

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Sixteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME IV**

**FIRST REGULAR SESSION**

**Senate**  
May 19, 1993 to July 14, 1993

**FIRST CONFIRMATION SESSION**

October 14, 1993

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

HOUSE REPORTS - from the Committee on **LEGAL AFFAIRS** on Bill "An Act to Protect Children from Illegal Tobacco Sales"

H.P. 554 L.D. 750

Majority - **Ought Not to Pass**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-375)**

Tabled - May 24, 1993, by Senator **ESTY** of Cumberland.

Pending - **ACCEPTANCE** of Either Report

(In Senate, May 24, 1993, Reports **READ**.)

(In House, May 24, 1993, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

The Chair moved that the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS**, Report, in concurrence.

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

Senator **HANLEY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would ask that this chamber not go along with the Majority Ought Not to Pass, but instead go along with the Minority Ought to Pass as Amended. Thank you.

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

Senator **SUMMERS:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'd like to pose a question through the Chair. Perhaps to a member of the Legal Affairs Committee, seeing as this legislation has set on the Table for quite some time, perhaps they can refresh the memberships memories on this issue.

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

Senator **HANDY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I never thought I would get so much support for such a stark Minority Report. I chose not to bring this to the floor and fight this given the fact that we have a number of issues dealing with the issues of smoking and tobacco use and I notified the good Senator from Kennebec, Senator Carey, the Chair of the Legal Affairs Committee, that it would be my druthers to let this Bill die a merciless death and take up the issues of tobacco and smoking in one of the other Bills to come before the Senate. I'm in support of the good Senator's motion to accept the Majority Ought Not to Pass Report. Thank you.

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

Senator **SUMMERS:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Could the Secretary read the Committee's Report? Thank you.

Which Reports were **READ**.

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

Senator **SUMMERS:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I ask that you go along with acceptance of the Minority Ought to Pass Report. Thank you.

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

Senator **CAREY:** Thank you Mr. President, Ladies and Gentlemen of the Senate. At a time when we have absolutely no money to operate with we fall a little short in this Bill because we need some \$250,000 to operate. It was our hope that we might be able to carry this forward into the Second Session so we can find out exactly where we stand with the loss of revenue with the substance abuse people out of Washington. It has reached this particular point and if I could turn to the President for a previous message. Mr. President I would move that this Bill be recommitted to the Committee on Legal Affairs. Thank you.

On motion by Senator **CAREY** of Kennebec, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **LEGAL AFFAIRS** in **NON-CONCURRENCE**.

Sent down for concurrence.

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 Exempt Certain Greenhouse and Nursery Owners from Licensing Fees

H.P. 166 L.D. 218  
(H "A" H-238; H "B"  
H-361 to C "A"  
H-209)

An Act to Amend the Shoreland Zoning Law

H.P. 168 L.D. 220  
(C "A" H-335)

An Act to Permit Children 5 Years of Age to Enter Grade One

H.P. 184 L.D. 236  
(C "A" H-221)

An Act to Amend the Laws Regarding Protection from Harassment to Include the Protection of Rental Property

H.P. 236 L.D. 304  
(C "A" H-291)

An Act to Create a Franchise Law for Power Equipment, Machinery and Appliances

S.P. 127 L.D. 364  
(C "A" S-155)