

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

**One Hundred And Seventeenth Legislature**

OF THE

**State Of Maine**

**VOLUME VI**

**SECOND REGULAR SESSION**

**House of Representatives**

January 3, 1996 to April 3, 1996

**Senate**

January 3, 1996 to March 13, 1996

An Act to Increase the Penalty for Criminal Restraint of a Young Child

H.P. 1211 L.D. 1661  
(C "A" H-700)

On motion by Senator BEGLEY of Lincoln, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

**RECALLED FROM THE GOVERNOR'S DESK**

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

Senator AMERO: Thank you, Mr. President. Is the Senate in possession of L.D. 1612?

An Act to Repeal the Requirement that Disbursement Warrants Receive an Affirmative Vote by Municipal Officers

S.P. 608 L.D. 1612  
(C "A" S-421)

(Recalled from the Governor's Desk pursuant to Joint Order S.P. 715.)

**THE PRESIDENT:** The Chair would answer in the affirmative, the Bill having been recalled from the Governor's Desk.

On motion by Senator AMERO of Cumberland, the Senate **SUSPENDED THE RULES** for the purpose of **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENACTED**.

On further motion by the same Senator, the Senate **SUSPENDED THE RULES** for the purpose of further **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED, As Amended**.

On further motion by the same Senator, Senate Amendment "A" (S-444) **READ**.

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

Senator AMERO: Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment adds an emergency preamble to the bill, which is the way the Committee on State and Local Government had unanimously voted. There was a mistake made down in the Revisor's Office, and the emergency clause was not included in the original bill. This amendment corrects that mistake.

On further motion by the same Senator, Senate Amendment "A" (S-444) **ADOPTED**.

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

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

Off Record Remarks

**ORDERS OF THE DAY  
Unfinished Business**

The following matter in the consideration of which the Senate was engaged at the time of Adjournment has preference in the Orders of the Day and continues with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the following Tabled and Specially Assigned (Thursday, February 29, 1996) matter:

An Act Pertaining to the Northern New England Passenger Rail Authority

H.P. 1228 L.D. 1681

Tabled - February 27, 1996, by Senator BERUBE of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**.

(In House, February 22, 1996, **PASSED TO BE ENACTED**.)

On motion by Senator HARRIMAN of Cumberland, the Senate **SUSPENDED THE RULES** for the purpose of **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by the same Senator, Senate Amendment "A" (S-445) **READ**.

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

Senator HARRIMAN: Thank you, Mr. President. Good morning, Ladies and Gentlemen of the Senate. Let me just say how much I appreciate the good Senator from Androscoggin, Senator Berube's, insight on the potential that this bill may have enabled the Passenger Rail Authority to bypass the rulemaking process. That certainly was not the intention of the Authority. Because of Senator Berube's wise review of this bill, the amendment before you today eliminates section three of the bill, so it is perfectly clear that the Passenger Rail Authority will have to abide by all of the administrative procedures rulemaking process. I thank the Senator from Androscoggin for bringing that to our attention.

On further motion by the same Senator, Senate Amendment "A" (S-445) **ADOPTED**.

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

Under suspension of the Rules, sent forthwith for concurrence.

Senate at Ease

Senate called to order by the President.

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

**SENATE REPORT** - from the Committee on **BANKING AND INSURANCE** on Bill "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

S.P. 38 L.D. 68

Report - Ought to Pass as **Amended by Committee Amendment "B" (S-441)**.

Tabled - earlier in the day by Senator LAWRENCE of York.

Pending - **ACCEPTANCE** of the Report.

(In Senate, earlier in the day, Report **READ**.)

Which Report was **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "B" (S-441) **READ and ADOPTED**.

The Bill, as **Amended**, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

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