

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

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

In Senate Chamber
Thursday
July 1, 1993

After Recess.

Senate called to order by the President.

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 Establishing University of Maine System
License Plates

H.P. 415 L.D. 534
(S "A" S-352 to C
"A" H-378)

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:

RECALLED FROM LEGISLATIVE FILES

Bill "An Act to Increase the County Share of the
Real Estate Transfer Tax"

H.P. 464 L.D. 601

(In Senate, May 28, 1993, Placed in the
Legislative Files Pursuant to Joint Rule 15, in
concurrence.)

(**RECALLED** from the Legislative Files, pursuant
to Joint Order S.P. 542.)

Which was **RECOMMENDED** to the Committee on
TAXATION in **NON-CONCURRENCE**.

Sent down for concurrence.

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:

ORDERS

Joint Order

On motion by Senator **ESTY** of Cumberland the
following Joint Order:

S.P. 543

ORDERED, the House concurring, that Bill "An Act
to Impose Term Limitations on Legislators,
Constitutional Officers and the State Auditor" I.B.
1, L.D. 751, and all its accompanying papers, be
recalled from the Legislative Files to the Senate.

Which was **READ**.

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

Senator **PEARSON:** Thank you Mr. President,
Ladies and Gentlemen of the Senate. Why are we doing
this?

THE PRESIDENT: The Senator from Penobscot,
Senator Pearson, has posed a question through the
Chair to any Senator who may care to respond. The
Chair recognizes the Senator from Cumberland, Senator
Esty.

Senator **ESTY:** Thank you Mr. President, Ladies
and Gentlemen of the Senate. I proposed that this
item be recalled from the Legislative Files because I
think that this initiated referendum is a referendum
that is definitely going to pass. When it should go
to referendum it is an opportunity for us to show the
people that we have listened and continue to show
that they should have faith in their government, that
it is something that we can put behind us at this
point in time and I think it is important for us to
do and to take a stand on. Thank you.

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

Senator **PEARSON:** Thank you Mr. President,
Ladies and Gentlemen of the Senate. I am very
sorry. I should have known that. I just picked up
the paper and looked at it very quickly because it
was coming up and all I saw was the State Auditor
being on here and I didn't see the rest of it. I
just didn't understand why, if we did anything else,
why we would limit the term of a State Auditor
because it is kind of like a specialized field and
you might want to hang onto somebody for just a
little while. Anyway, I made a mistake. Thank you.

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

Senator **CAHILL**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I support the motion of the good Senator from Cumberland, Senator Esty. He and I have talked about this, as we have talked to individual members and it is our feeling that if we can leave later today on a very positive note, I think that this would be that positive note, that legislators have heard the message from the public and that we would like to do something positive toward election reform. I think this is it.

Pursuant to Joint Rule 15, this Joint Order requires the affirmative vote of two-thirds of the members present and voting. 27 Senators having voted in the affirmative and No Senators having voted in the negative, and 27 being more than two-thirds of the membership present and voting, the Joint Order was **PASSED**.

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

Off Record Remarks

Senate at Ease

Senate called to order by the President.

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 Establishing the Maine Community Reinvestment Program

H.P. 590 L.D. 794
(CC "A" H-687)

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

An Act Regarding Certain Property of the Department of Mental Health and Mental Retardation

H.P. 250 L.D. 329
(C "A" H-389)

On motion by Senator **PEARSON** of Penobscot, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Sent down for concurrence.

An Act to Centralize Further the Permitting Process for Retail Businesses and to Allow Some Municipalities to Act as Central Permitting Agents

H.P. 399 L.D. 512
(H "A" H-408; H "C"
H-676 to C "A"
H-367)

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

Emergency

An Act to Clarify Tax on Intangible Income (Governor's Bill)

S.P. 540 L.D. 1562
(S "B" S-351)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with 1 Senator having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

(See action later today)

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,150,000 for Construction of Water Pollution Control Facilities

H.P. 588 L.D. 792
(C "A" H-702)

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

Bond Issue

An Act to Authorize a General Fund bond Issue in the Amount of \$5,000,000 for Landfill Closure and Remediation

H.P. 908 L.D. 1223
(C "A" H-701)