

# MAINE STATE LEGISLATURE

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

**VOLUME II**

**FIRST REGULAR SESSION**

May 26, 1987 to June 30, 1987

Index

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 222) (L.D. 290) Bill "An Act to Alter the Makeup of the Maine Health Care Finance Commission" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-324)

(H.P. 1099) (L.D. 1490) Bill "An Act Requiring that Informed Consent be Given to those Persons Tested for the Presence of Antibodies to HTLV-III" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-325)

Under suspension of the rules, Second Day Consent Calendar Notification was given and the House Papers were passed to be engrossed as amended and sent up for concurrence.

The following item appearing on Supplement No. 21 was taken up out of order by unanimous consent:

SENATE PAPER

Non-Concurrent Matter

Bill "An Act to Create a New Major Policy-influencing Position for the Department of Defense and Veterans' Services, Namely, a New Civilian Position of Deputy Commissioner" (H.P. 1330) (L.D. 1814) which was referred to the Committee on State and Local Government in the House on June 11, 1987.

Came from the Senate referred to the Committee on Aging, Retirement and Veterans in non-concurrence.

The House voted to Adhere.

The following item appearing on Supplement No. 20 was taken up out of order by unanimous consent:

PASSED TO BE ENGROSSED

As Amended

Bill "An Act to Revise the Laws Concerning Transportation by Water in Casco Bay and to Study Related Issues" (H.P. 1336) (L.D. 1826)

Was reported by the Committee on Bills in the Second Reading and read a second time.

Representative Vose of Eastport offered House Amendment "A" (H-327) and moved its adoption.

House Amendment "A" (H-327) was read by the Clerk and adopted.

Subsequently, the Bill was passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Soucy of Kittery, Adjourned until Friday, June 12, 1987 at nine o'clock in the morning.

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

In Senate Chamber  
Thursday  
June 11, 1987

Senate called to Order by the President.

Prayer by the Honorable Michael E. Carpenter.

FORMER SENATOR CARPENTER: In these waning days, let us join together in the spirit of prayer. Dear Lord, we ask that You grant us patience when listening, strength when speaking, and courage when making decisions in our personal lives. Help us to serve our State and its people to the best of our ability. Thank You for accepting our short coming's, help us to carry out Your will, as we draw near the end of this 113th Legislative Session. In Your name. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

113th LEGISLATURE

COMMITTEE ON AGING, RETIREMENT AND VETERANS

June 10, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Aging, Retirement and Veterans has had under consideration the nomination of Grover B. MacLaughlin of Orono, for appointment to the Maine State Retirement System Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 9

NAYS: 0

ABSENT: 2 Sen. Randall of Washington, Rep. Matthews of Caribou

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Grover B. MacLaughlin of Orono, for appointment to the Maine State Retirement System Board of Trustees be confirmed.

Sincerely,  
S/Georgette B. Berube  
Senate Chair  
S/Daniel B. Hickey  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGING, RETIREMENT AND VETERANS has recommended the nomination of Grover B. MacLaughlin of Orono for appointment to the Maine State Retirement System Board of Trustees be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on AGING, RETIREMENT AND VETERANS be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
 NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Grover B. MacLaughlin for appointment to the Maine State Retirement System Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 113th LEGISLATURE  
 COMMITTEE ON EDUCATION

June 10, 1987

The Honorable Charles P. Pray  
 President of the Senate of Maine  
 State House  
 Augusta, Maine 04333  
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Robert H. Foster of Machias, for appointment to the University of Maine, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Kilkelly of Wiscasset

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Robert H. Foster of Machias, for appointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,  
 S/Stephen C. Estes  
 Senate Chair  
 S/Stephen M. Bost  
 House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of Robert H. Foster of Machias for appointment to the University of Maine, Board of Trustees be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on EDUCATION be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
 NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Robert H. Foster, for appointment to the University of Maine, Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 113th LEGISLATURE  
 COMMITTEE ON EDUCATION

June 10, 1987

The Honorable Charles P. Pray  
 President of the Senate of Maine  
 State House  
 Augusta, Maine 04333  
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Patricia M. Collins of Caribou, for appointment to the University of Maine, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Kilkelly of Wiscasset

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Patricia M. Collins of Caribou, for appointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,  
 S/Stephen C. Estes  
 Senate Chair

S/Stephen M. Bost  
House Chair

Sincerely,  
S/Stephen C. Estes  
Senate Chair  
S/Stephen C. Bost  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of Patricia M. Collins of Caribou for appointment to the University of Maine, Board of Trustees be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on EDUCATION be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT  
- CHARLES P. PRAY,

ABSENT: Senators ANDREWS, BUSTIN

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation by ACCEPTED and the nomination of Patricia M. Collins for appointment to the University of Maine, Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
113th LEGISLATURE  
COMMITTEE ON EDUCATION

June 10, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Harrison L. Richardson of Falmouth, for appointment to the University of Maine, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 10  
NAYS: 0  
ABSENT: 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Harrison L. Richardson of Falmouth, for appointment to the University of Maine, Board of Trustees be confirmed.

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of Harrison L. Richardson of Falmouth for appointment to the University of Maine, Board of Trustees be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on EDUCATION be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation by ACCEPTED and the nomination of Harrison L. Richardson for appointment to the University of Maine, Board of Trustees was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
113th LEGISLATURE  
COMMITTEE ON EDUCATION

June 10, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of George W. Wood, III of Bangor, for appointment to the University of Maine, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 10  
NAYS: 0  
ABSENT: 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the

vote of the Committee that the nomination of George W. Wood, III of Bangor, for appointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,  
S/Stephen C. Estes  
Senate Chair  
S/Stephen M. Bost  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of George W. Wood, III of Bangor for appointment to the University of Maine, Board of Trustees be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on EDUCATION be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senator PEARSON

NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

1 Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent, and 1 being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of George W. Wood, III, for appointment to the University of Maine, Board of Trustees was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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:

Bill "An Act to Provide a Sales Tax Exemption to Youth Scouting Organizations"

H.P. 864 L.D. 1165

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 Increase the Amount the State Disregards in Determining Eligibility for the Supplemental Security Income Program"

H.P. 312 L.D. 411

Bill "An Act to Increase the Aid to Families with Dependent Children Standard of Need" (Emergency)

H.P. 489 L.D. 656

Bill "An Act to Provide for Annual Increases in the Aid to Families with Dependent Children Standard of Need" (Emergency)

H.P. 494 L.D. 664

Bill "An Act to Reimburse the Department of Inland Fisheries and Wildlife for Search and Rescue Operations"

H.P. 1190 L.D. 1621

Ought to Pass As Amended

The Committee on HUMAN RESOURCES on Bill "An Act Concerning Municipal Water Supplies"

H.P. 737 L.D. 1000

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-293).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293) AS AMENDED BY HOUSE AMENDMENT "A" (H-298), thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-293) READ.

House Amendment "A" (H-298) to Committee Amendment "A" (H-293) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-293) as Amended by House Amendment "A" (H-298), thereto ADOPTED, in concurrence.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Senate

Ought to Pass As Amended

Senator THERIAULT for the Committee on BANKING AND INSURANCE on Bill "An Act to Recodify the First-lien Real Estate Secured Lending Provisions Relating to Nonbanks in the Maine Consumer Credit Code"

S.P. 517 L.D. 1560

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-163).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-163) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

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

SECOND READERS

The Committee on Bills in Second Reading reported the following:

House

Bill "An Act to Amend the Maine Turnpike Authority Act"

H.P. 1323 L.D. 1806

Which was READ A SECOND TIME.

On motion by Senator CLARK, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED.

House As Amended

Bill "An Act Relating to Boards and Commissions"

H.P. 959 L.D. 1288

(C "A" H-295)

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

ORDERS OF DAY

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

Bill "An Act to Create an Additional Section to the Maine Code of Military Justice to Encompass General Disciplinary Offenses Similar to the United States Code of Military Justice"

H.P. 1320 L.D. 1804

Tabled - June 10, 1987, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on AGING, RETIREMENT AND VETERANS suggested and ORDERED PRINTED.)

(In House, June 10, 1987, PASSED TO BE ENGROSSED without reference to a Committee and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, the Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

Sent down for concurrence.

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

Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Laws" (Emergency)

S.P. 590 L.D. 1743

(H "A" H-291)

Tabled - June 10, 1987, by Senator CLARK of Cumberland.

Pending - Motion of Senator KANY of Kennebec to RECONSIDER whereby the Senate RECEDED and CONCURRED

(In Senate, June 10, 1987, RECEDED and CONCURRED.)

(In House, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-291) in NON-CONCURRENCE.)

(In Senate, June 5, 1987, PASSED TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending motion of Senator KANY of Kennebec to RECONSIDER whereby the Senate RECEDED and CONCURRED.

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

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency)

S.P. 576 L.D. 1717

(C "A" S-147)

Tabled - June 10, 1987, by Senator BRANNIGAN of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, June 10, 1987, READ A SECOND TIME.)

On motion by Senator BRANNIGAN of Cumberland, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED ADOPTION of Committee Amendment "A" (S-147).

On further motion by same Senator, Senate Amendment "A" (S-152) to Committee Amendment "A" (S-147) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BRANNIGAN: Thank you, Mr. President. Men and women of the Senate. We are beginning the process of putting on Senate amendments to the Errors and Inconsistencies Bill. The Errors Bill that you have, L.D. 1717, and Committee Amendment "A" (S-147) have been worked over by 3 or 4 legal people who work with our staff. Also, worked over by the full Committee on Judiciary. That process ended in the afternoon last Monday and those pieces of material are before you and have been before you for several

days. We were very careful, as I believe the Judiciary Committee has been for several years, to make sure that everything that went into that Bill or any amendments that were a Committee amendment were technical issues, strictly inconsistent issues and we feel very comfortable with that piece of legislation.

We are now, and have set up a process whereby anything that had some question in it as to whether it needed to be exposed in this fashion to the whole Senate, which is a couple of amendments that I am going to present now, or things that came in after last Monday afternoon. The whole Committee agreed to this and should be a part of this Bill, would be presented in this fashion with Senate amendments, and I would be presenting them. There will be more to come.

We have 2 to do now and are now speaking about Senate Amendment "A" under the filing number S-152. This would allow for some flexibility in the Bureau of Corporations. All corporate documents, all corporate filings and refilings come in yearly at the same time. It causes a terrible log jam and new administration of that bureau has decided, for one thing, they can't even open them all right away and get checks out and in. They would like some flexibility in being able to have corporations file on different times of the year. This amendment would allow them to do that. Thank you.

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "A" (S-152) to Committee Amendment "A" (S-147) ADOPTED.

On further motion by same Senator, Senate Amendment "C" (S-155) to Committee Amendment "A" (S-147) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BRANNIGAN: Thank you, Mr. President. When we passed the Bill dealing with seat belts for younger people, there was a inconsistency between the title and the way everyone had talked about this Bill and the body of the Bill. The title of the Bill said "for twelve and under", and the body of the Bill said "under twelve", so this clears this up and makes it under thirteen which is twelve and under, as the title stated. Thank you.

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "C" (S-155) to Committee Amendment "A" (S-147) ADOPTED.

On further motion by same Senator, Tabled until Later in Today's Session, pending ADOPTION OF COMMITTEE AMENDMENT "A" (S-147) AS AMENDED.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, to Honor Governor Joseph E. Brennan (Emergency)

S.P. 42 L.D. 37

In Senate, January 22, 1987, PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED.

In House, January 26, 1987 referred to the Committee on STATE AND LOCAL GOVERNMENT in NON-CONCURRENCE.

In Senate, January 27, 1987, INSISTED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-289) AS AMENDED BY HOUSE AMENDMENT "A" (H-299), thereto in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

COMMUNICATIONS

The Following Communication:  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 JOINT SELECT COMMITTEE ON CORRECTIONS  
 June 9, 1987

The Honorable Charles P. Pray  
 President of the Senate  
 113th Legislature  
 Dear President Pray:

We are pleased to report that all business which was placed before the Joint Select Committee on Corrections during the First Regular Session of the 113th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	9
Unanimous reports	8
Leave to Withdraw	6
Ought to Pass	1
Ought Not to Pass	0
Ought to Pass as Amended	0
Ought to Pass in New Draft	1
Divided reports	1
Carry Overs	0

Respectfully submitted,

S/Sen. Beverly Miner Bustin      S/Rep. Harlan R. Baker  
 Senate Chair                      House Chair

Which was READ and ORDERED PLACED ON FILE.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, Authorizing Dorothy Gammon to Bring Civil Action Against the State and Cumberland County  
 H.P. 1235 L.D. 1687

In Senate, May 29, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-300) in NON-CONCURRENCE.

Senator KANY of Kennebec moved that the Senate RECEDE and CONCUR.

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

Senator DILLENBACK: Mr. President, I move that the Senate Adhere and I would like to speak to my motion.

THE PRESIDENT: The Chair would advise the Senator that the motion to Adhere is not in order at this time.

The Chair recognizes that same Senator.

Senator DILLENBACK: Can the Chair advise me of what I should do?

THE PRESIDENT: Yes, and the Chair will. If the Senator wishes to see the Senate in the position of Adhering, he would have to defeat the motion of the Senator from Kennebec, Senator Kany to Recede and Concur. At which time, the motion to Insist would still carry precedence over the motion to Adhere.

The Chair recognizes that same Senator.

Senator DILLENBACK: Thank you, Mr. President. I would speak on the motion. Ladies and gentlemen of the Senate. This was a complicated Bill. Dorothy Gammon, who brought civil action against the State and Cumberland County. The Committee originally voted on this Bill.

This is a Bill where they let an inmate out of the county jail and this lady was at a bar at 2 o'clock in the morning somewhere in Portland and had had a problem with her husband, or her boy friend, I don't know which. She was going home and this

gentlemen raped her. The Committee studied and worked and we came to an unanimous agreement that if they could only bring suit against the State and the County for \$50,000. We insisted that they not be able to sue the people who worked for the county jail, as individuals.

This amendment would change it so they could sue the individuals. My concern for the individual is, they can sue them up to \$10,000 and that individual may face the loss of his home or whatever. There is insurance and the insurance is up to, I guess, one half million dollars. I think it would be better if you go into a court case and you allow these people to sue so the insurance can be covered, you're then creating a problem because the courts are very lenient today and they might allow a \$500,000 award. I would prefer to kill the whole Bill, if they want to do that. I'm certainly opposed to suing the individuals who work for the county jail. So, I hope that you will support the Majority Report. It was a unanimous report, originally, and there is another amendment coming on the floor to limit to \$50,000. It is a little complicated if you haven't heard the case but I thought we were being more than generous to allow them to sue for the \$50,000. I would ask for a Division.

Senator DILLENBACK of Cumberland requested a Division.

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

Senator KANY: Mr. President and members of the Senate. Just a little bit about this case. At the time of the Gammon incident, this prisoner, by the name of Laken, was serving a 6 year sentence for burglary, theft and aggravated assault. He had previously been convicted of unlawful sexual contact and escape. He had a well known history for assaultive behavior against women. Although he was a prisoner of the State, the County had him under their control in jail, for which they were responsible. Actually, they let this individual out by himself. During the time in which he was allowed to roam the streets of Portland, during the time he was suppose to be serving a sentence in prison, he assaulted and raped Dorothy Gammon. As a result, he was convicted of rape, assault and escape. Our Committee, at first, decided to allow the State and the County to be sued for the \$50,000 to help pay for the medical and psychiatric bills of the victim. Then, subsequently, we have learned two things. One, that if there is a successful suit against the State or the County, and by the way, in my opinion, it is really the County that should be responsible, but the court would determine the liability, then the employees could not be sued. Secondly, we have learned that perhaps it would be appropriate to allow Cumberland County's insurance, for which I am told Cumberland County paid something like \$49,000 for its' insurance, to pay further since that insurance allotment, really, the proceedings could be up to \$500,000.

There is an amendment that came to us in Non-Concurrence and I believe that it is appropriate for us to go along with the amendment, considering the incident, the government's involvement and where the possible payment would come from. It would allow, in addition to the \$50,000, from whatever the State would be liable, that more could be paid from the insurance policy from the County, only.

Off Record Remarks



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

Senator DILLENBACK: Thank you, Mr. President. Ladies and gentlemen of the Senate. It always astonishes me that when a committee has an unanimous vote on a subject, that after the lawyers get involved in it, it starts to change. You start to get these amendments. We worked this, we worked it very hard and we came up with the answer. The answer was \$50,000 was an adequate amount for this infraction. I hope you will support my position and allow the Committee to do their job. If not, I would prefer you to kill the whole Bill. Thank you. Mr. President. Would it be in order to Indefinitely Postpone this Bill and all its Accompanying Papers?

THE PRESIDENT: The Chair would answer in the negative, the Bill being in Non-Concurrence.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator KANY: Mr. President and members of the Senate. I just can't believe that some one would call an infraction the convictions of rape, assault and escape. I urge you to go along with the Recede and CONCUR motion.

THE PRESIDENT: The pending question before the Senate is the motion of Senator KANY of Kennebec to RECEDE and CONCUR.

A Division has been requested.

Will all those Senators in favor of the motion of the Senator from Kennebec, Senator Kany, to RECEDE and CONCUR, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

16 Senator having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator KANY of Kennebec to RECEDE and CONCUR, PREVAILED.

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

COMMITTEE REPORTS  
House

Ought to Pass in New Draft under New Title

The Committee on ECONOMIC DEVELOPMENT on Bill "An Act to Create the Department of Community and Economic Development and to Establish Consistency among Economic Development Laws"

H.P. 857 L.D. 1151

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Create the Department of Economic and Community Development, to Establish Consistency among Economic Development Laws and to Establish a Capital Budgeting and Planning Process"

H.P. 1324 L.D. 1808

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT under NEW TITLE READ ONCE.

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

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

PAPERS FROM THE HOUSE  
Joint Order

The following Joint Order: H.P. 1325

ORDERED, the Senate concurring, that Bill, "AN ACT to Clarify the Offense of Driving under the Influence of Illegal Drugs." H.P. 1188, L.D. 1618,

be recalled from the legislative files to the House of Representatives.

Comes from the House READ and PASSED.

Which was READ.

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

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

COMMUNICATIONS

The Following Communication:

COMMISSION ON SAFETY IN THE MAINE WORKPLACE  
STATE HOUSE STATION 45  
AUGUSTA, MAINE 04333

June 8, 1987

Charles P. Pray, President of the Senate

John L. Martin, Speaker of the House

State House

Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Commission on Safety in the Maine Workplace is pleased to submit its recommendations to the Legislature pursuant to 1985 Public Law 372, Part A, Section 51.

Sincerely,

S/Charles Weeks

Chair

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

ORDERS OF THE DAY

On motion by Senator PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Provide Substance Abuse Prevention, Education and Treatment Services for County Jail Inmates and their Families

H.P. 1218 L.D. 1661

Tabled - May 29, 1987, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT

(In House May 29, 1987, PASSED TO BE ENACTED.)

(In Senate, May 27, 1987, PASSED TO BE ENGROSSED, in concurrence.)

THE PRESIDENT: The Chair recognizes that same Senator.

Senator PEARSON: Mr. President. I am going to remove another Bill from the Special Appropriations Table, after this, both of which have to do with alcohol. We found a place to fund these two particular Bills in the Federal Block Grant and we are able to use Federal money, not State money, so we no longer need these Bills and should dispose of them.

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

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

On motion by Senator PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Provide Substance Abuse Treatment to Youths at the Maine Youth Center

H.P. 1220 L.D. 1663

Tabled - June 1, 1987, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House June 1, 1987, PASSED TO BE ENACTED.)

(In Senate, May 27, 1987, PASSED TO BE ENGROSSED, in concurrence.)

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

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

On motion by Senator CLARK of Cumberland, the Chair removed from the Unassigned Table the following: Joint Order relative to Studying the Air Quality in State Buildings

H.P. 734

Tabled - April 1, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE

(In House, March 31, 1987, READ and PASSED.)

(In Senate, April 1, 1987, READ.)

Senator CLARK of Cumberland moved INDEFINITE POSTPONEMENT of the Joint Order.

Senator TUTTLE of York requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator CLARK of Cumberland to INDEFINITELY POSTPONE the Joint Order.

A Division has been requested.

Will all those Senators in favor of the motion of Senator CLARK of Cumberland to INDEFINITELY POSTPONE the Joint Order, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

23 Senators having voted in the affirmative and 2 Senators having voted in the negative, the motion by Senator CLARK of Cumberland to INDEFINITELY POSTPONE the Joint Order, PREVAILED in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator CLARK of Cumberland, the Chair removed from the Unassigned Table the following: JOINT ORDER - Establishing the Joint Select Committee on Alternative Legal Study, to Study the formation of part-time or night law school at the University of Maine at Augusta

S.P. 550

Tabled - May 21, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE

(In Senate, May 21, 1987, READ.)

On motion by Senator CLARK of Cumberland, the Joint Order, INDEFINITELY POSTPONED.

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

Off Record Remarks

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

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

HOUSE REPORTS - from the Committee on TAXATION on Bill "An Act Enabling Municipalities to Establish

Municipal Land Banks Funded by a Local Option Real Estate Transfer Tax"

H.P. 543 L.D. 727

Majority - Ought Not to Pass.

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-274).

In House, June 8, 1987, the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-274).

In Senate, June 10, 1987, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

Senator SEWALL of Lincoln moved that the Senate ADHERE.

Senator CLARK of Cumberland moved that the Senate RECEDE and CONCUR.

On motion by Senator SEWALL of Lincoln, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

On motion by Senator PEARSON of Penobscot, Committee Reports READ.

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

Senator CLARK: Thank you, Mr. President. Mr. President, men and women of the Senate. This supplement just arrived on my desk. I am not in the best mode to debate it this morning, but we did debate it extensively yesterday. I alluded yesterday, to the pressure of the lobby on members of the Senate at the end of the Session and I am under no different illusion today. Two days ago, when I noticed the activity in the lobby and noticed the activity increasing, with reference to members of the Senate, particularly, for we are a more containable number of individuals than that of the other Body. I was under no delusions that this measure would prevail in this Body. One need not be a veteran legislator to have a sense or a premonition of what is about to happen. I would, at this stage, simply remind members of this Body, that while this continues to be viewed as perhaps a special interest Bill for the benefit of those towns in Southern and the mid-coast Maine, which are fortunately and unfortunately experiencing rapid development and the ensuing stress and the trauma for Mainers that accompanies that stress development. There still is an urgent need for a vehicle and a source of funding to provide for acquiring local open land spaces.

L.D. 727 provides this opportunity. I would submit to members of this Chamber that if we don't act now, in the 113th Legislature, land will become only more expensive in the future and the vehicle that is proposed in this measure, places the burden, a minimal burden at best, on the very parties, to the development and stress of growth, who create it. There are towns in and across Maine, not just Southern and mid-coastal Maine, that are experiencing the literal, gobbling up of land and are facing onerous threats, dramatic development, this impacts mightily on municipalities, placing them in a position that they have never experienced before. It has been suggested that in fact, zoning is one method that might control this growth. I submit to you that there is no more strenuously zoned area of the State than Southern and mid-coastal Maine. All it has done is to attempt to control growth ineffectively, and increase the market value of the land, and thus increase property taxes. Surely, we must, as a legislative body, be responsive to the needs and recognize the need of maintaining some open space for water recharge areas, for access to our lakes and ponds, streams and shore, and for recreational and if for nothing else, purposes such as bird watching,

taking a stroll and not insincerely, smelling the flowers.

I would hope that we might consider this in a different light than we did yesterday and support the pending motion of Recede and Concur.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President and members of the Senate. I am going over my four points which I tried to make yesterday that this Bill, although all these things that the good Senator from Cumberland, Senator Clark has said, are true.

This particular Bill creates a new tax policy. It raises property taxes by taking property out of the taxable area. There is no necessity, a town can vote to assess all of its tax payers and buy land, and it is, as I pointed out yesterday, elitist. I only want to make one further comment. This is from the testimony in the Committee. Jerry Bligh, on behalf of the Natural Resources Council of Maine came, and in his testimony he said and I quote: "It is foolish to believe that passing this legislation will in any way slow the land development boom down that we are now witnessing." So, we'll have to deal with it some other way.

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

Senator CLARK: Thank you, Mr. President. In brief response, men and women of the Senate, to the statement by the Senator from Lincoln, Senator Sewall. Removing parcels of property from the tax rolls, need not increase the property taxes. There are communities, such as my own, which has removed small parcels of land to provide access to the shore for clambers and people who seek access, mainly clambers and wormers, particularly, and it does not impact negatively on the tax base. These pieces of land have been turned over to the Land Bank and the Land Bank continues to pay taxes to the town at the same rate that any other parcel of land, with conservation easements and building restrictions would pay. Much along the line of tree growth. I mentioned that land preservation is a major issue and concern for many Maine citizens, while this is not our last chance to preserve land in our State, I would submit to you for your consideration again, the traditional methods of zoning and the State's Wet Land Protection Act do not control intense development, and it is the intense development and concurrent demand for increased services, many services of which Maine municipalities have never experienced before, nor are ill prepared to provide, that raise taxes.

The concept of land banking really boils down to local stewardship, determining what land are important to the long term well being of the citizens of the town. I have mentioned aqua recharge areas and recreational land and critical open space that maintain the character of these municipalities. We're compensating through the funding that would be generated to the local citizens of the town passed by referendum, this local option tax. It would compensate the owners of these properties for preserving the land for the benefit of all future generations.

We all recognize that not all land owners who hold critical parcels, have the financial ability or the inclination to donate these key parcels to either conservation trusts or to the towns or to land banks. Towns must be able to purchase such properties where donation is not possible. The proposed tax would not realize a great deal of money but by insuring a steady annual income to land bank commissions that are formed in these municipalities.

L.D. 727 would allow the commissions to anticipate those revenues and to borrow against them to make the critical purchases before it is too late.

In conclusion, I submit for much of the land in the municipalities in Southern and mid-coast Maine, and even being experienced by other municipalities not in that geographic region of our State, the time is running out. The real estate prices are being driven up by land speculators, not only from south of the border, but from large and assertive land development companies within our own borders. Elitist legislation, of the statements made, I would suggest that is the most fallible. Elitist legislation to provide to critical areas of open space within our municipalities for citizens to preserve the quality of our drinking water? That is elitist?

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President. Members of the Senate. In referring to elitist, I was referring to whom got taxed. The people who are getting taxed off their property, whose taxes were so high they had to sell, those people have to contribute to this. Those people who are retiring and buying a home, or those people who are buying a first time home, those are the people who are being taxed. No one else, that is what is elitists.

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

Senator DILLENBACK: Thank you, Mr. President. Ladies and gentlemen of the Senate. I hate to prolong this, but I can't help but say a few words. This Bill is nothing more than discrimination. I was very happy to see that in the town of Richton, in the morning paper, just bought a parcel of land on the lake for \$500,000 and it is going on the tax rate. Any town can do the same thing. The important point is everybody in town will pay for it. It doesn't discriminate against a few people. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator CLARK of Cumberland to RECEDE and CONCUR.

A Roll Call has been ordered.

A vote of Yes will be in favor to Recede and Concur.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators ANDREWS, BERUBE, BRANNIGAN, BRAWN, CLARK, DUTREMBLE, GAUVREAU, KANY, MATTHEWS, PEARSON, TUTTLE, TWITCHELL, THE PRESIDENT - CHARLES P. PRAY

NAYS: Senators BALDACCI, BLACK, CAHILL, COLLINS, DILLENBACK, DOW, EMERSON, ERWIN, GILL, GOULD, KERRY, LUDWIG, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, USHER, WEBSTER, WHITMORE

ABSENT: Senators BUSTIN, ESTES

Senator DUTREMBLE of York requested and received Leave of the Senate to change his vote from NAY to YEA.

Senator PEARSON of Penobscot requested and received Leave of the Senate to change his vote from NAY to YEA.

13 Senators having voted in the affirmative and 20 Senator having voted in the negative, with 2 Senators being absent, the motion of Senator CLARK of Cumberland, to RECEDE and CONCUR, FAILED.

On motion by Senator SEWALL of Lincoln, the Senate ADHERED.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator SEWALL: Having voted on the prevailing side, I now move Reconsideration and would ask you to vote against me.

Senator SEWALL of Lincoln moved to RECONSIDER whereby the Senate ADHERED.

At the request of Senator TUTTLE of York a Division was had. 12 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion of Senator SEWALL of Lincoln to RECONSIDER, FAILED.

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Resolve, to Establish a Task Force on Post-secondary Education Financing (Emergency)

H.P. 1294 L.D. 1772

In Senate, June 9, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-297) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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 to Clarify and Limit Personal Liability of Volunteer Firemen and Volunteer Ambulance Drivers

H.P. 1299 L.D. 1777

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 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.

Emergency

An Act to Provide for a Prospective Payment System for State Reimbursement of Boarding Care Facilities with More than 6 Beds, to Allow for Periodic Cost-of-living Adjustments and for Other Purposes

H.P. 1305 L.D. 1784

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

Emergency

An Act to Streamline the Delivery of Residential Treatment Services to Children in Need

H.P. 323 L.D. 422  
(C "A" H-277)

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:

ENACTORS

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

Emergency

An Act to Continue the Potato Marketing Advisory Program

H.P. 1183 L.D. 1613  
(C "A" H-282)

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

Emergency

An Act to Authorize Hospitals to Use Magnetic Resonance Imaging Devices Located in Private Physicians' Facilities

H.P. 1303 L.D. 1782

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in negative, and 24 being 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.

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 Relating to Significant Energy Agreements and Contracts by Electric Utilities

S.P. 604 L.D. 1779

An Act Relating to the Payment of Dues to Grower Organizations by Handlers and Processors of Farm Products

H.P. 1280 L.D. 1753  
(H "A" H-279)

An Act to Enhance the Marketability of Titles

H.P. 1298 L.D. 1776

An Act to Clarify the Authority of the Superintendent of Insurance to Assign Risks for Workers' Compensation Insurance

H.P. 1301 L.D. 1780

An Act to Require Licensing of Adult Day Care Services in Maine

H.P. 1304 L.D. 1783

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

Senate at Ease

Senate called to order by the President.

Off Record Remarks

An Act to Require the Installation of Telecommunication Devices for the Hearing and Speech Impaired in Public Facilities

H.P. 1295 L.D. 1773

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

An Act to Reform the Animal Welfare Laws

S.P. 599 L.D. 1759

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

An Act to Provide More Equitable Benefits for the Surviving Spouse, Children and Parents of Deceased Members of the Maine State Retirement System

H.P. 1296 L.D. 1774

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

An Act to Amend the Inflation Incrementing Provision in the Tax Laws

H.P. 896 L.D. 1197  
(C "A" H-263)

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

An Act to Provide a Sales Tax Trade-in Credit for Loaders used to Harvest Lumber

H.P. 728 L.D. 980  
(C "A" H-281)

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

An Act Relating to Taxation of Trucks

H.P. 1284 L.D. 1757

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

ORDERS OF THE DAY

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

Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Laws" (Emergency)

S.P. 590 L.D. 1743  
(H "A" H-291)

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

Pending - Motion of Senator KANY of Kennebec to RECONSIDER whereby the Senate RECEDED and CONCURRED

(In Senate, June 10, 1987, RECEDED and CONCURRED.)

(In House, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-291) in NON-CONCURRENCE.)

(In Senate, June 5, 1987, PASSED TO BE ENGROSSED.)

On motion by Senator KANY of Kennebec, the Senate RECONSIDERED whereby it RECEDED and CONCURRED.

On motion by Senator BUSTIN of Kennebec, the Senate RECEDED from PASSAGE TO BE ENGROSSED AS AMENDED.

On further motion by same Senator, Senate Amendment "A" (S-166) READ and ADOPTED in NON-CONCURRENCE.

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

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

Off Record Remarks

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

Senator PERKINS of Hancock was granted unanimous consent to address the Senate off the Record.

Under suspension of the Rules, all matters thus acted upon, with the exception of those matters being

held, were ordered sent down forthwith for concurrence.

On motion by Senator TWITCHELL of Oxford, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

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

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on UTILITIES on Bill "An Act to Prohibit Initial Service Charges by Public Utilities"

H.P. 854 L.D. 1148

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Limit Electric Hook-up Fee Requirements by Electric Utilities"

H.P. 1289 L.D. 1767

Signed:

Senators:

KERRY of York  
ERWIN of Oxford

Representatives:

VOSE of Eastport  
BAKER of Portland  
RICHARD of Madison  
ALLEN of Washington  
O'GARA of Westbrook  
HOLT of Bath  
NICHOLSON of South Portland

The Minority of the same Committee on the same subject reported that the same Ought to Pass in New Draft under same title.

H.P. 1290 L.D. 1768

Signed:

Senator:

WEBSTER of Franklin

Representatives:

WEYMOUTH of West Gardiner  
WILLEY of Hampden  
WEBSTER of Cape Elizabeth

Comes from the House the Minority OUGHT TO PASS IN NEW DRAFT Report READ and ACCEPTED and the Bill in NEW DRAFT (H.P. 1290) (L.D. 1768) PASSED TO BE ENGROSSED.

Which Reports were READ.

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending ACCEPTANCE OF EITHER REPORT.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, to Establish the Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute (Emergency)

S.P. 588 L.D. 1742  
(S "A" S-139)

In Senate, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-139) in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-302) in NON-CONCURRENCE.

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

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

SECOND READERS

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

House

Bill "An Act to Create the Department of Economic and Community Development, to Establish Consistency among Economic Development Laws and to Establish a Capital Budgeting and Planning Process"

H.P. 1324 L.D. 1808

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

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass in New Draft under New Title

The Committee on EDUCATION on Bill "An Act to Create the Post-secondary Enrollment Options Act for 11th and 12th Grade Students"

H.P. 592 L.D. 803

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Create the Post-secondary Enrollment Options Act"

H.P. 1326 L.D. 1810

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

Which Report was READ and ACCEPTED, in concurrence.

Under suspension of the Rules, the Bill in NEW DRAFT under NEW TITLE READ TWICE and the NEW DRAFT PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on EDUCATION on Bill "An Act to Create a Maine Post-Secondary Educational Loan Program"

H.P. 954 L.D. 1283

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

H.P. 1327 L.D. 1811

Signed:

Senators:

KANY of Kennebec  
ESTES of York  
RANDALL of Washington

Representatives:

MATTHEWS of Caribou  
PARADIS of Frenchville  
GOULD of Greenville  
NORTON of Winthrop  
O'GARA of Westbrook  
LAWRENCE of Parsonsfield  
KILKELLY of Wiscasset  
BOST of Orono  
HANDY of Lewiston

The Minority of the same Committee on the same subject reported that the same Ought Not to Pass.

Signed:

Representative:

SMALL of Bath

Comes from the House the Majority OUGHT TO PASS IN NEW DRAFT Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Reports were READ.

The Majority OUGHT TO PASS in NEW DRAFT Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: Is this the appropriate time to ask some one to explain the merits and what this Bill actually does? If the Bill still before us at this time?

THE PRESIDENT: The Chair would advise the Senator that the Bill is presently before us, awaiting assignment for Second Reading. If the Senator would defer and allow us to suspend the Rules and give the Bill its' Second Reading at this time, then the Bill would be before us.

Under suspension of the Rules, the Bill in NEW DRAFT READ A SECOND TIME.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: I would like to pose a question through the Chair. Mr. President, ladies and gentlemen of the Senate. I would just like to have some knowledgeable member of the Education Committee explain what this Bill does. Thank you.

THE PRESIDENT: The Senator from Franklin, Senator Webster has posed a question through the Chair to any Senator who may care to respond.

The Chair recognizes the Senator from York, Senator Estes.

Senator ESTES: Mr. President. I believe I can answer the question from the good Senator from Franklin, Senator Webster. This is one of several post-secondary loan acts that came before the Education Committee. It is not in your book, and it would be on one of the supplements that was passed out earlier this afternoon. L.D. 1811 is on an orange sheet. This is a new draft and this is designed to create a student incentive loan program to raise aspirations of the State's high school students, by encouraging them through a financial opportunity to go on to higher education.

What would happen in this program, was that based upon financial need, primarily, individuals would be able to apply for a loan that would be conditioned in part, upon their accumulative averages, both from their senior year in high school and through their years in post secondary education, whether it be a two year program, three year program or even a four year program.

If they were able to maintain that academic standard, they would be given a loan for a percentage of the tuition costs, only, at a private, public or secondary institution in this State. There would also be a forgiveness of that loan if the individual was to remain in this State to work for a period of time. One quarter of the debt would be forgiven each full year of employment in this State. The idea behind the act is to encourage our high school students to aspire to post secondary educational opportunities and to continue their post secondary educational experience and work for us in the State of Maine.

Which was PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Senate at Ease  
Senate called to order by the President.

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Establish the Maine Court Facilities Authority"

H.P. 329 L.D. 428  
(C "A" H-265)

In Senate, June 8, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265) AS AMENDED BY HOUSE AMENDMENTS "A" (H-303) AND "B" (H-304), thereto, in NON-CONCURRENCE.

On motion by Senator TUTTLE of York, the Senate RECEDED and CONCURRED.

Off Record Remarks

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

SENATE PAPERS

Bill "An Act to Correct Errors and Omissions in the Legislation Implementing Collective Bargaining Agreement for Maine Vocational-Technical Institute System Employees" (Emergency)

S.P. 615 L.D. 1815

Presented by Senator PERKINS of Hancock Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

Under suspension of the Rules, Bill READ ONCE without reference to Committee.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator BERUBE for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Making Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989" (Emergency)

S.P. 242 L.D. 673

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-171).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-171) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

Senator ESTES for the Committee on EDUCATION on Bill "An Act to Make Adjustments in the School Finance Act"

S.P. 405 L.D. 1256

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-172).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-172) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

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

Senate

Ought to Pass As Amended

Senator DUTREMBLE for the Committee on LABOR on Resolve, to Establish the Joint Select Committee to Study the Benefits and Costs Related to Permanent Impairment Injuries under the Workers' Compensation Act

S.P. 447 L.D. 1361

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-173).

Which Report was READ and ACCEPTED.

The Resolve READ ONCE.

Committee Amendment "A" (S-173) READ and ADOPTED.

Under suspension of the Rules, the Resolve READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

Senator DOW for the Committee on TRANSPORTATION on Bill "An Act to Provide for Renewal of Auto Registration and Inspection Sticker at the Same Time"

S.P. 386 L.D. 1163

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-174).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-174) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

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

COMMITTEE REPORTS

Senate

Ought to Pass in New Draft

Senator CLARK for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Amend the State Retirement Laws"

S.P. 524 L.D. 1576

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

S.P. 617 L.D. 1818

Which Report was READ and ACCEPTED.

Under suspension of the Rules, the Bill in NEW DRAFT READ A SECOND TIME and the NEW DRAFT PASSED TO BE ENGROSSED.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED.

Senator COLLINS for the Committee on BANKING AND INSURANCE on Bill "An Act to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code"

S.P. 243 L.D. 675

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

S.P. 620 L.D. 1821

Which Report was READ and ACCEPTED.

Under suspension of the Rules, the Bill in NEW DRAFT READ TWICE and the NEW DRAFT PASSED TO BE ENGROSSED.

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

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

COMMITTEE REPORTS

Senate

Ought to Pass in New Draft

Senator BLACK for the Committee on JUDICIARY on Bill "An Act to Clarify the Conditions Under Which a Juvenile may be Detained"

S.P. 520 L.D. 1572

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

S.P. 619 L.D. 1820

Which Report was READ and ACCEPTED.

Under suspension of the Rules, the Bill in NEW DRAFT READ TWICE and the NEW DRAFT PASSED TO BE ENGROSSED.

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

Senator GOULD for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Provide a Mechanism for Allocations of the State Ceiling on Private-activity Bonds" (Emergency)

S.P. 444 L.D. 1358

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

S.P. 618 L.D. 1819

Which Report was READ and ACCEPTED.

Under suspension of the Rules, the Bill in NEW DRAFT READ TWICE and the NEW DRAFT PASSED TO BE ENGROSSED.

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

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

COMMITTEE REPORTS

Senate

Ought to Pass in New Draft under New Title

Senator ANDREWS for the Committee on ECONOMIC DEVELOPMENT on Bill "An Act to Provide Disaster Assistance for Home Mortgageors"

S.P. 168 L.D. 472

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Provide for the Compilation of data and Information Relating to Reasons for Residential Mortgage Foreclosures in Maine" (Emergency)

S.P. 616 L.D. 1817

Which Report was READ and ACCEPTED.

Under suspension of the Rules, the Bill in NEW DRAFT READ TWICE and the NEW DRAFT PASSED TO BE ENGROSSED.

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

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator ANDREWS for the Committee on ECONOMIC DEVELOPMENT on Bill "An Act to Enhance the Maine Job Training Partnership Program"

S.P. 417 L.D. 1275

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-175).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-175) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

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

COMMUNICATIONS

The Following Communication:

COMMITTEE ON HUMAN RESOURCES

ONE HUNDRED AND THIRTEENTH LEGISLATURE

June 11, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine

State House  
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Human Resources has had under consideration the nomination of Susan B. Parker of Concord, New Hampshire, for appointment as the Commissioner of the Department of Mental Health and Mental Retardation.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 10

NAYS: 0

ABSENT: 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Susan B. Parker of Concord, New Hampshire, for appointment as the Commissioner of the Department of Mental Health and Mental Retardation be confirmed.

Sincerely,  
S/Paul Gauvreau  
Senate Chair  
S/Peter Manning  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Kerry.

Senator KERRY: Mr. President, ladies and gentlemen of the Senate. I would like to make a few brief remarks because I think this is a bitter sweet day for the State of Maine.

First of all, I would like to make note of the fact that the previous Director of the Mental Health Department was Kevin Concannon. I think that Kevin served this State extremely well. He served for nearly a decade. As I understand it, he helped forge a new agenda for the State of Maine, was sensitive to the people of this State, the people in need both in



the area of mental health and retardation. He was very deeply committed and I think he, not only provided leadership and quality of care for all the citizens in Maine, who have concerns in this area, but he did it in a dignity and a pride to our State. He was recently elected to be the president of a National body and he is going forth to Oregon to assume the leadership of that particular state's department. We often times have to make difficult decisions in this State and I am sure this Governor and the people who searched, and it probably was a National search, for a person to replace Mr. Concannon, and I'm sure they had to look very hard.

I would like to say that Susan Parker acquitted herself extremely well in front of our Committee today, at a hearing and I think the people of Maine will be fortunate to have another person of high quality and a person who apparently, not only has the credentials, but I think has the sensitivity to address the Maine needs of a department that we all feel very concerned about. The one point I would like to make; my comments on Mr. Concannon, in no way reflect upon the job that I hope will be done as well by Susan Parker. I did want to make those comments because many of us in this Body and in the other Body, have served this State for quite some time and we knew and respected and admired Kevin Concannon and I thought it would be inappropriate that this day would pass without recognizing a public servant as high as Kevin Concannon. Thank you.

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

Senator GILL: Mr. President, ladies and gentlemen of the Senate. I too, would like to send accolades along to Kevin Concannon as he journeys to the west coast, where he is taking a new position. I think it is appropriate, Kevin is a young man and he is participating nationally with mental health and mental retardation, and has a role to play. It just seems appropriate that this is a step on the ladder for him. I am sure that all of us who have worked with him over the many years that he has been here, wish him well. I would like to say that during the hearing that we had this morning, we are indeed fortunate to have Susan Parker come to Maine. She brings with her a wealth of experience in the development disability area. She has done a lot of work in planning. She has been active in the community in the support system. Governor Sununu sent a marvelous letter and indicated that he hates to lose her because she is very effective in New Hampshire. Along came a Senator and a member of the Executive Staff of New Hampshire and they had nothing but accolades for her. I think, we indeed, are very fortunate to have a woman of Susan Parker's caliber coming into the State.

The Committee had a hearing that lasted for about one hour and a half and put her through a lot of questions and she responded admirably. I just would like to say that we say a fond farewell to Kevin and wish him well, but we certainly welcome our new addition to the State of Maine.

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

Senator GAUVREAU: Thank you, Mr. President. I, also rise to commend the former Commissioner of the Department of Mental Health and Retardation, Kevin Concannon for a truly superlative job. Kevin was able to articulate a number of critical issues in the mental health and mental retardation field. He really offered some truly innovative concepts in this area. I would certainly echo the remarks of my colleagues on the Human Resources Committee, Senator Kerry of York and Senator Gill from Cumberland. We

certainly were most impressed with the intellect, principle and commitments demonstrated by Susan Parker in her presentation before the Committee this afternoon.

I would simply enter one somber element in this discussion. Ms. Parker certainly has a very, very difficult agenda ahead of her. Recent developments in this State, and also in the Nation, have demonstrated to many of us active in this area, that we are going to have to re-think the entire arena of mental health delivery system as it is currently constituted in this State. Unfortunately, the fiscal austerity which many states are realizing in this decade, has truly adversely affected quality and the extent of services in mental health and retardation. There will be some very, very difficult, painful choices to make. Certainly, those of us on the Committee are most willing to work actively with Susan and with all parties in this State. We ought to note on this occasion, hopefully, we will be able to work together in a spirit of compromise and collaboration, dealing with these issues. Certainly, I pledge my efforts to work with Ms. Parker, in this regard. Thank you.

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Off Record Remarks

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THE PRESIDENT: The Joint Standing Committee on HUMAN RESOURCES has recommended the nomination of Susan B. Parker of Concord, New Hampshire for appointment as the Commissioner of the Department of Mental Health and Mental Retardation, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on HUMAN RESOURCES be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators ANDREWS, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, MATTHEWS, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BALDACCI, DUTREMBLE, LUDWIG, MAYBURY, PEARSON

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Susan B. Parker for appointment as the Commissioner of the Department of Mental Health and Mental Retardation, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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The Following Communication:  
COMMITTEE ON FISHERIES AND WILDLIFE

ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 10, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Fisheries and Wildlife has had under consideration the nomination of Alanson Noble of Oxford, for appointment to the Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 8  
NAYS: 2  
ABSENT: 0

Eleven members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of Alanson Noble of Oxford, for appointment to the Fisheries and Wildlife Advisory Council be confirmed.

Sincerely,  
S/Edgar E. Erwin  
Senate Chair  
S/Paul F. Jacques  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on FISHERIES AND WILDLIFE has recommended the nomination of Alanson Noble of Oxford for appointment to the Fisheries and Wildlife Advisory Council be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
NAYS: Senators ANDREWS, BERUBE, BLACK,  
BRANNIGAN, BRAWN, BUSTIN, CAHILL,  
CLARK, COLLINS, DILLENBACK, DOW,  
EMERSON, ERWIN, ESTES, GAUVREAU, GILL,  
GOULD, KANY, KERRY, MATTHEWS, PEARSON,  
PERKINS, RANDALL, SEWALL, THERIAULT,  
TUTTLE, TWITCHELL, USHER, WEBSTER,  
WHITMORE, THE PRESIDENT - CHARLES P.  
PRAY

ABSENT: Senators BALDACCI, DUTREMBLE, LUDWIG,  
MAYBURY

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Alanson Noble, for appointment to the Fisheries and Wildlife Advisory Council, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
COMMITTEE ON FISHERIES AND WILDLIFE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 10, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Fisheries and Wildlife has had under consideration the nomination of Carroll York of West Forks, for appointment to the Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 4  
NAYS: 6  
ABSENT: 0

Seven members of the Committee having voted in the affirmative and six in the negative, it was the vote of the Committee that the nomination of Carroll York of West Forks, for appointment to the Fisheries and Wildlife Advisory Council be confirmed.

Sincerely,  
S/Edgar E. Erwin  
Senate Chair  
S/Paul F. Jacques  
House Chair

Which was READ.

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

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

COMMITTEE REPORTS  
Senate

Ought to Pass As Amended

Senator BLACK for the Committee on AGRICULTURE on Bill "An Act to Remove the Responsibility of the Department of Agriculture, Food and Rural Resources to Pay for Wildlife Damage"

S.P. 496 L.D. 1513

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-176).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-176) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

Senator DOW for the Committee on TRANSPORTATION on Bill "An Act to Improve Fire Prevention Activity of Railroads"

S.P. 439 L.D. 1334

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-177).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-177) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

Under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON ENERGY AND NATURAL RESOURCES  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

June 9, 1987

President Charles Pray

Maine Senate

State House

Augusta, ME 04333

Dear President Pray:

The Joint Standing Committee on Energy and Natural Resources is pleased to submit its report to the Legislature pursuant to P.L. 1985 c. 137. This summary report accompanies legislation previously submitted by the committee. With that legislation (LD 1499 and LD 1365) now under serious discussion by the Legislature, the committee hopes that the enclosed report will assist the Legislature in its deliberations.

The State faces a serious challenge in managing its solid waste. The committee has worked with a broad range of interests to develop a sound framework for Maine's solid waste management policy. We enthusiastically recommend the committee's unanimous legislative report.

Sincerely

S/Sen. Ronald Usher, Chair

S/Rep. Michael Michaud, Chair

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

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator GAUVREAU for the Committee on HUMAN RESOURCES on Bill "An Act to Establish an Alternative to the Certificate of Need Process to Address the Needs of Medicaid Patients in Need of Nursing Home Care"

S.P. 147 L.D. 401

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-178).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-178) READ and ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Under suspension of the Rules, ordered sent down forthwith 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 Require the Members of the Maine Turnpike Authority to be Confirmed

H.P. 885 L.D. 1186

(H "A" H-272)

On motion by Senator BERUBE of Androscoggin, placed on SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

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 to Provide for Noise Generated by Developments

H.P. 1319 L.D. 1803

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.

Emergency Resolve

Resolve, Creating the Commission to Study the Use of Involuntary Services for Substance Abusers

S.P. 324 L.D. 952

(C "A" S-160)

On motion by Senator BERUBE of Androscoggin, placed on SPECIAL APPROPRIATIONS TABLE, pending FINAL PASSAGE.

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 Prevent Abuse of Handicapped Parking Spaces

S.P. 458 L.D. 1402

(H "A" H-290 to C

"A" S-148)

An Act to Amend Certain Probate Laws

H.P. 1322 L.D. 1805

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 Establish the Aroostook Water and Soil Management Board

S.P. 559 L.D. 1671

(C "A" S-162)

On motion by Senator BERUBE of Androscoggin, placed on SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Resolve

Resolve, to Support Dioxin Research by the Bureau of Health

S.P. 316 L.D. 918

(C "A" S-161)

On motion by Senator BERUBE of Androscoggin, placed on SPECIAL APPROPRIATIONS TABLE, pending FINAL PASSAGE.

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 Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the

Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1988, and June 30, 1989

S.P. 605 L.D. 1793

On motion by Senator DOW of Kennebec, placed on SPECIAL HIGHWAY TABLE, pending ENACTMENT.

Emergency

An Act to Revise the Salaries of Certain County Officers

H.P. 1318 L.D. 1802

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with 1 Senator 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.

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 Resolve

Resolve, to Authorize Extending the Issuance of Certificates of Good Standing to September 1, 1987

H.P. 1317 L.D. 1801

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 FINALLY PASSED 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:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, Requiring the Department of Conservation to Study the Problem of Submerged Watercraft in Coastal Waters of the State (Emergency)

H.P. 1316 L.D. 1795

In Senate, June 10, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-292) in NON-CONCURRENCE.

On motion by Senator USHER of Cumberland, Tabled until Later in Today's Session, pending FURTHER CONSIDERATION.

Non-concurrent Matter

Bill "An Act to Require Maintenance of Financial Responsibility by All Motorists"

S.P. 608 L.D. 1798

In Senate, June 9, 1987, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-317) in NON-CONCURRENCE.

Senator THERIAULT of Aroostook moved that the Senate RECEDE and CONCUR.

Senate at Ease

Senate called to order by the President.

On motion by Senator THERIAULT of Aroostook, Tabled until Later in Today's Session, pending motion by same Senator that the Senate RECEDE and CONCUR.

ORDERS OF THE DAY

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

Resolve, Requiring the Department of Conservation to Study the Problem of Submerged Watercraft in Coastal Waters of the State (Emergency)

H.P. 1316 L.D. 1795

Tabled - June 11, 1987, by Senator USHER of Cumberland.

Pending - FURTHER CONSIDERATION

(In Senate, June 10, 1987, PASSED TO BE ENGROSSED, in concurrence.)

(In House, June 11, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-292) in NON-CONCURRENCE.)

The Senate RECEDED and CONCURRED.

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

SECOND READERS

Senate

Bill "An Act to Correct Errors and Omissions in the Legislation Implementing Collective Bargaining Agreement for Maine Vocational-Technical Institute System Employees" (Emergency)

S.P. 615 L.D. 1815

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED.

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

Senate at Ease

Senate called to order by the President.

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

ORDERS

Joint Order

On motion by Senator DOW of Kennebec the following Joint Order:

S.P. 621

ORDERED, the House concurring, that "AN ACT to Create the Department of Economic and Community Development, to Establish Consistency among Economic Development Laws and to Establish a Capital Budgeting and Planning Process", H.P. 1324, L.D. 1808, be recalled from the Engrossing Department to the Senate.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith 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 Name the Finback Whale as the State Marine Mammal

H.P. 368 L.D. 482

Comes from the House Bill and Accompanying Papers INDEFINITELY POSTPONED.

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

Senator TWITCHELL: Mr. President. I would like to move that the Senate Recede and Concur.

THE PRESIDENT: The Chair would advise the Senator that the motion to Recede and Concur would not be in order at this time. The pending question is Enactment.

Senator WEBSTER of Franklin moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator TUTTLE: Mr. President. I would ask for a Division and would speak to my motion. It is indeed a sad moment when I read that the other Body has harpooned this Bill. I hope the Senate will see the larger picture and realize that this is a wicked big issue, after all. In response to some of the comments here, I think and I would hope we have addressed this issue and would also hope that we would defeat the motion to Indefinitely Postpone.

Senator TUTTLE of York requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator WEBSTER of Franklin to INDEFINITELY POSTPONE the Bill and Accompanying Papers.

A Division has been requested.

Will all those Senators in favor of the motion of Senator WEBSTER of Franklin to INDEFINITELY POSTPONE the Bill and Accompanying Papers, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

7 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion of Senator WEBSTER of Franklin to INDEFINITELY POSTPONE the Bill and Accompanying Papers, FAILED.

Which was PASSED TO BE ENACTED in NON-CONCURRENCE and having been signed by the President, was sent down for concurrence.

#### ORDERS OF THE DAY

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

Resolve, to Establish the Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute (Emergency)

S.P. 588 L.D. 1742  
(S "A" S-139)

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

Pending - FURTHER CONSIDERATION

(In Senate, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-139) in NON-CONCURRENCE).

(In House, June 11, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-302) in NON-CONCURRENCE.)

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

Senator BUSTIN: Thank you, Mr. President. I am going to move to Recede and Concur and will speak to my motion. The reason that we held this up earlier in the day is because I felt that there were some conflicting language between Senate Amendment "A" and House Amendment "B". Just to keep the Record straight, what we do intent to do is add three public members and two Representatives. We will now had three public members and four Representatives and two Senators on that Committee.

On motion by Senator BUSTIN of Kennebec, the Senate RECEDED and CONCURRED.

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

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

Bill "An Act to Amend the State Retirement Laws"  
S.P. 617 L.D. 1818

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

Pending - PASSAGE TO BE ENGROSSED  
(In Senate, June 11, 1987, RECONSIDERED PASSAGE TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED.

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

COMMUNICATION - from the Committee on FISHERIES AND WILDLIFE recommending the nomination of Carroll York of West forks, for appointment to the Fisheries and Wildlife Advisory Council be confirmed.

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

Pending - CONSIDERATION  
(In Senate, June 11, 1987, READ.)

Which was PLACED ON FILE.

THE PRESIDENT: The pending question before the Senate is: "Shall the recommendation of the Committee on FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEAS: Senators MATTHEWS

NAYS: Senators ANDREWS, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, PEARSON, PERKINS, RANDALL, SEWALL, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT

- CHARLES P. PRAY

ABSENT: Senators BALDACCI, DUTREMBLE, LUDWIG, MAYBURY, THERIAULT

1 Senator having voted in the affirmative and 29 Senators having voted in the negative, with 5 Senators being absent, and 1 being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Carroll York, for appointment to the Fisheries and Wildlife Council was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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

Bill "An Act to Amend the Maine Turnpike Authority Act"

H.P. 1323 L.D. 1806

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

Pending - PASSAGE TO BE ENGROSSED  
(In Senate, June 11, 1987, READ A SECOND TIME.)  
(In House, June 10, 1987, PASSED TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED.

On motion by Senator CLARK of Cumberland, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Expand Employment Opportunities for Minors under the Age of 16 Years" (Emergency)

H.P. 1334 L.D. 1824

Committee on LABOR suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED, in concurrence.

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

COMMITTEE REPORTS

House

Ought to Pass in New Draft

The Committee on TAXATION on Bill "An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1987-88" (Emergency)

H.P. 818 L.D. 1103

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

H.P. 1328 L.D. 1812

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.

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

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on HUMAN RESOURCES on Bill "An Act to Facilitate Access to In-home Services"

H.P. 1062 L.D. 1445

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-308).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-308)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-308) READ and ADOPTED, in concurrence.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

The Committee on HUMAN RESOURCES on Bill "An Act to Promote Equity in Determining Medicaid Eligibility for Institutionalized Care"

H.P. 313 L.D. 412

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-307).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-307)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-307) READ and ADOPTED, in concurrence.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Make Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance, for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 415 L.D. 549

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, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

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

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Maintain Lifeguard Services in State Government"

S.P. 415 L.D. 1273

(S "A" S-153 to C

"A" S-119)

In Senate, June 3, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119).

In House, June 9, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119) AS AMENDED BY HOUSE AMENDMENT "A" (H-280) in NON-CONCURRENCE.

In Senate, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119) AS AMENDED BY SENATE AMENDMENT "A" (S-153), thereto in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-318) in NON-CONCURRENCE.

On motion by Senator TUTTLE of York, the Senate RECEDED and CONCURRED.

Non-concurrent Matter

Resolve, to Establish the Juvenile Corrections Planning Commission (Emergency)

H.P. 1302 L.D. 1781 (H "A" H-283)

In Senate, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-283), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-319) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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 Ensure Confidential and Reliable Substance Abuse Testing of Employees and Applicants

H.P. 1310 L.D. 1788

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ENACTMENT.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Create a New Major Policy-influencing Position for the Department of Defense and Veterans' Services, Namely, a New Civilian Position of Deputy Commissioner"

H.P. 1330 L.D. 1814

Committee on AGING, RETIREMENT AND VETERANS suggested and ORDERED PRINTED.

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

Senator CLARK of Cumberland moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers.

Senate at Ease

Senate called to order by the President.

Subsequently, Senator CLARK of Cumberland, requested and received Leave of the Senate to withdraw her motion to INDEFINITELY POSTPONE the Bill and Accompanying Papers.

On motion by Senator TUTTLE of York, referred to the Committee on AGING AND RETIREMENT and ORDERED PRINTED in NON-CONCURRENCE.

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

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

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on LEGAL AFFAIRS on Bill "An Act to Provide Discretion to the State Liquor Commission to Establish Temporary Agency Liquor Stores in Response to Natural Disasters" (Emergency)

H.P. 1311 L.D. 1789

Reported that the same Ought to Pass.

Signed: Senators:

KANY of Kennebec  
ESTES of York  
DILLENBACK of Cumberland

Representatives:

PRIEST of Brunswick  
HARPER of Lincoln  
TUPPER of Orrington  
PAUL of Sanford  
MURPHY of Berwick  
PERRY of Mexico  
MARTIN of Van Buren  
JALBERT of Lisbon

The Minority of the same Committee on the same subject reported that the same Ought Not to Pass.

Signed:

Representatives:

STEVENSON of Unity  
STEVENS of Sabattus

Comes from the House the Majority OUGHT TO PASS Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-309).

Which Reports were READ.

The Majority OUGHT TO PASS Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

House Amendment "A" (H-309) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on HUMAN RESOURCES on Resolve, to Provide a One-year Moratorium on School-based Health Clinics and Establish the Commission to Study Clinics in Public Schools which provide Counseling and Services Relating to Pregnancy

H.P. 802 L.D. 1076

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-306).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-306)

Which Report was READ.

Senator GAUVREAU of Androscoggin moved to Table 1 Legislative Day, pending ACCEPTANCE of the Report.

Subsequently, Senator GAUVREAU of Androscoggin requested and received Leave of the Senate to withdraw his motion to Table.

Which was ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-306) READ.

On motion by Senator GAUVREAU of Androscoggin, Tabled 1 Legislative Day, pending ADOPTION of Committee Amendment "A" (H-306).

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

COMMITTEE REPORTS

House

Ought to Pass in New Draft

The Committee on JUDICIARY on Bill "An Act to Amend the Maine Juvenile Code"

H.P. 1163 L.D. 1589

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

H.P. 1331 L.D. 1816  
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.

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

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

ORDERS OF THE DAY

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

Bill "An Act to Amend the State Retirement Laws" (S.P. 617 L.D. 1818)

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

Pending - PASSAGE TO BE ENGROSSED

(In Senate, June 11, 1987, RECONSIDERED PASSAGE TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED.

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

Bill "An Act to Amend the Maine Turnpike Authority Act"

H.P. 1323 L.D. 1806  
Tabled - June 11, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, June 11, 1987, READ A SECOND TIME.)

(In House, June 10, 1987, PASSED TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED.

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

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency)

S.P. 576 L.D. 1717  
Tabled - June 11, 1987, by Senator BRANNIGAN of Cumberland.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (S-147) AS AMENDED

(In Senate, June 11, 1987, RECONSIDERED ADOPTION of Committee Amendment "A" (S-147). Senate Amendments "A" (S-152) and "C" (S-155) to Committee Amendment "A" (S-147) READ and ADOPTED.)

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "D" (S-164) to Committee Amendment "A" (S-147) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BRANNIGAN: Thank you, Mr. President, men and women of the Senate. Continuing with three more amendments for the Errors Bill. This takes one item in the Aroostook County budget, three thousand dollars and moves it from capital expenditures, which was three thousand for contractual services, adding three thousand dollars by unanimous approval of the Aroostook County delegation.

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "D" (S-164) to Committee Amendment "A" (S-147) ADOPTED.

On further motion by same Senator, Senate Amendment "E" (S-167) to Committee Amendment "A" (S-147) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BRANNIGAN: Thank you, Mr. President. This is Senate Amendment "A" (S-167). When there was a re-organization of the Department of Finance and the Department of Administration was set up, the Commissioner of Personnel was downgraded from range 91 to range 89. It was assumed that beginning in January, a new Commissioner of Personnel would be assigned. The Commissioner stayed on until this month. It was decided and he was told that he would be paid. The current administration said everything would be all right if he were paid at the range of 91. Now there needs to be an adjustment so he does not have to pay back the eight hundred dollars difference between range 89 and range 91. Everyone seems in total agreement that he should not have to do that.

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "E" (S-167) to Committee Amendment "A" (S-147) ADOPTED.

On further motion by same Senator, Senate Amendment "F" (S-168) to Committee Amendment "A" (S-147) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BRANNIGAN: Thank you, Mr. President. We're going to have, as you know, the new plates coming out July 1. There has been an inconsistency here.

Many of our towns and cities offer us the convenience of getting our plates or our sticker when we register our vehicle at town halls and city halls. They get one dollar for that. If there is a new registration, they get two dollars because there is much more paper work. It has been judged that the new plate, although it will take as much paper work as a new registration, they would only receive under present law, one dollar. Some of them find that very difficult and some probably will not continue that service unless we allow them two dollars for this first time issue of the new plate. This would allow that to happen.

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

Senator GILL: Mr. President. I would like to pose a question through the Chair. It appears to me that we're talking about raising some additional money for the municipalities and it also occurs to me that a Bill which we passed on the license plates also included additional revenue that each of us will have to pay in order to get a license plate. I would like to have some one explain the difference to me.

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

The Chair recognizes the Senator from Kennebec, Senator Dow.

Senator DOW: Mr. President and members of the Senate. We took up this amendment today in our Committee hearing. It passed the Transportation Committee where it should be offered. She is correct in that the new plate issue, as far as the State is concerned, is one dollar for each plate, for this one issue. This first time, it will be twenty two dollars. If this amendment goes on, it will be twenty four dollars for the new registration. Two dollars going to the town and two to the State to pay for the plates. A total of twenty four dollars.

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

Senator BRANNIGAN: Mr. President. May I just clarify that. From my understanding, from the Municipal Association, from which this came, that the



extra cost would only be if you choose to get your plate in a convenient place of your town office, rather than going to the Office of Motor Vehicles. If you go to the Office of Motor Vehicles, there would be no one or two dollar charge. It would be as usual. That was my understanding.

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

Senator GILL: Mr. President and members of the Senate. It just seems to me, and I have had complaints already, from people who have read it in the newspapers, that the plates would cost additional money. I don't want to do the municipalities out of a share of the revenues because they do put additional work into it. It just seems to me that if we're going to increase the price of the plates, the money could come out of that increase, and not additional money on top of it.

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

Senator DOW: Mr. President and members of the Senate. That two dollar increase for the new issue of the lobster plate, is to just cover the cost of the plate for this one issue, and then it will drop back to the twenty dollars. There hasn't been an increase in the registration plate for a number of years. That is the reason why we went to this to pay for the material and the cost of handling for this one time. It will not come out with any increase in revenue to the Transportation Department.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Theriault.

Senator THERIAULT: Thank you, Mr. President and members of the Senate. The communities today, presently collect two dollars for that service. All it is is a maintenance of the same fee that they've been paying all along, with the new issue of plates.

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "F" (S-168) to Committee Amendment "A" (S-147) ADOPTED.

Committee Amendment "A" (S-147) as Amended by Senate Amendments "A" (S-152), "C" (S-155), "D" (S-164), "E" (S-167) and "F" (S-168), thereto ADOPTED.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

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

Bill "An Act to Require Maintenance of Financial Responsibility by All Motorists"

S.P. 608 L.D. 1798

Tabled - June 11, 1987, by Senator THERIAULT of Aroostook.

Pending - Motion by same Senator to RECEDE and CONCUR

(In Senate, June 9, 1987, PASSED TO BE ENGROSSED.)

(In House, June 11, 1987, PASSED TO BE ENGROSSED BY HOUSE AMENDMENT "B" (H-317) in NON-CONCURRENCE.)

Senator THERIAULT of Aroostook requested and received Leave of the Senate to withdraw his motion to RECEDE and CONCUR.

On further motion by same Senator, the Senate RECEDED.

House Amendment "B" (H-317) READ.

On further motion by same Senator, House Amendment "B" ((H-317) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-185) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator THERIAULT: Thank you, Mr. President. Members of the Senate. What the House Amendment did, was it took out two provisions of the Bill that really was very dear to the heart of all the members of that Committee, and especially me. I looked into it and determined that what was causing the problem was really only one phrase. The only reason that phrase was wrong is because we had made a strategic error. We had by-passed the general and went directly to the worker.

By that, I mean we had gone directly to the Office of Policy and Legal Analysis, which comes under the Legislative Council. Our error was to go directly to that office without going to the Legislative Council first. What my amendment does, it strictly removes the phrase of "Office of Policy and Legal Analysis" and adds the phrase of "Legislative Council". By doing that, we're staying within the tradition.

In addition to this, the amendment adds an effective date of January 1, 1988. Thank you.

On motion by Senator BUSTIN of Kennebec, supported by a Division of at least one-fifth of the Members present and voting a Roll Call was ordered.

Senate at Ease

Senate called to order by the President.

Subsequently, Senator BUSTIN of Kennebec, requested and received Leave of the Senate to withdraw her motion for a Roll Call.

On motion by Senator THERIAULT of Aroostook, Senate Amendment "A" (S-185) ADOPTED.

Senator BUSTIN of Kennebec requested a Roll Call.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator TUTTLE: Mr. President. I may be that the hour is late, but could somebody please explain to me what is going on?

THE PRESIDENT: The Chair would advise the Senator that we are in the midst of a Roll Call on Passage to Be Engrossed, as Amended.

A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call, it requires the affirmative vote of at least one-fifth of the Members present and voting.

Will all those in favor of ordering a Roll Call, please rise in their places and remain standing until counted.

Obviously, more than one-fifth having risen, a Roll Call is ordered.

The Chair recognizes that same Senator.

Senator TUTTLE: Mr. President. Would it be in order to ask another question? I would like to pose a question through the Chair. What does this Amendment actually do?

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

The Chair recognizes the Senator from Aroostook, Senator Theriault.

Senator THERIAULT: Thank you, Mr. President. In answer to the question by Senator Tuttle of York, the amendment changes one phrase twice. It changes the phrase "Office of Policy and Legal Analysis" to "Legislative Council". This happens twice.

In addition to that, it adds an effective date of January 1, 1988. The reason that this was done, as I said previously, is we had by-passed the headquarters, or the boss, and went directly to those people who were doing the work. That is contrary to

tradition and normal operating practices. This is why we changed it.

On motion by Senator WEBSTER of Franklin, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE. (Roll Call ordered)

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

Bill "An Act to Amend the State Retirement Laws"  
S.P. 617 L.D. 1818

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

Pending - PASSAGE TO BE ENGROSSED

(In Senate, June 11, 1987, RECONSIDERED PASSAGE TO BE ENGROSSED.)

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-184) READ.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator BERUBE: Thank you, Mr. President. This is an amendment which clearly specifies the cost of living adjustments to the disability pension from the State Retirement System, shall apply only to the amounts remaining after the off set of Social Security or Workers Compensation. This amendment eliminates the off set of Social Security or Workers Compensation adjustments against retirement system disability pension.

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-184) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

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

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

JOINT ORDER - relative to recalling Bill, "AN ACT to Clarify the Offense of Driving under the Influence of Illegal Drugs." H.P. 1188, L.D. 1618, be recalled from the legislative files to the House of Representatives.

H.P. 1325

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

Pending - PASSAGE

(In House, June 11, 1987, READ and PASSED.)

(In Senate, June 11, 1987, READ.)

On motion by Senator GAUVREAU of Androscoggin, Tabled 1 Legislative Day, pending PASSAGE.

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

An Act to Reform the Animal Welfare Laws

S.P. 599 L.D. 1759

Tabled - June 11, 1987, by Senator PERKINS of Penobscot.

Pending - ENACTMENT

(In House, June 11, 1987, PASSED TO BE ENACTED.)

(In Senate, June 8, 1987, PASSED TO BE ENGROSSED.)

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

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

Bill "An Act to Revise the Harassment Law"

H.P. 1309 L.D. 1787

Tabled - June 10, 1987, by Senator GAUVREAU of Androscoggin.

Pending - PASSAGE TO BE ENGROSSED

(In House, June 9, 1987, the Minority OUGHT NOT TO PASS Report READ and ACCEPTED.)

(In Senate, June 10, 1987, the Majority OUGHT TO PASS IN NEW DRAFT Report READ and ACCEPTED in NON-CONCURRENCE. The NEW DRAFT READ A SECOND TIME.)

On motion by Senator GAUVREAU of Androscoggin, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED.

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

Bill "An Act to Amend Certain Motor Vehicle Laws"  
H.P. 150 L.D. 191  
(S "A" S-156 to C  
"A" H-275; S "A"  
S-157)

Tabled - June 10, 1987, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In Senate, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-275) AS AMENDED BY SENATE AMENDMENT "A" (S-156) thereto, AND SENATE AMENDMENT "A" (S-157).)

(In House, June 10, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-275) AND SENATE AMENDMENT "A" (S-157) in NON-CONCURRENCE.)

On motion by Senator DOW of Kennebec, the Senate RECEDED from PASSAGE TO BE ENGROSSED AS AMENDED.

On further motion by same Senator, the Senate RECEDED from ADOPTION OF COMMITTEE AMENDMENT "A" ((H-275) AS AMENDED BY SENATE AMENDMENT "A" (S-156), thereto.

On further motion by same Senator, Senate Amendment "B" (S-183) to Committee Amendment "A" (H-275) READ.

Off Record Remarks

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

Senator DOW: Mr. President. An inquiry, if I may. That would leave Senate Amendment (S-156) and Senate Amendment (S-157) still on the Bill?

THE PRESIDENT: The Chair would answer in the affirmative.

On motion by Senator DOW of Kennebec, Senate Amendment "B" (S-183) to Committee Amendment "A" (H-275) ADOPTED.

Committee Amendment "A" (H-275) as Amended by Senate Amendments "A" (S-156) and "B" (S-183), thereto ADOPTED in NON-CONCURRENCE.

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

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

On motion by Senator CLARK of Cumberland, ADJOURNED until Friday, June 12, 1987, at 9:00 in the morning.