

MAINE STATE LEGISLATURE

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

VOLUME I
FIRST REGULAR SESSION
December 3, 1986 to May 22, 1987

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

In Senate Chamber
 Tuesday
 May 12, 1987

Senate called to Order by the President.

Prayer by Reverend Canon F. Richard Beale, retired, of New Harbor.

REVEREND BEALE: Lord, be with you. Let us pray. We give You thanks, most gracious God for the beauty of this State of Maine, the richness of its' forest and field, its' rivers and sea. For songs of birds, the loveliness of flower. We praise You for these good gifts and pray that we may safe guard them for our posterity. Grant that we may continue to grow in our grateful enjoyment of Your abundant creation. We commend You, Oh Lord, for those who are engaged in the government of this State. Grant them integrity of purpose, diversion to the cause of righteousness. May all legislation be such as to promote our welfare. Care of the poor, the relief of the oppressed. The putting down of social evils and the redress of social wrongs for the glory and good example of Your people. In Jesus Christ our Lord, Amen. And may God's gracious mercy protection, we commit ourselves. The Lord bless us and keep us. The Lord make his face to shine upon us and be gracious unto us. The Lord lift up the lights of his covenants upon us and give us peace, now and forever more. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE
 Non-concurrent Matter

Bill "An Act Relating to the Issuance of Bonds or Notes for Union Schools"

S.P. 317 L.D. 919

In Senate, April 27, 1987, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-117) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Resolve, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State in Certain Parcels of Real Property

S.P. 489 L.D. 1471

In Senate, May 8, 1987, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Comes from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

House Papers

Bill "An Act to Clarify the Definition and Application of Active State Service in the Defense Laws"

H.P. 1117 L.D. 1520

Comes from the House referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Which was referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, in concurrence.

Bill "An Act to Improve the State's Capability to Respond to a Hazardous Materials Incident"

H.P. 1125 L.D. 1528

Comes from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act Relating to Assignment of Group Health Insurance Benefits"

H.P. 1119 L.D. 1522

Bill "An Act to Amend the Law Concerning Appeals by Parties Aggrieved by Acts of the Superintendent of Insurance"

H.P. 1120 L.D. 1523

Bill "An Act to Eliminate Reference to 'Standard Premium' in the Workers' Compensation Self-Insurance Laws"

H.P. 1123 L.D. 1526

Bill "An Act Relating to Nonrenewal of an Automobile Insurance Policy Due to Accidents Involving Property Damage"

H.P. 1124 L.D. 1527

Come from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Which were referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Bill "An Act to Improve Disclosure of Consumer Leases"

H.P. 1122 L.D. 1525

Comes from the House referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED.

Which was referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Permit Participants to Play Beano in 2 or more Rooms"

H.P. 1121 L.D. 1524

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Clarify the Definition of Intermittent State Employees" (Emergency)

H.P. 1118 L.D. 1521

Comes from the House referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, in concurrence.

Joint Resolutions

The Following Joint Resolution: H.P. 1126

IN MEMORIAM

WHEREAS, the Members of the Legislature have been deeply saddened to learn of the untimely death of the Honorable Laurence E. Connolly, Jr., of Portland; and

WHEREAS, Representative Connolly was a man of unusual compassion who was unafraid to speak for causes in which he believed, whether popular or not; and

WHEREAS, he was a man of peace, compassion and endless warmth who was well known for his advocacy on behalf of low-income people, the elderly and the

handicapped, prison reform and other social issues; and

WHEREAS, Larry was a vibrant man who was moved by a true sense of justice and compassion for all and whose life's work remains a testament to all that is good in mankind; now, therefore, be it

RESOLVED: That We the Members of the Senate and House of Representatives of the 113th Legislature of the State of Maine pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share this great loss and respectfully request that when the Legislature adjourns this date, it do so in honor and lasting tribute to the deceased; and be it further

RESOLVED: That as a token of honor and lasting recognition of our esteem for his memory, the Secretary of State prepare a suitable copy of this Resolution and transmit it forthwith to his dear wife, Nancy, and his family.

Comes from the House READ and ADOPTED.

Which was READ.

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

Senator ANDREWS: Thank you, Mr. President. Mr. President, men and women of the Senate. I hope that we can pause for just a moment in passing this Resolution and recognize a great champion from the other body. For those of you who were not at the funeral of Larry Connolly, yesterday, there was a story which I think characterized him and his spirit, that was told. We worked very hard on a referendum issue in the City of Portland and Larry was the champion of that referendum, dealing with the Portland water front. He worked very hard on it as he worked on anything that he put his heart and soul into. He had his heart attack before the election and he was in his hospital bed, slipping in and out of consciousness. He insisted on having an absentee ballot so he could vote in the election on election day. Then that night, we posted a greater than 2 to 1 victory in that referendum election. Larry was told the results of the election late that night and insisted that he receive a district by district break down of the vote to see exactly how his precincts did, in his own neighborhood. Larry Connolly set a standard for all of us. It is a standard that I can only aspire to. While we buried his body in Portland yesterday, his spirit lives today and whenever we take up the cause of human dignity and social justice. God bless Larry Connolly.

Which was ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 503
113th MAINE LEGISLATURE
May 11, 1987

Senator John E. Baldacci
Representative Carol M. Allen
Chairpersons
Joint Standing Committee on Business Legislation
113th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Joseph A. Edwards of Belmont, Massachusetts for appointment as the Superintendent of the Bureau of Insurance, Department of Professional and Financial Regulation.

Pursuant to Title 24A, M.R.S.A. Section 201, this nomination will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Which was READ.

On motion by Senator DUTREMBLE of York, Tabled 1 Legislative Day, pending REFERENCE.

Senate at Ease
Senate called to order by the President.

The Following Communication:
STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
36 HOSPITAL STREET
AUGUSTA, MAINE 04330

Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333
Dear Senator Pray:

Pursuant to 25 M.R.S.A. §1544, it is my privilege to present you and the Legislature the twelfth annual report on crime in Maine.

This report is based on data presented to this department from all law enforcement agencies in Maine in a style and format as prescribed by law and which is consistent with the other states' efforts. The result is a valuable document by which we can evaluate the occurrence of crime in Maine, compare that situation with past years, and evaluate Maine's record with those of other states.

This year's report offers the encouragement of a substantiated record of a reduced crime rate which has been the trend in Maine over the past few years. There are many explanations which may be offered for this positive development, among which has to be the professionalism of our State's law enforcement officers, the diligence of its prosecutors and the responsiveness of its courts.

Lastly, let me add that this report would have been impossible without the strong commitment of our local, county, and state law enforcement agencies to collecting and forwarding the data necessary to this report each year. I know you join me in thanking them for this careful effort.

Respectfully submitted,
S/John Atwood
Commissioner

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

COMMITTEE REPORTS
House

Ought Not to Pass

The following Ought Not to Pass Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Resolve, Directing the Maine Lottery Commission to Change the Method of Making Payouts to Game and Lottery Winners

H.P. 420 L.D. 565

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Concerning the Payment and State Reimbursement to Boarding Care Facilities"

H.P. 136 L.D. 177

Bill "An Act to Establish a Voluntary Program of State-approved Identification Cards for use by Persons not having Drivers' Licenses"

H.P. 784 L.D. 1056

Bill "An Act to Require the Payment of Reasonable Attorneys Fees in Successful Libel and Slander Suits"

H.P. 829 L.D. 1120

Bill "An Act to Provide the State Environmental Resources Volunteer Effort with a Full-time Coordinator"

H.P. 919 L.D. 1231

RESOLUTION, Proposing an Amendment to the Constitution of Maine Relating to Salaries Received by Judges Who have been Relieved of Their Duties

H.P. 920 L.D. 1232

Ought to Pass

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Increase Funding to the Displaced Homemakers Program to Continue Rural Outreach Activities and Supportive Services for Displaced Homemakers"

H.P. 474 L.D. 641

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Senate at Ease

Senate called to order by the President.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Fund and Implement Collective Bargaining Agreements with Vocational-technical Institute System Employees Represented by the Maine Teachers Association, the Maine State Employees Association and the American Federation of State, County and Municipal Employees and to Fund and Implement Benefits for Certain Vocational-technical Institute System Employees Excluded from Bargaining" (Emergency)

H.P. 922 L.D. 1234

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Protect Landowners from Damage or Destruction of Trees by Hunters Maintaining Ladders or Observation Stands"

H.P. 776 L.D. 1048

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Amend the Hunting Laws Concerning Vinalhaven"

H.P. 778 L.D. 1050

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Clarify the Procedure for Voter Registration by Postcard"

H.P. 823 L.D. 1114

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Amend the Notice Provisions Concerning Write-in Candidates in Primary Elections"

H.P. 872 L.D. 1173

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide for a Self-sufficiency Trust of Funds for the Developmentally Disabled"

H.P. 331 L.D. 430

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-101).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-101)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-101) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Fund the Cleanup of Fish Kills in the Coastal Waters"

H.P. 596 L.D. 807

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-102).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-102)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-102) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide for Rural Community Fire Protection"

H.P. 631 L.D. 854

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-103).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-103)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-103) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Appropriate Funds to Index Decisions of the Maine Labor Relations Board"

H.P. 740 L.D. 1003

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-104).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-104)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-104) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on BANKING AND INSURANCE on Bill "An Act Relating to Cancellation of Insurance Coverage as a Result of a New Driver's Suspension"

H.P. 577 L.D. 775

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-97).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-97)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-97) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Establish the Uniform Trade Secrets Act"

H.P. 378 L.D. 499

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-96).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-96)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-96) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on EDUCATION on Bill "An Act Relating to the Town of York School District" (Emergency)

H.P. 848 L.D. 1139

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-99).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-99)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-99) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Relating to Political Action Committees under the Campaign Financing Laws"

H.P. 715 L.D. 966

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-95).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-95)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-95) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Amend the Retirement Law Regarding Schools"

H.P. 882 L.D. 1183

Reported that the same Ought to Pass in New Draft under same title.

H.P. 1101 L.D. 1492

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Make Allocations from Various Funds of the Department of Environmental Protection for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 389 L.D. 523

Reported that the same Ought to Pass in New Draft under same title (Emergency).

H.P. 1103 L.D. 1494

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 417 L.D. 562

Reported that the same Ought to Pass in New Draft under same title (Emergency).

H.P. 1102 L.D. 1493

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Amend the Deadline for Submission of Questions Under the Local Liquor Option"

H.P. 52 L.D. 55

Reported that the same Ought to Pass in New Draft under same title.

H.P. 1079 L.D. 1467

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Allow Political Parties to Determine the Qualifications of Voters in Primary Elections"

H.P. 184 L.D. 228

Reported that the same Ought to Pass in New Draft under same title.

H.P. 1080 L.D. 1468

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

Senate

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Appropriate Funds for the Support of Musical Performances in this State"

S.P. 395 L.D. 1214

Ought to Pass As Amended

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Funds for Epilepsy Education and Support of Satellite Service Centers"

S.P. 342 L.D. 997

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-55).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-55) READ and ADOPTED.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

Senator ERWIN for the Committee on UTILITIES on Bill "An Act to Amend the Charter of the Bath Water District"

S.P. 328 L.D. 956

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-56).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-56) READ and ADOPTED.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act to Assure Geographical Balance on the Board of Environmental Protection and to Implement Staggered Board Terms" (Emergency)

H.P. 1060 L.D. 1435

Bill "An Act to Appropriate Funds for the Critical Areas Program"

H.P. 1073 L.D. 1456

Bill "An Act Relating to Training of Sewage Treatment Operators"

H.P. 1074 L.D. 1457

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1987 (Emergency)

H.P. 1104 L.D. 1496

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

Resolve, to Amend the Reporting Date of the Special Commission to Study Teacher Training in the University of Maine System (Emergency)

H.P. 870 L.D. 1171

Which was READ A SECOND TIME.

On motion by Senator ESTES of York, Senate Amendment "A" (S-58) READ and ADOPTED.

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

Sent down for concurrence.

Senate

Bill "An Act to Allow the Use of Electronic Recording in Superior Court Cases in Limited Circumstances"

S.P. 494 L.D. 1510

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Bill "An Act to Extend the Time for Trust Land Designation"

S.P. 495 L.D. 1511

Which was READ A SECOND TIME.

On motion by Senator USHER of Cumberland, Senate Amendment "A" (S-60) READ and ADOPTED.

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

Sent down for concurrence.

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Emergency

An Act Relating to Taxation of Aircraft
H.P. 190 L.D. 234
(C "A" H-77)

On motion by Senator PEARSON of Penobscot, placed on SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Emergency

An Act to Require Legislative Approval and Public Hearings for any Plan to Decentralize the Pineland Center Facility

H.P. 402 L.D. 536
(H "A" H-86; C "A" H-74)

On motion by Senator PEARSON of Penobscot, placed on SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

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

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland the following Joint Order: S.P. 504

ORDERED, the House concurring, that Bill, "AN ACT to Clarify the Description of Crooked River in Cumberland County and to Extend Special Protection to Outstanding Rivers to the Crooked River," S.P. 38, L.D. 26, be recalled from the legislative files to the Senate.

Which was READ.

Pursuant to Joint Rule 15, this Joint Order requires the affirmative vote of two-thirds of the Members present and voting. 30 Senators having voted in the affirmative and No Senators having voted in the negative, and 30 being more than two-thirds of the Members present and voting, the Joint Order was PASSED.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon, with the exception of those matters previously held, were ordered sent down forthwith for concurrence.

ORDERS OF THE DAY

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

Bill "An Act to Allocate the Proceeds of the Sale of General Fund Bonds for Construction and Renovation of Correctional Facilities" (Emergency)

S.P. 488 L.D. 1470

Tabled - May 8, 1987, by Senator BUSTIN of Kennebec.

Pending - REFERENCE

(JOINT SELECT COMMITTEE ON CORRECTIONS suggested and ORDERED PRINTED.)

Which was referred to the JOINT SELECT COMMITTEE ON CORRECTIONS and ORDERED PRINTED.

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

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

Bill "An Act to Establish a 10% Surtax on Fines to be Dedicated to the Maine Criminal Justice Academy in Lieu of Tuition Paid by Municipalities"

H.P. 1069 L.D. 1452

Tabled - May 11, 1987, by Senator CLARK of Cumberland.

Pending - Motion of Senator Senator GAUVREAU of Androscoggin to RECONSIDER REFERENCE.

(In Senate, May 6, 1987, referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.)

On motion by Senator GAUVREAU of Androscoggin, Tabled until Later in Today's Session, pending motion of same Senator to RECONSIDER REFERENCE.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

Senator BALDACCI of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator BALDACCI: Mr. President and members of the Senate. I was noticing on my calendar this morning on page 8, under Joint Orders, one of the members in the Chamber is being recognized with a Legislative Sentiment and I thought it deserved special recognition. The Honorable Henry Black of Baldwin received the 1986 Maine Dairy Cattle Breeder Award from the Maine Dairy Promotion Board and has been nominated to the National Dairy Shrine by the Maine Dairy Industry Association. This is a special honor for Senator Henry Black. Thank you, Mr. President.

Off Record Remarks

On motion by Senator THERIAULT of Aroostook, RECESSED until 5:00 this afternoon.

After Recess

Senate called to order by the President.

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

COMMITTEE REPORTS

House

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Making an Appropriation to Fund the Development of Employer Supported Day Care"

H.P. 225 L.D. 293

Ought to Pass

The Committee on AGRICULTURE on Bill "An Act to Continue the Agricultural Viability Program"

H.P. 944 L.D. 1267

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act Relating to Criminal Restraint under the Kidnapping and Restraint Laws"

H.P. 930 L.D. 1246

Reported that the same Ought to Pass.
Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.
Which Report was READ and ACCEPTED, in concurrence.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended
The Committee on EDUCATION on Bill "An Act to Allow the Maine Maritime Academy to Award an Associate of Science Degree in Yacht Operations and Boatyard Management"

H.P. 530 L.D. 714
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-98).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-98) AS AMENDED BY HOUSE AMENDMENT "A" (H-114) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-98) READ.
House Amendment "A" (H-114) to Committee Amendment "A" (H-98) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-98) as Amended by House Amendment "A" (H-114) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act Relating to Bail Commissioners"

H.P. 341 L.D. 440
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-109).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-109)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-109) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Amend the Maine Tort Claims Act"

H.P. 682 L.D. 923
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-108).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-108)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-108) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act to Amend the Registration Laws Concerning Antique Motor Vehicles"

H.P. 439 L.D. 592
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-100).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-100) AS AMENDED BY HOUSE AMENDMENT "A" (H-113) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-100) READ.
House Amendment "A" (H-113) to Committee Amendment "A" (H-100) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-100) as Amended by House Amendment "A" (H-113) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft
The Committee on JUDICIARY on Bill "An Act Permitting Private Mediation for Divorcing Couples"

H.P. 346 L.D. 445
Reported that the same Ought to Pass in New Draft under same title.

H.P. 1114 L.D. 1508
Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.
The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish Maine Merchant Marine Day"

H.P. 375 L.D. 496
Reported that the same Ought to Pass in New Draft under same title (Emergency).

H.P. 1105 L.D. 1497
Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.
The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act to Provide Special License Plates and Decals for People with Hearing Impairments"

H.P. 364 L.D. 478
Reported that the same Ought to Pass in New Draft under same title.

H.P. 1106 L.D. 1498
Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.
The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft under New Title
The Committee on TAXATION on Bill "An Act to Limit the Impact of Annual Variations in State Valuations"

H.P. 268 L.D. 351

Reported that the same Ought to Pass in New Draft under New Title Resolve, Establishing the Special Commission to Study the Use of State Valuation in Allocation of State Funding Among Municipalities (Emergency)

H.P. 1115 L.D. 1509

Comes from the House, with the Report READ and ACCEPTED and the Resolve in NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Resolve in NEW DRAFT under NEW TITLE READ ONCE.

The Resolve in NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.

Senate
Ought Not to Pass

The following Ought Not to Pass Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Prohibit any Solid Waste or Hazardous Waste Dump within 5 Miles of any Municipal Water Supply or within One Mile of any Major River"

S.P. 409 L.D. 1260

Bill "An Act to Establish Capacity Controls on Commercial Solid Waste Disposal Facilities"

S.P. 423 L.D. 1303

Bill "An Act to Amend the Laws Regarding the Regulation of Landfills and other Waste Disposal Facilities"

S.P. 430 L.D. 1310

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Resolve, to Create a Commission to Study Special Education Programs

S.P. 333 L.D. 988

Ought to Pass As Amended

Senator GAUVREAU for the Committee on HUMAN RESOURCES on Bill "An Act to Revise the Maine Medical Laboratory Act"

S.P. 191 L.D. 518

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-61).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-61) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator DUTREMBLE for the Committee on LABOR on Bill "An Act to Extend the Freeze on Maximum Weekly Benefits Under the Workers' Compensation Act"

S.P. 314 L.D. 916

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-59).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-59) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senate at Ease

Senate called to order by the President.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Relating to the Appointment of Persons to Superintendent Positions Within the Department of Professional and Financial Regulation" (Emergency)

H.P. 616 L.D. 834

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

Under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act to Increase Funding to Displaced Homemakers Program to Continue Rural Outreach Activities and Supportive Services for Displaced Homemakers"

H.P. 474 L.D. 641

Bill "An Act to Protect Landowners from Damage or Destruction of Trees by Hunters Maintaining Ladders or Observation Stands"

H.P. 776 L.D. 1048

Bill "An Act to Amend the Hunting Laws Concerning Vinalhaven"

H.P. 778 L.D. 1050

Bill "An Act to Clarify the Procedure for Voter Registration by Postcard"

H.P. 823 L.D. 1114

Bill "An Act to Amend the Notice Provisions Concerning Write-in Candidates in Primary Elections"

H.P. 872 L.D. 1173

Bill "An Act to Fund and Implement Collective Bargaining Agreements with Vocational-technical Institute System Employees Represented by the Maine Teachers Association, the Maine State Employees Association and the American Federation of State, County and Municipal Employees and to Fund and Implement Benefits for Certain Vocational-technical Institute System Employees Excluded from Bargaining" (Emergency)

H.P. 922 L.D. 1234

Bill "An Act to Amend the Deadline for Submission of Questions Under the Local Liquor Option"

H.P. 1079 L.D. 1467

Bill "An Act to Allow Political Parties to Determine the Qualifications of Voters in Primary Elections"

H.P. 1080 L.D. 1468

Bill "An Act to Amend the Retirement Law Regarding Schools"

H.P. 1101 L.D. 1492

Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 1102 L.D. 1493

Bill "An Act to Make Allocations from Various Funds of the Department of Environmental Protection for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 1103 L.D. 1494

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Provide for a Self-sufficiency Trust of Funds for the Developmentally Disabled"

H.P. 331 L.D. 430
(C "A" H-101)

Bill "An Act to Establish the Uniform Trade Secrets Act"

H.P. 378 L.D. 499
(C "A" H-96)

Bill "An Act Relating to Cancellation of Insurance Coverage as a Result of a New Driver's Suspension"

H.P. 577 L.D. 775
(C "A" H-97)

Bill "An Act to Fund the Cleanup of Fish Kills in the Coastal Waters"

H.P. 596 L.D. 807
(C "A" H-102)

Bill "An Act to Provide for Rural Community Fire Protection"

H.P. 631 L.D. 854
(C "A" H-103)

Bill "An Act Relating to Political Action Committees under the Campaign Financing Laws"

H.P. 715 L.D. 966
(C "A" H-95)

Bill "An Act to Appropriate Funds to Index Decisions of the Maine Labor Relations Board"

H.P. 740 L.D. 1003
(C "A" H-104)

Bill "An Act Relating to the Town of York School District" (Emergency)

H.P. 848 L.D. 1139
(C "A" H-99)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Senate As Amended

Bill "An Act to Amend the Charter of the Bath Water District"

S.P. 328 L.D. 956
(C "A" S-56)

Bill "An Act to Provide Funds for Epilepsy Education and Support of Satellite Service Centers"

S.P. 342 L.D. 997
(C "A" S-55)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Amend the Charter of the Waterville Sewerage District

H.P. 416 L.D. 550
(C "A" H-88)

An Act to Amend the Definition of Seasonal Under the Employment Security Law

H.P. 779 L.D. 1051

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

An Act to Restructure the Method of Appointment of Members of the Maine Land Use Regulation Commission

H.P. 813 L.D. 1087
(C "A" H-87)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending ENACTMENT.

Emergency

An Act to Transfer the Maine Fire Training and Education Program from the Department of Educational and Cultural Services to the Maine Vocational-Technical Institute System

S.P. 251 L.D. 700
(S "A" S-53 to C "A" S-40)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 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.

ORDERS OF THE DAY

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

An Act to Restructure the Method of Appointment of Members of the Maine Land Use Regulation Commission

H.P. 813 L.D. 1087
(C "A" H-87)

Tabled - May 12, 1987, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, May 12, 1987, PASSED TO BE ENACTED.)

(In Senate, May 8, 1987, PASSED TO BE ENGROSSED, as Amended, in concurrence.)

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:

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Support the Growth and Development of Community Big Brothers-Big Sisters Agencies and Other Similar Organizations"

S.P. 172 L.D. 487

Bill "An Act to Establish Local Consumer Mediation Programs Staffed by Volunteers"

S.P. 358 L.D. 1093

Ought to Pass

Senator BLACK for the Committee on JUDICIARY on Bill "An Act to Modify the Definition of Sexually Explicit Conduct"

S.P. 402 L.D. 1242

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

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

COMMITTEE REPORTS

Senate

Ought to Pass

Senator BLACK for the Committee on JUDICIARY on Bill "An Act to Modify Certain Criminal Appeal Laws" S.P. 406 L.D. 1257
Reported that the same Ought to Pass.
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

Senator BLACK for the Committee on JUDICIARY on Bill "An Act Relating to a Court Granting Continuance under the Corrections Law" S.P. 410 L.D. 1261
Reported that the same Ought to Pass.
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

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

Senate
Ought to Pass

Senator BLACK for the Committee on JUDICIARY on Bill "An Act to Clarify the Law Relating to Restitution for Victims of Crime by Expressly Providing that Cities, Counties and other Governmental Entities can be Victims and that Organizations may be Ordered to Pay Restitution" (Emergency) S.P. 403 L.D. 1243

Reported that the same Ought to Pass.
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

ORDERS OF THE DAY

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

Bill "An Act to Establish a 10% Surtax on Fines to be Dedicated to the Maine Criminal Justice Academy in Lieu of Tuition Paid by Municipalities" H.P. 1069 L.D. 1452

Tabled - May 12, 1987, by Senator GAUVREAU of Androscoggin.

Pending - Motion of same Senator to RECONSIDER REFERENCE.

(In Senate, May 6, 1987, referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.)

Senator GAUVREAU of Androscoggin requested and received Leave of the Senate to withdraw his motion to RECONSIDER REFERENCE.

Off Record Remarks

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:

Emergency

An Act Relating to the Appointment of Persons to Superintendent Positions Within the Department of Professional and Financial Regulation H.P. 616 L.D. 834

This being an Emergency Measure and in accordance with Article 5, Part 1, Section 8, of the Constitution, and having received the affirmative vote of 28 Members of the Senate, with No Senators

having voted in the negative, and 28 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.

On motion by Senator PEARSON of Penobscot, ADJOURNED, pursuant to the Joint Resolution, H.P. 1126, in memory of the Honorable Laurence E. Connolly, Jr., until Wednesday, May 13, 1987, at 9:00 in the morning.