

MAINE STATE LEGISLATURE

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

VOLUME VII

SECOND REGULAR SESSION

Senate
April 7, 1994 to April 14, 1994

SECOND CONFIRMATION SESSION
May 11, 1994

THIRD CONFIRMATION SESSION
July 29, 1994

FOURTH CONFIRMATION SESSION
November 14, 1994

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995" (Governor's Bill) (Emergency)

H.P. 1306 L.D. 1761
(H "D" H-1100; S
"H" S-627; S "I"
S-629 to C "A"
H-1081)

Tabled - April 12, 1994, by Senator **ESTY** of Cumberland.

Pending - **ADOPTION** of House Amendment "F" (H-1102)

(In Senate, April 12, 1994, Committee Amendment "A" (H-1081) **READ**. House Amendment "D" (H-1100) to Committee Amendment "A" (H-1081) **READ** and **ADOPTED**, in concurrence. House Amendment "E" (H-1101) to Committee Amendment "A" (H-1081) **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**. Senate Amendment "H" (S-627) to Committee Amendment "A" (H-1081) **READ** and **ADOPTED**. Senate Amendment "I" (S-628) to Committee Amendment "A" (H-1081) **READ** and **ADOPTED**. Senate Amendment "F" (S-619) to Committee Amendment "A" (H-1081) **READ** and **INDEFINITELY POSTPONED**. Senate Amendment "G" (S-620) to Committee Amendment "A" (H-1081) **READ** and **INDEFINITELY POSTPONED**. Senate Amendment "E" (S-618) to Committee Amendment "A" (H-1081) **READ** and **INDEFINITELY POSTPONED**. Senate Amendment "J" (S-636) to Committee Amendment "A" (H-1081) **READ** and **INDEFINITELY POSTPONED**. House Amendment "F" (H-1102) **READ**.)

(In House, April 11, 1994, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1081) AS AMENDED BY HOUSE AMENDMENTS "D" (H-1100), "E" (H-1101) AND "F" (H-1102) thereto.**)

On motion by the Chair House Amendment "F" (H-1102) to Committee Amendment "A" (H-1081) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion by Senator **LAWRENCE** of York, Senate Amendment "M" (S-659) to Committee Amendment "A" (H-1081) **READ**.

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like a brief explanation of "M" please.

THE PRESIDENT: The Senator from Sagadahoc, Senator Cahill, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This was part of the agreement of the committee of conference on the bill we last did. It had no fiscal impact. It takes the \$300,000 that we were originally sending to the water bureau and splits it between the water bureau and the land bureau. There is no fiscal impact.

On motion by Senator **LAWRENCE** of York, Senate Amendment "M" (S-659) to Committee Amendment "A" (H-1081) **ADOPTED**.

Senate at Ease

Senate called to order by the President.

On motion by Senator **PEARSON** of Penobscot, Senate Amendment "L" (S-658) to Committee Amendment "A" (H-1081) **READ**. Subsequently, Senator **PEARSON** of Penobscot requested and received Leave of the Senate to withdraw Senate Amendment "L" (S-658) to Committee Amendment "A" (H-1081).

On further motion by same Senator, Senate Amendment "N" (S-663) to Committee Amendment "A" (H-1081) **READ**

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This contains the necessary funding for the funding of general purpose aid for education to bring it from the figure we had in the original budget of \$4,000,000 up.

On further motion by same Senator, Senate Amendment "N" (S-663) to Committee Amendment "A" (H-1081) **ADOPTED**.

On further motion by same Senator the Senate **RECONSIDERED** its action whereby it **ADOPTED** House Amendment "D" (H-1100) to Committee Amendment "A" (H-1081), in concurrence.

On further motion by same Senator, House Amendment "D" (H-1100) to Committee Amendment "A" (H-1081) **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "K" (S-648) to Committee Amendment "A" (H-1081) **READ**.

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

Senator **PEARSON:** Thank you Mr. President, Ladies and Gentlemen of the Senate. House Amendment "D" was an amendment that was submitted by one of my town managers from the town of Corinth and he wanted to reinstitute into the budget that portion that we had removed as a committee which was the property tax relief fund. It was successfully passed in both bodies. Subsequent to that I was approached by a person operating out of the second floor who asked to have the Quality Centers inserted in the line to receive money from own appropriated surplus. That's what this bill does. It reinstitutes the property tax relief fund sort of in the last of the line and puts the Quality Centers second after the Rainy Day Fund. I consulted with the good town manager from Corinth and he and I talked with people on the second floor and hence this amendment. Now having said all of that I need to tell you that the Maine Municipal Association has misgivings about it and you will

probably hear some things from them about it but this amendment, I think, is my best attempt to accommodate as many people as I know how.

On further motion by same Senator, Senate Amendment "K" (S-648) to Committee Amendment "A" (H-1081) **ADOPTED**.

Committee Amendment "A" (H-1081) as Amended by Senate Amendments "H" (S-627); "I" (S-628); "M" (S-659); "N" (S-663); and "K" (S-648) thereto, **ADOPTED** in **NON-CONCURRENCE**.

Which was, under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, As Amended in **NON-CONCURRENCE**.

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

Off Record Remarks

Senator **CAHILL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **CIANCHETTE** of Somerset, **RECESSED** until 7:00 this evening.

After Recess

Senate called to order by the President.

Off Record Remarks

Senator **HANDY** of Androscoggin moved that the Senate extend until sine die pursuant to Joint Rule 12.

Senator **BEGLEY** of Lincoln requested a Division.

THE PRESIDENT: Senator **HANDY** of Androscoggin has moved to extend until Sine Die Pursuant to Joint Rule 12, the affirmative vote of two-thirds of the members present and voting is necessary to transact business after 9:00 p.m. 24 Senators having voted in the affirmative, and 6 Senators in the negative, and 24 being more than two-thirds of the membership present and voting, on motion by Senator **HANDY** of Androscoggin the following proceedings were conducted after 9:00 p.m. and will continue until Sine Die.

Senator **HANLEY** of Oxford was granted unanimous consent to address the Senate off the Record.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Regarding State Government Evaluation and Justification" (Emergency)
H.P. 1485 L.D. 2011

In Senate, April 11, 1994, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1122)**, without reference to a Committee, in **NON-CONCURRENCE**.

On motion by Senator **ESTY** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1494

JOINT RESOLUTION COMMEMORATING THE 125TH ANNIVERSARY OF THE INCORPORATION OF THE TOWN OF LIMESTONE

WHEREAS, the Town of Limestone was incorporated by the Senate and the House of Representatives of the State of Maine on February 26, 1869 and will celebrate its 125th anniversary during 1994; and