
(C "A" H-459)

Tabled - May 20, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 15, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-459)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide for State and Federal Criminal Record Checks on Educational Personnel in the State

S.P. 174 L.D. 503  
(S "A" S-169 to C  
"A" S-127)

Tabled - May 9, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-127) AS AMENDED BY SENATE AMENDMENT "A" (S-169)** thereto.)

(In House, May 9, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide for an Additional Staff Member for the Business Enterprise Program  
S.P. 187 L.D. 605  
(C "A" S-145)

Tabled - May 6, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-145)**.)

(In House, May 6, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Enhance the Penalty for Operating a Motor Vehicle after Habitual Offender Revocation When the Actor Has Had a Prior Conviction for Operating after Revocation or Operating under the Influence within the Previous 10 Years

H.P. 400 L.D. 545  
(C "A" H-199)

Tabled - April 30, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 30, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-199)**.)

(In House, April 30, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Protection from Assault for Emergency Medical Care Providers  
H.P. 453 L.D. 616  
(C "A" H-376)

Tabled - May 15, 1997, by Senator CLEVELAND of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-376)**, in concurrence.)

(In House, May 14, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Expand the Definition of "Aggravated Criminal Mischief" to Make It a Class C Crime to Damage Property by Fire  
H.P. 480 L.D. 651  
(C "A" H-383)

Tabled - May 15, 1997, by Senator CLEVELAND of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-383)**, in concurrence.)

(In House, May 14, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Improve the Efficiency of the Department of Agriculture, Food and Rural Resources  
H.P. 714 L.D. 978  
(C "A" H-160)

Tabled - April 28, 1997, by Senator MICHAUD of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 16, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-160)**, in concurrence.)

(In House, April 28, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Reduce the Presumptive Amount for Trafficking in Marijuana from 2 Pounds to One Pound  
H.P. 749 L.D. 1026  
(C "A" H-422)

Tabled - May 20, 1997, by Senator MICHAUD of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 13, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-422)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Enhance the State's Moose Hunt  
H.P. 774 L.D. 1051  
(C "A" H-151)

Tabled - April 17, 1997, by Senator MICHAUD of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May April 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-151)**, in concurrence.)

(In House, April 16, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator MICHAUD of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Continuing Care Retirement Community Laws  
H.P. 827 L.D. 1132  
(C "A" H-426)

Tabled - May 20, 1997, by Senator MICHAUD of Penobscot.



Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 14, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-426)**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend Child Protective Laws H.P. 858 L.D. 1163  
(H "A" H-456 to C  
"A" H-344)

Tabled - May 20, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 15, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-344) AS AMENDED BY HOUSE AMENDMENT "A" (H-456)** thereto, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend Department of Defense and Veterans' Affairs Laws S.P. 351 L.D. 1170  
(C "A" S-114)

Tabled - May 2, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, April 29, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-114)**.)

(In House, May 2, 1997, **PASSED TO BE ENACTED**.)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Law to Be Consistent with the Organizational Structure of the Department of Corrections and for Other Purposes H.P. 1050 L.D. 1467  
(C "A" H-513)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 20, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-513)**, in concurrence.)

(In House, May 23, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Modernize Maine's Cigarette Tax Laws H.P. 1150 L.D. 1615  
(C "A" H-599)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-599)**, in concurrence.)

(In House, May 27, 1997, **PASSED TO BE ENACTED**.)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Department of Human Services Study Group on Prosecution of Crimes against the Elderly H.P. 1214 L.D. 1714  
(C "A" H-622)

Tabled - May 27, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-622)**, in concurrence.)

(In House, May 27, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Finance Authority of Maine Act and the Adaptive Equipment Loan Program S.P. 602 L.D. 1780 (C "A" S-247)

Tabled - May 22, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 19, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-247).**)

(In House, May 22, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Include Flunitrazepam in the List of Schedule W Drugs S.P. 603 L.D. 1800 (C "A" S-217)

Tabled - May 20, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 14, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-217).**)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Regulation of Payroll Processing Companies H.P. 1329 L.D. 1878

Tabled - May 20, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 16, 1997, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 20, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Ask Voters in a Referendum Whether One Travel Lane in Each Direction Should be Added to the Maine Turnpike, Paid for by Turnpike Tolls, to Reduce Accidents and Congestion S.P. 663 L.D. 1883

Tabled - May 29, 1997, by Senator **BENNETT** of Oxford.

Pending - **PASSAGE TO BE ENACTED**

(In Senate, May 22, 1997, **PASSED TO BE ENGROSSED.**)

(In House, May 28, 1997, **PASSED TO BE ENACTED.**)

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

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On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, Authorizing the Transfer of a Parcel of Land in Webster Plantation to Hazen and Theo Jipson H.P. 479 L.D. 650 (C "A" H-28)

Tabled - March 25, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, March 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-28)**, in concurrence.)

(In House, March 25, 1997, **FINALLY PASSED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, Requiring the Department of Human Services to Establish a Maximum Contaminant Level for MTBE  
H.P. 487 L.D. 658  
(C "A" H-386)

Tabled - May 15, 1997, by Senator **CLEVELAND** of Androscoggin.

Pending - **FINAL PASSAGE**

(In Senate, May 9, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-386)**, in concurrence.)

(In House, May 14, 1997, **FINALLY PASSED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve, Directing the Department of Human Services to Apply for a Waiver to Enable People with Disabilities to Purchase Medicaid Health Insurance  
H.P. 1098 L.D. 1541  
(C "A" H-583)

Tabled - May 23, 1997, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**

(In Senate, May 21, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-583)**, in concurrence.)

(In House, May 23, 1997, **FINALLY PASSED.**)

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

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

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**COMMITTEE REPORTS**

Senate

**Ought to Pass**

Senator **PARADIS** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding Temporary Assistance for Needy Families and Welfare Reform" (Emergency) S.P. 671 L.D. 1896

Reported that the same **Ought to Pass**, pursuant to Joint Order (S.P. 661).

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

**Ought to Pass As Amended**

Senator **LONGLEY** for the Committee on **JUDICIARY** on Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (Emergency) S.P. 12 L.D. 10

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-411)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-411) **READ**.

On motion by Senator **MACKINNON** of York, Senate Amendment "A" (S-418) to Committee Amendment "A" (S-411) **READ**.

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

Senator **MACKINNON:** Thank you Mr. President, women and men of the Senate. I just wish to bring this to your attention. One

of the things we have just passed is the Learning Standards and one of the things we had was the editing part of the English section, and I consider this a group edit process that as an educator, as a person who we try to model various things, I find that the "Ride safe" is a wrong terminology. "Ride safely", I believe, is correct. I bring this before you to see if we can move to correct the English language at this particular time as that plate will go throughout the state and throughout the country, and I'd much rather have us be recognized as a state which goes forward with the English language as opposed to backward. Thank you.

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

Senator **LONGLEY:** Thank you Mr. President and colleagues of the Senate. The Judiciary Committee does the errors and omissions and I just want everyone to know, I ain't got no problem with this one.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Cassidy.

Senator **CASSIDY:** Thank you Mr. President, ladies and gentlemen of the Senate. First of all, I would request a division when we vote on this, but I'd like to speak on the issue just quickly. We did discuss this during our transportation deliberations on this particular bill. This bill was presented, I think, originally by the Maine Bikers and that was discussed, you know, "Ride safe." "Ride safely" is the correct grammar and all that sort of thing, but they felt that it was a simple message. The other thing that clinched it for us was the fact that we didn't have room for all the characters on the plate because the motorcycle plate, as you know, is a very tiny plate and we felt that "Ride safe," if somebody picked up on that, it may be just a real good discussion to make them really ride safely, so we decided as a Committee, 13 to 0, that we could live with that and I hope that you defeat this amendment.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator O'Gara.

Senator **O'GARA:** Thank you Mr. President, ladies and gentlemen of the Senate. Just briefly as well, we all reacted to the very same thing that the Senator from York is commenting on, but to follow up to what Senator Cassidy has said, "Ride safe" is their slogan, it's not our slogan. It's theirs and it's nationwide, not Maine-wide, so if motorcycles are going out of state, other people out of state are going to see the very same thing as well. So I'm sorry I didn't get up sooner, I just wasn't quite in tune with what was being discussed at the time, and I would urge the Senate to defeat the motion. Thank you.

At the request of Senator **CASSIDY** of Washington a Division was had. 18 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **MACKINNON** of York to **ADOPT** Senate Amendment "A" (S-418) to Committee Amendment "A" (S-411), **PREVAILED**.

Committee Amendment "A" (S-411) as Amended by Senate Amendment "A" (S-418) thereto, **ADOPTED**.

Under suspension of the Rules, the Bill as Amended, **READ A SECOND TIME**.

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

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Create the Maine Governmental Facilities Authority" S.P. 589 L.D. 1759 (C "A" S-297; S "A" S-336)

In Senate, May 27, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297) AND SENATE AMENDMENT "A" (S-336)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297); SENATE AMENDMENT "A" (S-336) AND HOUSE AMENDMENT "A" (H-737) IN NON-CONCURRENCE**.

On motion by Senator **PINGREE** of Knox, the Senate **RECEDED and CONCURRED**.

**ENACTORS**

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

**Resolve**

Resolve, Directing the Department of Environmental Protection to Study and Make Recommendations on the Establishment of a Motor Vehicle Inspection and Maintenance Program to Meet the Requirements of the Federal Clean Air Act H.P. 1174 L.D. 1651 (C "A" H-391)

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 29 Senators having voted in the affirmative and 5 Senators having voted in the negative, the Resolve was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Protect the Potato Industry from the Spread of Serious Disease" (Emergency) S.P. 150 L.D. 429 (C "A" S-241)

In Senate, May 16, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-241).**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-241) AND HOUSE AMENDMENT "A" (H-741) in NON-CONCURRENCE.**

On motion by Senator **PINGREE** of Knox, the Senate **RECEDED** and **CONCURRED.**

**Joint Resolution**

The following Joint Resolution: H.P. 1347

**JOINT RESOLUTION IN HONOR OF THE 80TH BIRTHDAY OF ANDREW WYETH**

WHEREAS, Andrew Wyeth was born at Chadds Ford, Pennsylvania, July 12, 1917; and

WHEREAS, N. C. Wyeth, his father, bought a summer home called "Eight Bells" on Horse Point, Port Clyde, Maine, in 1920, which is still owned by the Wyeth family; and

WHEREAS, the Wyeth family has spent summers in Maine for nearly 80 years; and

WHEREAS, Andrew Wyeth has been painting in Knox County for more than 60 years, so long that he himself has become part of the summer landscape; and

WHEREAS, Andrew Wyeth and Betsey James were married in 1940 and have maintained a summer residence in Cushing for many years; and

WHEREAS, their sons, James and Nicholas, have continued the family tradition of summering on the coast of Maine; and

WHEREAS, Andrew Wyeth has received dozens of honors and degrees, including the Presidential Medal of Freedom awarded by President Kennedy and honorary citizenship in the State of Maine; and

WHEREAS, Andrew Wyeth's portraits have consistently depicted Maine's people as having dignity, strength and sensitivity; and

WHEREAS, Andrew Wyeth's works are among the finest and most widely recognized paintings created in this century; and

WHEREAS, Andrew Wyeth's paintings have raised the consciousness of Maine people to the beauty and inherent value of the State's natural and historic social landscapes; and

WHEREAS, the people of the State are grateful for the generous support Andrew Wyeth and his family have given to historic preservation and cultural enrichment; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred Eighteenth Legislature, now assembled in the First Special Session, take this occasion to recognize Andrew Wyeth on the 80th anniversary of his birth, and extend our sincere wishes that he may continue to enjoy many more years of joy and creativity; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Andrew Wyeth in honor of the occasion.

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

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

**COMMITTEE REPORTS**

**House**

**Divided Report**

The Majority of the Committee on **NATURAL RESOURCES** on Resolve, to Allow Donald Hebert to Retain a Certain Structure in Exchange for the Removal of Another Structure H.P. 477 L.D. 648

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

Signed:

Senators:

TREAT of Kennebec  
NUTTING of Androscoggin  
BUTLAND of Cumberland

Representatives:

ROWE of Portland  
SHIAH of Bowdoinham  
BULL of Freeport  
COWGER of Hallowell  
JONES of Greenville  
MCKEE of Wayne  
NICKERSON of Turner  
MERES of Norridgewock  
FOSTER of Gray

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

Signed:

Representative:

DEXTER of Kingfield

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

Which Reports were **READ.**

On motion by Senator **TREAT** of Kennebec, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

**ORDERS**

**Joint Resolution**

On motion by Senator **HARRIMAN** of Cumberland.  
(Cosponsored by: Representative **BUCK** of Yarmouth.)  
S.P. 672

**JOINT RESOLUTION HONORING THE BICENTENNIAL OF  
THE FIRST BAPTIST CHURCH OF YARMOUTH**

WHEREAS, Baptist missionaries traveled to the greater Yarmouth area to teach the word of God in an evangelistic style; and

WHEREAS, these self-proclaimed ministers of Christ would preach in barns, schoolhouses, homes or anywhere a congregation could be formed; and

WHEREAS, these ministers were described as enthusiastic and charismatic and it was their teachings that inspired many in the greater Yarmouth area to become Baptists; and

WHEREAS, the newly converted Baptists organized what became The Baptist Society of North Yarmouth and Freeport; and

WHEREAS, the Baptists eventually erected on Byram's Hill a house of worship, commonly referred to as the "Old Meeting House on the Hill," and in June of 1797 an act of incorporation under the name of The Baptist Religious Society of North Yarmouth and Freeport was granted; and

WHEREAS, Dr. Thomas Green, a physician as well as a minister of the gospel, was the first pastor of the church who preached eloquently and effectively each Sunday; and

WHEREAS, the congregation of the First Baptist Church of Yarmouth will celebrate 200 years of faith during festivities at the Old Meeting House on the Hill on Sunday, June 22, 1997; now, therefore, be it

**RESOLVED:** That We, the Members of the 118th Legislature, now assembled in the First Special Session, pause in our deliberations to extend our best wishes to the congregation of the First Baptist Church of Yarmouth on the occasion of their bicentennial celebration; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Pastor Richard Ochsner for presentation to the Members of the First Baptist Church of Yarmouth.

Which was **READ** and **ADOPTED**.

Sent down for concurrence.

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Senate at Ease

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

**JOINT ORDER** - relative to the Joint Select Committee to Oversee Maine Yankee Atomic Power Company  
H.P. 1345  
(S "A" S-347)

In House, May 29, 1997, **READ** and **PASSED**.

In Senate, May 30, 1997, **READ** and **PASSED AS AMENDED BY SENATE AMENDMENT "A" (S-347)** in **NON-CONCURRENCE**.

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

On motion by Senator **CAREY** of Kennebec, the Senate **INSISTED** and **JOINED IN A COMMITTEE OF CONFERENCE**, in concurrence.

(See action later today.)

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Senate at Ease

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order: H.P. 1351

**ORDERED**, the Senate concurring, that Bill, "An Act to Provide Equal Political Rights for Classified State Employees," H.P. 740, L.D. 1004, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

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

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**THE PRESIDENT:** In reference to the action of the Senate on May 30, 1997, whereby it **INSISTED** and **JOINED IN A COMMITTEE OF CONFERENCE** on **JOINT ORDER** - relative to the Joint Select Committee to Oversee Maine Yankee Atomic Power Company  
H.P. 1345  
(S "A" S-347)

The Chair appointed as conferees on the part of the Senate:

Senator **CAREY** of Kennebec.  
Senator **CLEVELAND** of Androscoggin.  
Senator **HARRIMAN** of Cumberland.

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

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On motion by Senator **PINGREE** of Knox, **ADJOURNED** until Saturday, May 31, 1997, at 8:30 in the morning.