

# 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

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

In Senate Chamber  
Wednesday  
June 17, 1987

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 Authorize a General Fund Bond Issue in the Amount of \$2,750,000 for Acquisition and Development of State Parks, Historic and River Access Sites"

S.P. 296 L.D. 846

Bill "An Act to Promote Technology Development, Product Development, Research and Innovation for Maine Industry"

S.P. 353 L.D. 1045

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Acquisition of Public Lands"

S.P. 465 L.D. 1422

Senate called to Order by the President.

Prayer by the Honorable Barbara A. Gill of Cumberland.  
SENATOR GILL: Holy Father, instill within us Your wisdom and patience as we complete our work in these last few days of this Legislative Session. Bless our families who have put up with our absence, guide all of our citizens and remind us all why we were put on this earth to do Your will. Amen.

Reading of the Journal of Yesterday.

Senate at Ease

Senate called to order by the President.

COMMUNICATIONS

The Following Communication:  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
JOINT SELECT COMMITTEE ON CORRECTIONS  
June 16, 1987

President Pray  
Speaker Martin  
State House  
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Joint Select Committee on Corrections is pleased to submit its report to the Legislature pursuant to Senate Order, SP 016, which was ratified in both houses of the Maine Legislature on December 3, 1986.

Sincerely,

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

ORDERS

Joint Order

On motion by Senator BRANNIGAN of Cumberland the following Joint Order:

S.P. 645

ORDERED, the House concurring, that Bill "An Act to Authorize the State Bureau of Identification to Charge Fees to Nongovernmental Agencies for Services" (S.P. 631) (L.D. 1852), be recalled from the Governor's Desk to the Senate.

Which was READ and PASSED.

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

ORDERS OF THE DAY

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

SENATE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Authorize Androscoggin County to Raise up to \$8,900,000 to Renovate and Expand Jail Facilities for Androscoggin County"

S.P. 623 L.D. 1830

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-228)

Minority - Ought Not to Pass

Tabled - June 16, 1987, by Senator GAUVREAU of Androscoggin.

Pending - ACCEPTANCE of Majority OUGHT TO PASS AS AMENDED Report

(In Senate, June 16, 1987, Reports READ.)

The Majority OUGHT TO PASS AS AMENDED Report was ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-228) READ.

Senate at Ease

Senate called to order by the President.

On motion by Senator TUTTLE of York, Tabled until Later in Today's Session, pending ADOPTION of Committee Amendment "A" (S-228).

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

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 Authorize a General Fund Bond Issue in the Amount of \$4,000,000 for the Restoration and Cleanup of Oil Contaminated Ground Water and Well Water and to Assist Low-income Homeowners in Defraying the Costs Associated with the Removal of Old Underground Oil Storage Tanks"

H.P. 212 L.D. 264

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 Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Sewerage Treatment Plant Construction"

H.P. 1049 L.D. 1412

Bill "An Act to Create an Additional Section to the Maine Code of Military Justice Penalizing False Official Statements"

H.P. 1329 L.D. 1813

Senate

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989" (Emergency)

H.P. 1364 L.D. 1867

Tabled - June 16, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In House, June 16, 1987, PASSED TO BE ENGROSSED.)

(In Senate, June 16, 1987, READ A SECOND TIME.)

THE PRESIDENT: The Chair recognizes the2Senator from Kennebec, Senator Bustin.

Senator BUSTIN: Thank you Mr. President, men and women of the Senate. Last night I posed a question regarding the budget items. More specifically, I am concerned with some non-money items that are in the appropriations Bill, that it seems to me would be better handled in another manner.

I am specifically referring to a budget item that is changing a classified position to an unclassified position. Whether or not I agree with that kind of action, it just distresses me that I find that it is in an appropriations Bill. I guess that all I am saying, on the Record, is that kind of thing is not in my mind an appropriate place for such a Bill. I am not going to take the action of amending that out. I think I have made my protests adequately to those people who should know and that I trust this is not going to be the procedures that we take in future budget documents. That the appropriate action to take is to send that to the Committee of Jurisdiction. If it were a more burning issue then perhaps I would have taken additional action. I do not think it requires it at this particular time, but I am distressed at the action. Thank you.

Which was PASSED TO BE ENGROSSED, in concurrence.

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

HELD BILL

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

Senator CLARK: Thank you Mr. President, is the Senate in possession of L.D. 1615?

THE PRESIDENT: The Chair would answer in the affirmative, having been held at the Senators request.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED whereby it ADHERED on:

Bill "An Act to Amend the Maine Vocational-Technical Institute System Laws" (Emergency)

H.P. 1185 L.D. 1615

(S "A" S-223 to C

"A" H-361)

(In House, June 15, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361).)

(In Senate, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361) AS AMENDED BY SENATE AMENDMENT "A" (S-223) thereto in NON-CONCURRENCE.)

(In House, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361) AS AMENDED BY HOUSE AMENDMENT "A" (H-384) AND SENATE AMENDMENT "A" (S-223), thereto, in NON-CONCURRENCE.)

(In Senate, June 16, 1987, ADHERED.)

On further motion by same Senator, the Senate RECEDED and CONCURRED.

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

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following matter:

SENATE REPORT - from the Committee on TRANSPORTATION on Bill "An Act to Increase the Threshold for Fuel Tax Licensing"

S.P. 302 L.D. 871

Report - Ought to Pass

Tabled - April 30, 1987, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF REPORT

(In Senate, April 29, 1987, Report READ.)

On motion by Senator DOW of Kennebec, the OUGHT TO PASS Report was ACCEPTED.

Under suspension of the Rules, the Bill READ TWICE.

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, the Senate removed from the Unassigned Table the following matter:

JOINT ORDER - Establishing the Joint Select Committee on Interscholastic Athletics

S.P. 549

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

Pending - PASSAGE

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

Which was PASSED.

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

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following matter:

HOUSE REPORT - from the Committee on JUDICIARY on Bill "An Act to Fight Illegal Drug Use"

H.P. 1052 L.D. 1415

Report - Ought to Pass

Tabled - June 3, 1987, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF REPORT

(In House, June 3, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-234).)

(In Senate, June 3, 1987, Report READ.)

Which Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

House Amendment "A" (H-234) 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.

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

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following matter:

Bill "An Act to Amend the Laws Administered by the Department of Environmental Protection"

H.P. 1251 L.D. 1709

(S "A" S-182 to C

"A" H-311; H "A"

H-328)

Tabled - June 15, 1987, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In House, June 12, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-311) AND HOUSE AMENDMENT "A" (H-328).)

(In Senate, June 15, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-311) AS AMENDED BY SENATE AMENDMENT "A" (S-182) thereto, AND HOUSE AMENDMENT "A" (H-328) in NON-CONCURRENCE.)

(In House, June 15, 1987, that Body ADHERED.)  
The Senate ADHERED.

On motion by Senator BLACK of Cumberland, RECESSED until 2:00 this afternoon.

After Recess  
Senate called to order by the President.

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

RECALLED FROM THE GOVERNOR'S DESK

An Act to Authorize the State Bureau of Identification to Charge Fees to Nongovernmental Agencies for Services

S.P. 631 L.D. 1852

(In Senate, June 15, 1987, PASSED TO BE ENACTED, in concurrence.)

(RECALLED from the Governor's Desk, pursuant to Joint Order S.P. 645, in concurrence.)

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

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

On further motion by same Senator, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Senate Amendment "A" (S-320) READ and ADOPTED.

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

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

ORDERS OF THE DAY

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

Bill "An Act Concerning the Taking of Fingerprints and Submission to the State Bureau of Identification"

S.P. 587 L.D. 1739

Tabled - June 9, 1987, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT

(In House, June 9, 1987, PASSED TO BE ENACTED.)

(In Senate, June 4, 1987, PASSED TO BE ENGROSSED.)

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

Senator PEARSON: Thank you Mr. President, this is a Bill that is running in tandem with previous action that we took on supplement two presented by the Senator from Cumberland, Senator Brannigan. He will explain further what his intentions are.

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

On further motion by same Senator, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Senate Amendment "A" (S-231) READ.

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

Senator BRANNIGAN: Thank you Mr. President, men and women of the Senate. We have done these two motions to these two amendments, dealing the the State Bureau of Identification. The first one was to allow them to charge fees and that the full amount of money will now go to the general fund. The second one was to allow the general fund to pay for additional costs dealing with increased reporting, especially in the area of fingerprinting, to the State Bureau. All of this in preparation to hopefully computerize of that Bureau, very shortly. This would be an eleven hundred dollar gain to the general fund, if all people approve of this, as it goes through the system. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-231) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended 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:

ENACTORS

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

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$8,300,000 for Sewage Treatment Plant Facilities

H.P. 397 L.D. 531  
(C "A" H-369)

This being a Bond Authorization Act and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative, and 25 being more than two-thirds of the Membership present and voting was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Acquisition of School Buses for Maine Public School Units

H.P. 738 L.D. 1001  
(C "A" H-367)

This being a Bond Authorization Act and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the Membership present and voting 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:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 to Protect Ground Water Quality and Public Health Through the Cleanup and Closure of Municipal and Abandoned Solid Waste Landfills

H.P. 1009 L.D. 1356  
(C "A" H-368)

This being a Bond Authorization Act and having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in negative, and 29 being more than two-thirds of the Membership

present and voting 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:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Detection and Removal of Asbestos Hazards in State Facilities and Public Schools

H.P. 1041 L.D. 1403  
(C "A" H-372)

This being a Bond Authorization Act 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 Membership present and voting was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 for Removal of Oil Storage Tanks and Related Ground Water Restoration

H.P. 1048 L.D. 1411  
(H "A" H-377; C "A" H-371)

This being a Bond Authorization Act 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 Membership present and voting 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

An Act to Better Accommodate Over-order Milk Pricing

H.P. 1274 L.D. 1741  
(S "A" S-217 to C "A" H-342)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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 Ensure Safe Management, Recycling and Disposal of Solid Waste and to Reorganize the Solid Waste Law

H.P. 1360 L.D. 1862

On motion by Senator USHER of Cumberland, Tabled until Later in Today's Session, 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 Temporarily Allow the Sale of Liquor on Sunday in Restaurants in Certain Municipalities

H.P. 1365 L.D. 1869

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 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:

An Act to Amend the State Retirement Laws

S.P. 617 L.D. 1818  
(S "A" S-220 to S "A" S-184)

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

An Act to Promote Equity in Determining Medicaid Eligibility for Institutionalized Care

H.P. 313 L.D. 412  
(H "A" H-374 to C "A" H-307)

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

An Act to Change the Basis of Telecommunication Taxation

H.P. 1352 L.D. 1846  
(H "A" H-364)

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

An Act Relating to Boards and Commissions

H.P. 959 L.D. 1288  
(H "C" H-365; C "A" H-295)

On motion by Senator PEARSON of Penobscot, placed on the 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:

An Act to Authorize Kennebec County to Raise up to \$9,500,000 for Construction and Improvement of Jail Facilities for Kennebec County

S.P. 614 L.D. 1809  
(C "A" S-227)

Senate at Ease  
Senate called to order by the President.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Extend the Time for the Transfer of Authority to Adjudicate Traffic Infractions to the Secretary of State"

H.P. 1366 L.D. 1872

Comes from the House referred to the Committee on TRANSPORTATION 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 NON-CONCURRENCE. Sent down for concurrence.

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 Commission on Children in Need of Supervision and Treatment (Emergency)

H.P. 598 L.D. 809

(H "A" H-354 to C

"A" H-351)

In Senate, June 15, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-351) AS AMENDED BY HOUSE AMENDMENT "A" (H-354), thereto, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-351) AS AMENDED BY HOUSE AMENDMENT "C" (H-387), thereto in NON-CONCURRENCE.

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

Non-concurrent Matter

Resolve, to Establish the Weatherization Services Study Committee (Emergency)

S.P. 640 L.D. 1866

In Senate, June 15, 1987, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-388) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

ORDERS

Joint Order

On motion by Senator PERKINS of Hancock the following Joint Order:

S.P. 646

ORDERED, the House concurring, that Bill "An Act to Amend the Maine Vocational-Technical Institute System Laws" (Emergency) (H.P. 1185) (L.D. 1615), be recalled from the Engrossing Department to the Senate.

Which was READ and PASSED.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent 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:

Emergency

An Act to Amend the Laws Administered by the Department of Environmental Protection

S.P. 641 L.D. 1868

(H "B" H-383)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 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:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Enhance Public Access and Outdoor Recreation Opportunities"

S.P. 427 L.D. 1307

(S "B" S-222 to C

"A" S-186)

In Senate, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-186) AS AMENDED BY SENATE AMENDMENT "B" (S-222), thereto, in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-186) AS AMENDED BY HOUSE AMENDMENT "A" (H-385), thereto in NON-CONCURRENCE.

The Chair moved the Senate RECEDE and CONCUR.

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

Senator CAHILL: Thank you Mr. President, men and women of the Senate. Could someone please explain what this Bill does?

Off Record Remarks

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

Senator CAHILL: Thank you Mr. President, the word public access sort of threw me off there for a little bit. As I read section two of the Bill, the purpose of the Commission is to examine the present outdoor recreation needs of the public and to determine whether current public policies properly address the need.

So, I was a little confused by public access in the title and I was also a little concerned because it looks like it is a commission of fifteen people with an appropriation for about ten thousand dollars.

Senator CAHILL of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is to RECEDE and CONCUR.

A Division has been requested.

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

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

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion to RECEDE and CONCUR, PREVAILED.

Non-concurrent Matter

Bill "An Act to Prohibit Initial Service Charges by Public Utilities"

H.P. 1290 L.D. 1768

In Senate, June 16, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-390) in NON-CONCURRENCE.

On motion by Senator BALDACCI of Penobscot, 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:

Emergency

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989

H.P. 1364 L.D. 1867

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

ORDERS OF THE DAY

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

Bill "An Act to Authorize Androscoggin County to Raise up to \$8,900,000 to Renovate and Expand Jail Facilities for Androscoggin County"

S.P. 623 L.D. 1830

Tabled - June 17, 1987, by Senator TUTTLE of York. Pending - ADOPTION of Committee Amendment "A" (S-228)

(In Senate, June 17, 1987, Committee Amendment "A" (S-228) READ.)

On motion by Senator TUTTLE of York, Senate Amendment "B" (S-232) to Committee Amendment "A" (S-228) READ.

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

Senator TUTTLE: Thank you Mr. President and members of the Senate. The Senate Amendment amends the Committee Amendment to clarify that money raised by insurance bonds under the Bill may be used for improvement of existing and construction of new jail facilities for Androscoggin County. The amendment also requires that the County Commissioners hold a meeting with the Legislative delegation and the County Jail Planning Committee within thirty days after adjournment of the Legislature to finalize the details of this bond issue, before its submission to the voters. I believe this is the wishes of the majority of the Androscoggin Delegation and I just thought I would give you a brief explanation of what it does.

On motion by Senator TUTTLE of York, Senate Amendment "B" (S-232) to Committee Amendment "A" (S-228) ADOPTED.

Committee Amendment "A" (S-228) as Amended by Senate Amendment "B" (S-232), 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 Increase the Threshold for Fuel Tax Licensing"

S.P. 302 L.D. 871

Tabled - June 17, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED (In Senate, June 17, 1987, READ A SECOND TIME.)

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, the Senate removed from the Unassigned Table the following:

HOUSE REPORT - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$2,300,000 for Pier Reconstruction at the Maine Maritime Academy"

H.P. 1036 L.D. 1394

Report - Ought to Pass as Amended by Committee Amendment "A" (H-370).

Tabled - June 16, 1987, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF REPORT (In House, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-370.)

(In Senate, June 16, 1987, Report READ.) Which Report was ACCEPTED, in concurrence.

The Bill READ ONCE. Committee Amendment "A" (H-370) 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.

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

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following:

HOUSE REPORT - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 for Capital Repairs and Improvements to State Facilities"

H.P. 1037 L.D. 1395

Report - Ought to Pass as Amended by Committee Amendment "A" (H-373).

Tabled - June 16, 1987, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF REPORT (In House, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-373).)

(In Senate, June 16, 1987, Report READ.) Which Report was ACCEPTED, in concurrence.

The Bill READ ONCE. Committee Amendment "A" (H-373) 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.



Under suspension of the Rules, all matters thus acted upon were ordered sent forthwith.

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following:

An Act to Clarify the Organizational Status of the Bureau of Lottery within the Department of Finance  
H.P. 1256 L.D. 1714  
(H "A" H-356 to C "A" H-312)

Tabled - June 16, 1987, by Senator CLARK of Cumberland.

Pending - ENACTMENT  
(In House, June 16, 1987, PASSED TO BE ENACTED.)  
(In Senate, June 15, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312) AS AMENDED BY HOUSE AMENDMENT "A" (H-356), thereto, in concurrence.)

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

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  
House Papers

Resolve, to Extend the Existence of the Office of Bicentennial of the United States Constitution and the Reporting Deadline of the Maine Commission to Commemorate the Bicentennial of the United States Constitution

H.P. 1368 L.D. 1873  
Committee on STATE AND LOCAL GOVERNMENT 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.

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:

COMMUNICATIONS  
The Following Communication:  
STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

June 17, 1987  
Ms. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333  
Dear Madam Secretary:

I am formally requesting that you, and the Assistant Secretary of the Senate, Pamela Lovley, continue to work full-time during the legislative interim. Please let me know if you have any questions about this request.

Sincerely,  
S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

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.

On motion by Senator USHER 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:

RECALLED FROM ENGROSSING  
Bill "An Act to Amend the Maine Vocational-Technical Institute System Laws" (Emergency)

H.P. 1185 L.D. 1615  
(S "A" S-223; H "A" H-384 to C "A" H-361)

(In Senate, June 17, 1987, PASSED TO BE ENGROSSED AS AMENDED, in concurrence.)

(RECALLED, pursuant to Joint Order S.P. 646, in concurrence.)

On motion by Senator PERKINS of Hancock, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED AS AMENDED.

On further motion by same Senator, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED ADOPTION of Committee Amendment "A" (H-361) as Amended by House Amendment "A" (H-384), thereto.

On further motion by same Senator, Senate Amendment "B" (S-274) to Committee Amendment "A" (H-361) READ.

THE PRESIDENT: The Chair recognizes the same Senator.

Senator PERKINS: Thank you Mr. President, ladies and gentlemen of the Senate. Senate Amendment "B" introduces fire safety training within the Vocational-Technical Institute, SMVTI. Fire service has been part of the Carl Perkins monies and has been for many of our local communities for many years. This dedicates that money to fire service training for SMVTI

On motion by Senator PERKINS of Hancock, Senate Amendment "B" (S-274) to Committee Amendment "A" (H-361) ADOPTED.

Committee Amendment "A" (H-361) as Amended by House Amendment "A" (H-384) and Senate Amendment "B" (S-274), thereto ADOPTED in NON-CONCURRENCE.

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

Sent down for concurrence.

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

PAPERS FROM HOUSE  
Joint Resolution  
The Following Joint Resolution: H.P. 1367  
JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT AN INCREASE IN THE MINIMUM WAGE

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the One Hundred and Thirteenth

Legislature, now assembled, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, the most basic of all human rights is the right to survival in a dignified manner; and

WHEREAS, the federal minimum wage was last increased to its present level of \$3.35 an hour in 1981; and

WHEREAS, there are millions of individuals currently working for minimum wage in this country, with the great majority of these individuals being women, many of whom are heads of households working to provide a dignified living for their children; and

WHEREAS, studies have shown that these individuals and their families are being forced to live a life of poverty despite having the initiative and determination to seek and hold employment; and

WHEREAS, it should be the policy of this nation, which extolls and encourages the virtues exhibited by these individuals, to reward their efforts in an appropriate manner and not to force them to request public assistance from the government; and

WHEREAS, the value of the contributions made by these individuals cannot be measured by mere application of the economic law of supply and demand and requires more suitable compensation than a rate of pay which has been severely eroded by inflation; and

WHEREAS, increasing the minimum wage would provide the accompanying benefits of stimulating the nation's economy by putting more money in the hands of the people who need it the most and would also reduce the dependence upon the country's public assistance programs; and

WHEREAS, experience in the State of Maine has shown that increasing the minimum wage does not carry with it any adverse economic effects, but to the contrary, since enacting its own increase in its minimum wage, the State of Maine has experienced the greatest economic activity in its history; now, therefore, be it

RESOLVED: That We your Memorialists, respectfully, urge and petition the 100th Congress of the United States to enact the legislation now pending in that body, namely the Kennedy-Hawkins bill, S-837, HR-1834, to increase the federal minimum wage; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to each member of the Maine Congressional Delegation.

Comes from the House READ and ADOPTED.  
Which was READ and ADOPTED, in concurrence.

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

JOINT ORDER - Establishing the Joint Select Committee on Interscholastic Athletics  
S.P. 549

In Senate, June 17, 1987, READ and PASSED.

Comes from the House READ and INDEFINITELY POSTPONED in NON-CONCURRENCE.

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

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

The Following Communication: H.P. 1369  
MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
COMPENSATION COMMISSION

June 4, 1987

Honorable Charles P. Pray, President of the Senate  
Honorable John L. Martin, Speaker of the House  
113th Maine Legislature  
State House  
Augusta, Maine 04333

Dear Senator Pray and Representative Martin:

Pursuant to its Interim Report, which was submitted to the Legislature on April 30, the State Compensation Commission is pleased to present its findings and recommendations regarding the compensation of the Secretary of the Senate, the Clerk of the House and their assistants.

We would be happy to answer any questions you may have regarding our recommendations.

Sincerely,  
S/Stephen R. Crockett  
Chairman

Comes from the House READ and with Accompanying Papers ORDERED PLACED ON FILE.

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

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. 1370  
ORDERED, the Senate concurring, that Bill, "AN ACT Making Allocations for the Expenditure of Funds Received by the State as a Result of a Federal Court Order in the Stripper Well Overcharge Case" S.P. 537, L.D. 1623, be recalled from the Governor's desk to the House.

Comes from the House READ and PASSED.  
Which was READ and PASSED, in 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 Fight Illegal Drug Use

H.P. 1052 L.D. 1415  
(H "A" H-234)

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

Senator PEARSON: Thank you Mr. President, men and women of the Senate. This Bill has a fiscal note on it that says potential impact. I would like to read the fiscal note for the information of the Senate. "The fiscal impact that this legislation will have on the general fund cannot be determined at this time. The Bill eliminates existing statutory language concerning asset forfeiture for certain property crimes, such as arson and so forth.

However, it also has real estate to the list of assets which can be forfeited. It is unclear whether the increase of assets to the general fund from forfeited real estate will be particularly offset by the decrease of assets to the general fund from the repeal of property crime forfeiture." This is not going to be put on the Table, but I wanted you to hear what the fiscal note was on it before you enacted it.

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

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

PAPERS FROM THE HOUSE

Joint Resolution  
The Following Joint Resolution: H.P. 1371

JOINT RESOLUTION IN HONOR OF  
BRIAN K. BLAISDELL OF MONMOUTH

WHEREAS, "The crowning fortune of a man is to be born to some pursuit which finds him employment and happiness, whether it be to make baskets, or broadswords, or canals, statues or songs;" and

WHEREAS, during this legislative session, Brian K. Blaisdell of Monmouth, Deputy Revisor of Statutes for the Maine Legislature, has been unjustly deprived from the joy of his pursuits due to serious illness; and

WHEREAS, this gallant worker has served with great distinction for the past decade as a brilliant attorney and skillful draftsman which has earned for him the respect, trust and affection of his colleagues and all those he serves; and

WHEREAS, all of us tend to rise or fall together and if any of us falters the whole Legislature sags a little; now, therefore, be it

RESOLVED: that We, the Members of the Senate and House of Representatives of the 113th Legislature of the State of Maine take this opportunity at the close of the First Regular Session to honor Brian K. Blaisdell of Monmouth and to recognize his distinguished service even in times of adversity and express our hopes and prayers for his return to the pursuits he so dearly loves; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to our dear friend Brian in token of our respect, affection and gratitude.

Comes from the House READ and ADOPTED.  
Which was READ and ADOPTED, in concurrence.

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

ORDERS

Joint Order

On motion by President PRAY of Penobscot the following Joint Order:

S.P. 648

ORDERED, the House concurring, that the following specified matters be held over to the next special or regular session of the 113th Legislature:

Appropriations & Financial Affairs	COMMITTEE BILL (S.P. 75) (L.D. 158) - An Act to Transfer Certain Expenses from the Judicial Branch to Certain Executive Branch Agencies.
Appropriations & Financial Affairs	(H.P.130) (L.D. 159) - RESOLVE, Concerning a Proposed Supreme Judicial Court Facility.
Appropriations & Financial Affairs	(H.P. 202) (L.D. 254) - An Act to Increase State Revenue Sharing to 7% of Sales & Income Tax Receipts.
Appropriations & Financial Affairs	(H.P. 413) (L.D. 547) - An Act Making an Appropriation to the
Insurance.	Department of Agriculture, Food and Rural Resources for the

Appropriations & Financial Affairs

COMMITTEE BILL

Appropriations & Financial Affairs

Appropriations & Financial Affairs

Appropriations & Financial Affairs

Appropriations & Financial Affairs

Agriculture

Agriculture

Banking and Insurance

Banking and Insurance

Banking and Insurance

Banking and Insurance

Banking and Insurance

Banking and Insurance

Banking and Insurance

Maine Rehabilitation Fund.

(S.P. 220) (L.D. 601) - An Act to Authorize a Bond Issue in the Amount of \$4,300,000 for Constructing & Equipping Centers for Advanced Technology that Service the Economic Development Needs of Maine.

(S.P. 313) (L.D. 915) - An Act to Establish the Maine Business Opportunity and Job Development Program.

(H.P. 717) (L.D. 968) - An Act Relating to Court Appointed Attorneys.

(H.P. 877) (L.D. 1178) - An Act to Require Full State Funding of any Legislative Mandate.

(S.P. 558) (L.D. 1670) - An Act to Establish a State Supplemental Insurance Program for Mentally Impaired Individuals.

(H.P. 1276) (L.D. 1746) - An Act to Conserve Agricultural Production Capability and to Promote Harmony between Agriculture and Adjacent Development.

(S.P. 540) (L.D. 1632) - An Act Relating to the Maine Milk Commission.

(H.P. 475) (L.D. 642) - An Act Concerning the Workers' Compensation Rate-setting Authority of the Superintendent of Insurance.

(H.P. 540) (L.D. 724) - An Act to Amend the Workers' Compensation Rating Laws.

(H.P. 617) (L.D. 835) - An Act to Provide for Competitive State Funding of Workers' Compensation.

(S.P. 373) (L.D. 1110) - An Act to Authorize Financial Institutions and Credit Unions to Sell Annuities.

(H.P. 825) (L.D. 1116) - An Act to Require Insurance Companies who Sell Workers' Compensation to Provide Certain Other Services.

(H.P. 841) (L.D. 1132) - An Act to Establish an Appropriate Penalty for Overcharging Premiums on Workers' Compensation

(H.P. 1012) (L.D. 1365) - An Act to Strengthen Rate-making Provisions for

Banking and Insurance	Workers' Compensation Insurance. (H.P. 1145) (L.D. 1556) - An Act to Establish an Insurance Commission.	Human Resources	Mentally Retarded to Include Provisions for Covering Increases in Insurance Premiums. (H.P. 1249) (L.D. 1705) - An Act to Revise the General Assistance Laws.
Business Legislation	(S.P. 352) (L.D. 1044) - An Act to Require Basic Written Contracts for Home Construction Work.	Human Resources	(H.P. 1250) (L.D. 1706) - An Act to Amend the General Assistance Laws.
Business Legislation	(H.P. 969) (L.D. 1298) - An Act Relating to the Uniform Unclaimed Property Act.	Judiciary	(H.P. 1188) (L.D. 1618) - An Act to Clarify the Offense of Driving under the Influence of Illegal Drugs.
Business Legislation	(S.P. 529) (L.D. 1581) - An Act to Reform the Pharmacy Laws.	Labor	(S.P. 73) (L.D. 156) - An Act to Prohibit Substance Abuse Testing in the Workplace.
Business Legislation	(H.P. 1255) (L.D. 1713) - An Act to Amend Laws Relating to Certain Licensing Boards.	Legal Affairs	(S.P. 450) (L.D. 1377) - An Act to Clarify the Laws Relating to Notary Public.
Education	(H.P. 121) (L.D. 146) - An Act Authorizing Husson College to Confer the Degree of Bachelor of Science.	Legal Affairs	(H.P. 1069) (L.D. 1452) - An Act to Establish a 10% Surtax on Fines to be Dedicated to the Maine Criminal Justice Academy in Lieu of Tuition Paid by Municipalities.
Education	(H.P. 272) (L.D. 355) - An Act to Increase the State's Share of Education Costs.	Legal Affairs	(S.P. 622) (L.D. 1829) - Resolve, Authorizing Alton Dishon to Bring Civil Action Against the Maine State Retirement System.
Education	(H.P. 804) (L.D. 1078) - An Act Requiring Funding of State-mandated Programs.	Marine Resources	(H.P. 981) (L.D. 1328) - An Act to Establish a Tax to Provide for the Comprehensive Monitoring of Paralytic Shellfish Poison.
Education	(S.P. 392) (L.D. 1211) - An Act to Provide Assistance to Parents of Exceptional Students.	State & Local Government	(H.P. 35) (L.D. 36) - An Act to Make Substantive Corrections in the County and Municipal Laws.
Education	(H.P. 927) (L.D. 1240) - An Act to Create the Maine Choice Scholarship Fund.	State & Local Government	(S.P. 68) (L.D. 135) - An Act to Establish the State Bureau of Identification as an Independent Bureau within the Department of Public Safety.
Energy & Natural Resources	(S.P. 93) (L.D. 247) - An Act to Revise the Energy Building Standards Act.	State & Local Government	(H.P. 384) (L.D. 506) - An Act to Clarify the Home Rule Authority of Municipalities.
Energy & Natural Resources	(H.P. 743) (L.D. 1006) - An Act to Establish a Moratorium on Land Leases Affecting Tree Growth Classification.	State & Local Government	(H.P. 907) (L.D. 1219) - An Act Concerning Conflicts of Interest Relating to Department of Environmental Protection Employees.
Energy & Natural Resources	(S.P. 416) (L.D. 1274) - An Act Concerning Radioactive Waste Disposal Facilities on Indian Territory.	State & Local Government	(H.P. 1017) (L.D. 1370) - An Act Allowing the Town of Island Falls to Annex Township 4, Range 3 WELS in Aroostook County.
Human Resources	(S.P. 330) (L.D. 958) - An Act to Contain the Cost of, and to Assure the Availability and Quality of, Hospital Care to the People of this State.	Taxation	(H.P. 192) (L.D. 236) - An Act to Amend the Tree Growth Tax Law.
Human Resources	(S.P. 387) (L.D. 1204) - An Act to Amend the Civil Commitment Procedures to Protect the Health and Safety of Certain Mentally Ill Individuals.	Taxation	(H.P. 443) (L.D. 596) - An Act to Amend the Maine Tree Growth Tax Law.
Human Resources	(S.P. 485) (L.D. 1462) - An Act to Enhance the Quality of Care in Long-term Care Facilities through Consultation, Education and Intermediate Sanctions.	Taxation	(H.P. 527) (L.D. 711) - An Act Relating to the Elderly Rent and Refund Act.
Human Resources	(S.P. 532) (L.D. 1603) - An Act to Require Principles of Reimbursement for Intermediate Care Facilities for the	Taxation	(H.P. 548) (L.D. 735) - An Act to Make Adjustments in the State Tax Structure as a Result of Federal Tax Reform.

Taxation (S.P. 297) (L.D. 847) - An Act Concerning Access Fees.

Taxation (H.P. 807) (L.D. 1081) - An Act to Permit a Local Option Sales Tax.

Taxation (H.P. 878) (L.D. 1179) - An Act to Enable Municipalities to Assess Impact Taxes on Development.

Taxation (H.P. 913) (L.D. 1225) - An Act Authorizing Counties to Choose Alternative Sources of Revenue.

Taxation (H.P. 928) (L.D. 1244) - An Act to Amend the Law Relating to Unitary Taxation of Corporations.

Taxation (H.P. 991) (L.D. 1337) - An Act to Increase Maine's Sales Tax to 6% and to use the Funds Generated to Support the University of Maine System, the Maine Vocational-Technical Institute System and Immediately Increase the State's Share of Education Funding to 65%.

Utilities (H.P. 501) (L.D. 671) - An Act to Incorporate the Pembroke Utilities District.

Utilities (S.P. 256) (L.D. 729) - An Act Establishing the Maine-Canada Energy Cooperation Act.

Utilities (S.P. 431) (L.D. 1311) - An Act Creating the Fayette Water District.

Utilities (S.P. 471) (L.D. 1431) - An Act to Provide for the Electric Power Needs of the State while Phasing Out Nuclear Power Generation.

Joint Select on Corrections (H.P. 1302) (L.D. 1781) - RESOLVE, to Establish the Juvenile Corrections Planning Commission.

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:  
ORDERS

Joint Resolution  
On motion by Senator PERKINS of Hancock (Cosponsored by: Senator GILL of Cumberland, Senator GAUVREAU of Androscoggin, Representative MANNING of Portland) the following Joint Resolution:

S.P. 649  
JOINT RESOLUTION TO RECOGNIZE THE  
MAINE HOSPITAL ASSOCIATION ON THE OCCASION  
OF ITS 50TH YEAR OF SERVICE

WHEREAS, a group of Portland physicians petitioned the Legislature to found Maine's first hospital in 1868; and

WHEREAS, this hospital has now been joined by 42 other community hospitals that annually serve over 160,000 inpatients and over a 1,500,000 outpatients; and

WHEREAS, the first recorded annual meeting of the Maine Hospital Association was in December of 1937 at the Central Maine General Hospital in Lewiston with Dr. Jolle Hiebert, as president, to discuss caring for the poor; and

WHEREAS, Maine's hospitals have continued to work collectively in the interest of their patients and the citizens of Maine; and

WHEREAS, the voluntary members of the association and their staff have consistently striven to bring together diverse opinions on complex social and technological health issues; and

WHEREAS, the issues have become increasingly complex and interrelated with society's overall needs, bringing even greater value to the efforts of the Maine Hospital Association; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives of this 113th Legislature of the great and sovereign State of Maine, pause to recognize and commend the officers, members and staff of the Maine Hospital Association for their efforts over these past 50 years to bring better health care services to the people of the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted for presentation to the Chairman of the Board of the Maine Hospital Association on the occasion of their 50th anniversary. Which was READ and ADOPTED.

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:

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Remove a Certain Sunset Provision in the Judiciary Laws" (Emergency)

H.P. 1372 L.D. 1874  
Committee on JUDICIARY 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:

ENACTORS

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

Emergency Resolve  
Resolve, to Establish the Commission on Children in Need of Supervision and Treatment

H.P. 598 L.D. 809  
(H "C" H-387 to C "A" H-351)

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending FINAL PASSAGE.

Emergency Resolve

Resolve, to Establish the Weatherization Services Study Committee

S.P. 640 L.D. 1866  
(H "B" H-388)

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending FINAL PASSAGE.

Senate at Ease  
Senate called to order by the President.

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

ENACTORS

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

Resolve

Resolve, to Extend the Existence of the Office of Bicentennial of the United States Constitution and the Reporting Deadline of the Maine Commission to Commemorate the Bicentennial of the United States Constitution

H.P. 1368 L.D. 1873

Which 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:

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on HUMAN RESOURCES on Bill "An Act to Implement the Recommendations of the Driver Education Evaluation Program Study" (Emergency)

H.P. 962 L.D. 1291

Reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-389).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-389) AS AMENDED BY HOUSE AMENDMENT "A" (H-393) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "B" (H-389) READ.

House Amendment "A" (H-393) to Committee Amendment "B" (H-389) READ and ADOPTED, in concurrence.

Committee Amendment "B" (H-389) as Amended by House Amendment "A" (H-393) thereto, ADOPTED, in concurrence.

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 forthwith to the Engrossing Department.

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 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

(S "B" S-201; H "A"

H-386)

In Senate, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "B" (S-201) AND HOUSE AMENDMENT "A" (H-386), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-386) AND "B" (H-392) AND SENATE AMENDMENT "B" (S-201) 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:

COMMITTEE ON AGRICULTURE

ONE HUNDRED AND THIRTEENTH LEGISLATURE

June 17, 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 Committee on Agriculture 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	39
Unanimous reports	34
Leave to Withdraw	12
Ought to Pass	5
Ought Not to Pass	2
Ought to Pass as Amended	9
Ought to Pass in New Draft	6

Divided reports 2

Carry Overs 3

Respectfully submitted,  
S/Sen. Zachary Matthews S/Rep. Robert J. Tardy  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

June 16, 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 Committee on Appropriations and Financial Affairs 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	192
Unanimous reports	179
Leave to Withdraw	83
Ought to Pass	16
Ought Not to Pass	24
Ought to Pass as Amended	41
Ought to Pass in New Draft	15

Divided reports 0

Carry Overs 9

Re-referred 4

Respectfully submitted,  
S/Michael D. Pearson S/Donald V. Carter  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

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

Senator PEARSON: Thank you Mr. President, I would like to point out with a lot of pride, that the Committee on Appropriations and Financial Affairs has reported out no divided reports this year.

The Following Communication:

COMMITTEE ON BANKING AND INSURANCE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 15, 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 Committee on Banking and Insurance 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	81
Unanimous reports	65
Leave to Withdraw	25
Ought to Pass	9
Ought Not to Pass	5
Ought to Pass as Amended	12
Ought to Pass in New Draft	14
Divided reports	3
Carry Overs	12
Re-referred	1

Respectfully submitted,  
S/Sen. Raynold Theriault      S/Rep. Charlene B. Rydell  
Senate Chair                      House Chair  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 16, 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 Committee on Energy and Natural Resources 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	94
Unanimous reports	88
Leave to Withdraw	21
Ought to Pass	7
Ought Not to Pass	23
Ought to Pass as Amended	18
Ought to Pass in New Draft	19
Divided reports	2
Carry Overs	3
Re-referred	1

Respectfully submitted,  
S/Sen. Ronald E. Usher      S/Rep. Michael H. Michaud  
Senate Chair                      House Chair  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON MARINE RESOURCES  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 16, 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 Committee on Marine Resources 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	30
Unanimous reports	24
Leave to Withdraw	7
Ought to Pass	1

Ought Not to Pass	5
Ought to Pass as Amended	2
Ought to Pass in New Draft	9
Divided reports	5
Carry Overs	1
Re-referred	0

Respectfully submitted,  
S/Sen. Zachary Matthews      S/Rep. James Mitchell  
Senate Chair                      House Chair  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON STATE AND LOCAL GOVERNMENT  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 17, 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 Committee on State and Local Government 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	126
Unanimous reports	85
Leave to Withdraw	21
Ought to Pass	14
Ought Not to Pass	3
Ought to Pass as Amended	26
Ought to Pass in New Draft	21
Divided reports	15
Carry Overs	8
Re-referred	3

1 Committee Bill Pursuant to Joint Order H.P. 23  
14 County Budgets

Respectfully submitted,  
S/Sen. John L. Tuttle      S/Rep. Donnell P. Carroll  
Senate Chair                      House Chair  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON TAXATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 17, 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 Committee on Taxation 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	110
Unanimous reports	89
Leave to Withdraw	51
Ought to Pass	3
Ought Not to Pass	11
Ought to Pass as Amended	14
Ought to Pass in New Draft	10
Divided reports	11
Carry Overs	10

Respectfully submitted,  
S/Sen. R. Donald Twitchell      S/Rep. John A. Cashman  
Senate Chair                      House Chair  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON TRANSPORTATION

ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 16, 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 Committee on Transportation 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	98
Unanimous reports	85
Leave to Withdraw	28
Ought to Pass	15
Ought Not to Pass	19
Ought to Pass as Amended	15
Ought to Pass in New Draft	8
Divided reports	13
Carry Overs	0

Respectfully submitted,

S/Charles G. Dow  
Senate Chair  
S/Fred W. Moholland  
House Chair

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication:

MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

June 17, 1987

Honorable Joy J. O'Brien, Secretary of the Senate  
Honorable Edwin H. Pert, Clerk of the House  
113th Legislature  
Augusta, Maine

Dear Madame Secretary and Clerk Pert:

Enclosed are revised final letters from the following Joint Standing Committees: Aging, Retirement and Veterans; Education; and Fisheries and Wildlife.

The original revisions of these letters appeared on both Senate and House Calendars last week. Revised copies are necessary to reflect additional bills referred and/or recommitted to these committees since the date of the original letter and the committees' disposition of same.

I would be happy to answer any questions you have about these revised letters.

Sincerely,  
S/Sally Diamond  
Executive Director  
Legislature Council

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON AGING, RETIREMENT AND VETERANS  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 11, 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 Committee on Aging, Retirement and Veterans 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	40
Unanimous reports	38
Leave to Withdraw	14
Ought to Pass	8

Ought Not to Pass	3
Ought to Pass as Amended	5
Ought to Pass in New Draft	8
Divided reports	1
Carry Overs	0
Re-referred	1

Respectfully submitted,

S/Sen. Georgette B. Berube  
Senate Chair  
S/Rep. Daniel B. Hickey  
House Chair

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON EDUCATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 12, 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 Committee on Education 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	66
Unanimous reports	54
Leave to Withdraw	23
Ought to Pass	7
Ought Not to Pass	2
Ought to Pass as Amended	15
Ought to Pass in New Draft	7

Divided reports	7
Carry Overs	4
Re-referred	1

Respectfully submitted,

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON FISHERIES AND WILDLIFE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
June 11, 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 Committee on Fisheries and Wildlife 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	64
Unanimous reports	57
Leave to Withdraw	17
Ought to Pass	5
Ought Not to Pass	18
Ought to Pass as Amended	2
Ought to Pass in New Draft	15

Re-referred to Another Committee	1
Divided reports	6
Carry Overs	0

Respectfully Submitted,

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

Which was READ and ORDERED PLACED ON FILE.

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



COMMUNICATIONS

The Following Communication:  
 COMMITTEE ON BUSINESS LEGISLATION  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 June 12, 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 Committee on Education 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	66
Unanimous reports	54
Leave to Withdraw	23
Ought to Pass	7
Ought Not to Pass	2
Ought to Pass as Amended	15
Ought to Pass in New Draft	7
Divided reports	7
Carry Overs	4
Re-referred	1

Respectfully submitted,  
 S/Stephen C. Estes                      S/Stephen M. Bost  
 Senate Chair                              House Chair  
 Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
 COMMITTEE ON HUMAN RESOURCES  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 June 17, 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 Committee on Human Resources 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	99
Unanimous reports	85
Leave to Withdraw	33
Ought to Pass	12
Ought Not to Pass	1
Ought to Pass as Amended	26
Ought to Pass in New Draft	13
Divided reports	3
Carry Overs	6
Re-referred	5

Respectfully submitted,  
 S/Sen. Paul Gauvreau                      S/Rep. Peter Manning  
 Senate Chair                              House Chair  
 Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
 COMMITTEE ON JUDICIARY  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 June 15, 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 Committee on Judiciary 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	174
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Unanimous reports	143
Leave to Withdraw	64
Ought to Pass	28
Ought Not to Pass	3
Ought to Pass as Amended	20
Ought to Pass in New Draft	28
Divided reports	5
Carry Overs	21
Re-referred	5

Respectfully submitted,  
 S/Joseph C. Brannigan                      S/Patrick E. Paradis  
 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:

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

An Act Establishing the Maine Commission on Outdoor Recreation

S.P. 427 L.D. 1307  
 (H "A" H-385 to C  
 "A" S-186)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 1 Senators having voted in negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED.

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENACTED.

On further motion by same Senator, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Emergency  
 An Act to Prohibit Initial Service Charges by Public Utilities

H.P. 1290 L.D. 1768  
 (H "A" H-390)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 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:

Bond Issue  
 An Act to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 for Capital Repairs and Improvements to State Facilities and for the Removal of Asbestos from State Facilities

H.P. 1037 L.D. 1395  
 (C "A" H-373)

This being a Bond Authorization Act and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 being more than two-thirds of the Membership present and voting 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 to Authorize the State Bureau of Identification to Charge Fees to Nongovernmental Agencies for Services

S.P. 631 L.D. 1852  
(S "A" S-230)

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 Extend the Time for the Transfer of Authority to Adjudicate Traffic Infractions to the Secretary of State

H.P. 1366 L.D. 1872

On motion by Senator PEARSON of Penobscot, Tabled until Later in Today's Session, 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:

An Act to Prohibit Random or Arbitrary Substance Abuse Testing of Employees

S.P. 643 L.D. 1871

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

Senator DUTREMBLE: Thank you Mr. President, men and women of the Senate. Before we move on with this I would like to make a few comments. I think more than anything else this year, I wish we would have been able to come out with some kind of drug testing Bill and we haven't been able to. I think the one reason was because of the question before us right now. Random versus probable cause. I think the issue is so important it deserves to be settled and God knows we all tried and tried and tired to find the answer. Since we cannot, I think that really the best way to do it is to go to the people and let them decide the issue in a referendum question. When we come back next year, we will have their answer and we also have a carry over Bill that deals with drug testing. So, we will be able to address the issue again. All of the other parts of the Bill that most of us agreed, those parts are pretty good and we could have come out with something there and then taking what the people decide in November incorporating it into a Bill. I think either way, obviously all along I thought that my position was right and if that is what happens in November than we can incorporate that into the Bill next year. If the people prove me wrong in my beliefs and they really do want to be randomly tested, then I guess next year I can come in and work in that manner to. I think it is very important since the issue has divided this Legislature, that we sent it to the people and let them decide which way they want to go. Thank you.

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

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$40,000,000 to Finance the

Acquisition of Land for Conservation, Outdoor Recreation and Wildlife"

H.P. 764 L.D. 1027  
(C "A" H-366)

In Senate, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-366), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-394) 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 Concerning the Taking of Fingerprints and Submission to the State Bureau of Identification

S.P. 587 L.D. 1739  
(S "A" S-231)

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

An Act to Authorize Androscoggin County to Raise up to \$8,900,000 to Improve and Construct Jail Facilities for Androscoggin County

S.P. 623 L.D. 1830  
(S "B" S-232 to C "A" S-228)

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

Senator GAUVREAU: Thank you Mr. President, men and women of the Senate. I apologize for taking up your time this late in the evening, but I do want to put some comments on the Record regarding this Bill which authorizes the County Commissioners in Androscoggin County to go out to bond either this fall or next year on a proposed 8.9 million dollar jail bond issue.

This issue surfaced very late in the Legislative Session, in fact, many members of the delegation were not aware that the commissioners were proposing to go out to a vote until late last week. The delegation attempted to meet with the commissioners and acquaint faced very late in the Legislative Session, in fact, many members of the delegation were not aware that the commissioners were proposing to go out to a vote until late last week. The delegation attempted to meet with the commissioners and acquaint itself with the particulars regarding the bond proposal. Unfortunately due to time strictures many members of the delegation were unable to attain a mastery of the details regarding the bond question, at least to their satisfaction. I think it is fair to say that the entire delegation as of this moment has significant concerns regarding the particular bond issue in question.

However, we do expect that the County Commissioner and the Jail Advisory Commission will recognize and honor the delegations concerns such that in the event the delegation were to harbor severe reservations regarding going out to bond this year, that it would respect the will and the request of the delegation that this matter be set over until next year. In other words, if there are, in fact, remaining questions which have not been addressed throughout this summer to satisfaction of the delegation, it is my understanding, based upon communications with the county commissioners that, in fact, the bond issue would be deferred until 1988.

With that I would ask you to enact this legislation. Thank you.

Which were PASSED TO BE ENACTED and having been signed by the President, were 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:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$3,100,000 for Pier Reconstruction at the Maine Maritime Academy

H.P. 1036 L.D. 1394  
(C "A" H-370)

This being a Bond Authorization Act and having received the affirmative vote of 29 Members of the Senate, with 1 Senators having voted in negative, and 29 being more than two-thirds of the Membership present and voting was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator PEARSON of Penobscot, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Extend the Time for the Transfer of Authority to Adjudicate Traffic Infractions to the Secretary of State"

H.P. 1366 L.D. 1872

Tabled - June 17, 1987, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, June 17, 1987, PASSED TO BE ENACTED.)

(In Senate, June 17, 1987, PASSED TO BE ENGROSSED, in concurrence.)

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

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

Emergency

An Act to Establish a State Nuclear Safety Inspection and Monitoring Program for Commercial Nuclear Power Facilities in the State

H.P. 1053 L.D. 1416  
(H "A" H-343 to C  
"A" H-338)

Tabled - June 16, 1987, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, June 16, 1987, PASSED TO BE ENACTED.)

(In Senate, June 15, 1987, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-338) AS AMENDED BY HOUSE AMENDMENT "A" (H-343), thereto, in concurrence.)

On motion by Senator GAUVREAU of Androscoggin, the Senate SUSPENDED THE RULES.

On further motion of same Senator, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED AS AMENDED.

On further motion of same Senator, the Senate SUSPENDED THE RULES.

On further motion of same Senator, the Senate RECONSIDERED ADOPTION of Committee Amendment "A" (H-338) as Amended by House Amendment "A" (H-343), thereto.

On further motion of same Senator, Senate Amendment "A" (S-274) to Committee Amendment "A" (H-338) READ.

Senator GAUVREAU of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senate at Ease

Senate called to order by the President.

THE PRESIDENT: The Chair recognizes the same Senator.

Senator GAUVREAU: Thank you Mr. President, men and women of the Senate. With respect to the issue raised by the Chair, it is my understanding that the House Amendment adopted earlier pertained to emergency zones in this legislation and the Amendment I am offering relates to an entirely different section of the L.D.. Specifically Senate Amendment "A" would provide allocation language into the L.D. and would also bring this legislation closer into compliance with the provisions of the Maine Tort Claims Act. Thank you.

On further motion of same Senator, Senate Amendment "A" (S-274) to Committee Amendment "A" (H-338) ADOPTED.

Committee Amendment "A" (H-338) as Amended by Senate Amendment "A" (S-274) and House Amendment "A" (H-343), 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.

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

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland, the following Joint Order:

S.P. 650

Ordered, the House concurring, that in accordance with emergency authority granted under the Revised Statutes, Title 3, section 2, the First Regular Session of the 113th Legislature shall be extended in accordance with the provisions of said section.

Which was READ

Pursuant to the Statutes, this Joint Order requires the affirmative vote of two-thirds of the Members present and voting for Passage. 27 Senators having voted in the affirmative and 1 Senator having voted in the negative, and 27 being more than two-thirds of the Members present and voting the Joint Order was 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:

COMMITTEE REPORTS

House

Committee of Conference

The Committee of Conference on the disagreeing action between the two branches of the Legislature, on Bill "An Act Relating to Aggravated Trafficking or Furnishing Scheduled Drugs under the Maine Criminal Code"

H.P. 1332 L.D. 1822

Have had the same under consideration and ask leave to report that the House Recede from Passage to be Engrossed; Read and Adopt Committee of Conference Amendment "A" (H-399) and Pass the Bill to be Engrossed as Amended by Committee of Conference Amendment "A" (H-399) in Non-Concurrence. That the Senate Recede and Concur with the House.

Signed on the part of the House:

Representative BOST of Orono  
Representative GWADOSKY of Fairfield  
Representative MARSANO of Belfast

Signed on the part of the Senate:

Senator GAUVREAU of Androscoggin  
Senator BRANNIGAN of Cumberland  
Senator CLARK of Cumberland

Comes from the House with the Conference Report READ and ACCEPTED. House RECEDED from PASSAGE TO BE ENGROSSED; READ and ADOPTED Committee of Conference Amendment "A" (H-399) and PASSED the Bill to be ENGROSSED AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (H-339) in NON-CONCURRENCE.

Which Report was READ and ACCEPTED, in concurrence.

Senate RECEDED and CONCURRED.

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 TAXATION on Bill "An Act to Provide Relief from Property Taxes through a Low-income Credit Circuit Breaker"

H.P. 537 L.D. 721

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-346).

Signed:

Senators:

TWITCHELL of Oxford  
DOW of Kennebec

Representatives:

NADEAU of Saco  
DUFFY of Bangor  
DORE of Auburn  
SWAZEY of Bucksport  
CASHMAN of Old Town  
MAYO of Thomaston

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

Signed:

Senator:

SEWALL of Lincoln

Representatives:

SEAVEY of Kennebunkport  
INGRAHAM of Houlton  
JACKSON of Harrison  
ZIRNKILTON of Mount Desert

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-346) AS AMENDED BY HOUSE AMENDMENT "D" (H-397), thereto.

Which Reports were READ.

On motion by Senator TWITCHELL of Oxford, the Majority OUGHT TO PASS AS AMENDED Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-346) READ.

House Amendment "D" (H-397) to Committee Amendment "A" (H-346) READ and ADOPTED.

Committee Amendment "A" (H-346) as Amended by House Amendment "D" (H-397), thereto ADOPTED, in concurrence.

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

On motion by Senator SEWALL of Lincoln, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (H-346) as Amended by House Amendment "D" (H-397) thereto.

On further motion by same Senator, Senate Amendment "A" (S-216) to Committee Amendment "A" (H-346) READ.

Senator TWITCHELL of Oxford moved the INDEFINITE POSTPONEMENT of Senate Amendment "A" (S-216) to Committee Amendment "A" (H-346).

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

Senator SEWALL: Thank you Mr. President, men and women of the Senate. What my amendment does, it has been printed for some time, I suppose most of you had a chance to consider. What it does is it goes along with the circuit breaker for the elderly, but in the low income section it removes that and returns it to the town per pupil, students, which I believe gives more effective property relief to all the property owners of the town, than more on an income basis. A real property relief measure by giving that second section back, per pupil, to the municipalities.

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

Senator TWITCHELL: Thank you Mr. President, I don't believe this amendment is germane to the Bill and I would request a Ruling from the Chair.

Senate at Ease

Senate called to order by the President.

THE PRESIDENT: In response to the inquiry by Senator Twitchell, of Oxford, as to whether Senate Amendment "A" to Committee Amendment "A" is germane. It would be in the opinion of the Chair that the amendment is not germane.

Senate Amendment "A" (S-216) RULED NOT GERMANE.

Committee Amendment "A" (H-346) as Amended by House Amendment "D" (H-397), thereto ADOPTED, in concurrence.

Which was PASSED TO BE ENGROSSED, as Amended, in 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 Amend the Duties of the Commissioner of Labor"

H.P. 1199 L.D. 1634

In Senate, June 1, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-398) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Creating the Maine Low-level Radioactive Waste Authority" (Emergency)

S.P. 639 L.D. 1865  
(S "A" S-218; S "B" S-221; H "A" H-382)

In Senate, June 16, 1987, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "A" (S-218) AND "B" (S-221) AND HOUSE AMENDMENT "A" (H-382), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENTS "A" (S-218) AND "B" (S-221) AND HOUSE AMENDMENTS "A" (H-382) AND "B" (H-396) in NON-CONCURRENCE.

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

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ORDERS OF THE DAY

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

Emergency

An Act to Ensure Safe Management, Recycling and Disposal of Solid Waste and to Reorganize the Solid Waste Law

H.P. 1360 L.D. 1862

Tabled - June 17, 1987, by Senator USHER of Cumberland.

Pending - ENACTMENT

(In House, June 17, 1987, PASSED TO BE ENACTED.)

(In Senate, June 16, 1987, PASSED TO BE ENGROSSED, in concurrence.)

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

On further motion by same Senator, Senate Amendment "B" (S-235) READ and ADOPTED.

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

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

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

Emergency

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989

H.P. 1364 L.D. 1867

Tabled - June 17, 1987, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, June 17, 1987, PASSED TO BE ENACTED.)

(In Senate, June 17, 1987, PASSED TO BE ENGROSSED, in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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.

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

Bill "An Act to Increase the Threshold for Fuel Tax Licensing"

S.P. 302 L.D. 871

Tabled - June 17, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, June 17, 1987, READ A SECOND TIME.)

On motion by Senator DOW of Kennebec, Senate Amendment "A" (S-233) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

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

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

An Act Concerning the Taking of Fingerprints and Submission to the State Bureau of Identification

S.P. 587 L.D. 1739

Tabled - June 17, 1987, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, June 17, 1987, PASSED TO BE ENACTED.)

(In Senate, June 4, 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.

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On motion by Senator DUTREMBLE of York, ADJOURNED until Thursday, June 18, 1987, at 10:00 in the morning.