

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## **One Hundred And Fifteenth Legislature**

OF THE

## **State Of Maine**

### **VOLUME VII**

#### **SECOND REGULAR SESSION**

Senate

March 10, 1992 to March 31, 1992

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#### **SECOND CONFIRMATION SESSION**

May 20, 1992

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#### **THIRD CONFIRMATION SESSION**

August 19, 1992

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#### **THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

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#### **FOURTH SPECIAL SESSION**

October 16, 1992

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#### **FOURTH CONFIRMATION SESSION**

November 19, 1992

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#### **HOUSE AND SENATE LEGISLATIVE SENTIMENTS**

December 5, 1990 to December 1, 1992

An Act to Protect Taxpayer Rights by Amending the Taxpayer Bill of Rights and Making More Equitable Tax Penalty and Appeal Provisions

H.P. 1583 L.D. 2233  
(C "A" H-1260)

Tabled - March 26, 1992, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, March 25, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1260)**, in concurrence.)

(In House, March 26, 1992, **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 **BRANNIGAN** of Cumberland the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide for Periodic Review and Modification of Child Support Orders

S.P. 893 L.D. 2293  
(C "A" S-654)

Tabled - March 25, 1992, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, March 24, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-654).**)

(In House, March 25, 1992, **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 **BRANNIGAN** of Cumberland the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Concerning Site Protection at Former Mining Operations

H.P. 1715 L.D. 2400  
(C "A" H-1177)

Tabled - March 25, 1992, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, March 24, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1177)**, in concurrence.)

(In House, March 25, 1992, **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 **BRANNIGAN** of Cumberland the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Legalize Marijuana for Medicinal Purposes

H.P. 1729 L.D. 2420  
(H "A" H-1312 to C "A" H-1281)

Tabled - March 29, 1992, by Senator **BRANNIGAN** of Cumberland.

Pending - **ENACTMENT**

(In Senate, March 28, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1281) AS AMENDED BY HOUSE AMENDMENT "A" (H-1312)** thereto, in concurrence.)

(In House, March 29, 1992, **PASSED TO BE ENACTED.**)  
On motion by Senator **COLLINS** of Aroostook, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

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

Senator **CONLEY:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Once again I want to remind this Body this Bill does not legalize marijuana as the title might lead one to believe. It provides someone who is sick and under the treatment of a doctor with a defense they can use in a court of law. It is a unanimous committee report out of the Committee of Human Resources and the Judiciary Committee has also reviewed this Bill. I urge your support. Thank you.

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

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would request those members of the Chamber who may be inclined to vote against this measure to provide me and other colleagues an articulate explanation of the policy reasons why one would not provide this measure of remedial application of marijuana to assist those who are suffering from the effects of chemotherapy. Could I please have an explanation as to why people are opposed to this measure as presently drafted? Thank you.

Senator **COLLINS** of Aroostook requested and received Leave of the Senate to withdraw his request for a Roll Call.

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

Senator **ESTES:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to pose a question to members of the Committee on Human Resources. Under the definition of medicinal purposes, would the stress and strain of the last days of the Legislative Session qualify?

Senator **COLLINS** of Aroostook requested a Division.

**THE PRESIDENT:** The pending question before the Senate is **ENACTMENT.**

A Division has been requested.  
Will all those in favor please rise in their places and remain standing until counted.

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

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** 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.

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

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

**JOINT ORDER** - recalling Bill, "An Act to Strengthen the Public Disclosure of Lobbying Activities," H.P. 1591, L.D. 2245, and all its accompanying papers, from the legislative files to the House.

H.P. 1782